
UNIT 21 CONSERVATISM

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21.1 INTRODUCTION

Conservatism, as a philosophy dedicated to the defense of an established order or an attitude with a defensive strategy to/maintain the present status quo or in the classical sense of a 'right-wrong ideology', is an important intellectual force today. That it is flourishing in the realm of ideas can be seen in a core of principles recognised in most societies of our times. The philosophers of conservatism are one in highlighting the principles on which conservatism bases itself. These principles, as Clinton Rossiter sums up, are: (i) The existence of a universal moral order sanctioned and supported by organised religion; (ii) The obstinately imperfect nature of men in which unreason and sinfulness lurk always behind the curtain of civilized behavior; (iii) The natural inequality of men in most qualities of mind, body and character; (iv) The necessity of social classes and orders, and the consequent folly of attempts at leveling by force of law; (v) The primary role of private property in the pursuit of personal liberty and the defense of social order; (vi) The uncertainty of progress, and the recognition that prescription is the chief method of such progress as a society may achieve; (vii) The need for a ruling and serving aristocracy, (viii) The limited search of human reason and the consequent importance of traditions, institutions, symbols, rituals and even prejudices; (ix) The fallibility and potential tyranny of majority rule, and the consequent desirability of diffusing, limiting and balancing political power.

Conservatism, as a mood, prefers liberty over equality; tradition over changes; history over politics; past over present or atleast the future; prudent over inquisitive man; and ordered society over society demanding changes.

21.2 MEANING 'OFCONSERVISM

The term 'conservative' has a variety of meanings. It may refer to a person with a moderate or cautious behavior, or a life style that is conventional, even conformist, or a fear of, or refusal to change. Conservatism is an ideology which opposes more than it favours. Andrew Haywood ('Political Ideologies') rightly says that: "There is, for example, some truth in the belief that conservatives have a clearer understanding of what they oppose than what they favour". To that extent, conservatism is a negative philosophy which preaches resistance to or atleast wary suspicion of change: it is, therefore, a defence of the status quo. In this sense, conservatism is a political attitude rather than an ideology. People may be considered to be 'conservative' when they resist change, without subscribing to a conservative political creed. The Stalinists, in the former Soviet Union, who opposed Gorbachev's 'Perestroika' and 'Glasnost' were 'conservative' in their action, but certainly not conservative in terms of their political ideology. The desire to resist change may be a recurrent theme within conservatism, but what distinguishes a conservative from people of other ideologies is the distinctive arguments and values which a conservative employs in upholding his objectives.

Conservatism is more than an 'attitude of mind' or an 'approach to life' or what Hugh Ceril said 'a natural disposition of the human mind'. Conservatives, in fact, prefer to base their arguments on experience and reality rather than abstract principles. Conservatism is neither simple pragmatism, nor mere opportunism. It is based upon a particular set of political beliefs about human beings, the societies they live in, and the importance of a distinctive set of political values. As such, 'like liberalism and socialism, it can rightfully be described as an ideology' (Andrew Haywood).

The essence of conservatism, Russell Kirk (*The Conservative Mind*) says, "is the preservation of the ancient moral traditions of humanity and that for the conservative, custom, convention, constitution, and prescription are the roots of a tolerable civil order". He adds that "forces of great power in nations are prescriptions in favour of local rights and private property, of habits of life, prejudices in favour of old decencies, the family, and religious dogmas".

De Kirk lists six canons of conservative thought:

- 1) A "belief in a body of natural law which rules society and conscience."
- 2) A "love of variety and the mystery of human existence, as opposed to narrowing uniformity, egalitarianism and utilitarianism."
- 3) A "conviction that civilized society requires orders and classes as opposed to a 'classless' society: equality in the judgement of God and before courts of law. Equality of condition means equality in servitude and boredom."
- 4) "Freedom and prosperity are inseparable, or else government becomes the master of all,"
- 5) A "faith in prescription, for customs, conventions and old prescriptions are checks upon anarchy and man's lust for power."
- 6) "Change may not be good reform, a statesman's chief virtue is prudence."

Conservatism is the philosophy of individualism, of an autonomous individual, of an individual with inalienable rights, of an individual rooted in strong moral values, of an individual nurtured in traditions.

21.3 NUMEROUS USES OF THE TERM 'CONSERVATISM'

It is much easier to locate the historical context i.e., period between 750 and 1850 as a response to the rapid series of changes in which conservatism evolved than to specify what is or what the conservatives believe. Sometimes, conservatism means outright opposition to all and every change; at others, it means an attempt to reconstruct a form of society which existed in an earlier period. Still at other times, it appears to be primarily a political reaction and secondarily, a body of ideas.

Conservatism, as Clinton Rossiter says, "is a word whose usefulness is matched only by its capacity to confuse, distort and irritate." He adds: "Since the patterns of thought and action it denotes are real and enduring, and since no substitute seems likely to be generally accepted, conservatism will doubtless have a long life..." Since World War II, the word 'conservatism' is being used in numerous ways..

21.3.1 Temperamental Conservatism

Conservatism, by one definition, denotes a 'natural' and culture-determined disposition to resist dislocating changes in a customary pattern of living and working. According to Rossiter, "It effectively is, a temperament or psychological stance, a cluster of traits that are on daily display by most men in all societies;" He lists the important elements of conservative temperament as (a) habit (the enormous fly-wheel of society and its most precious conservative agent), (b) inertia (a force that often seems to be as powerful in the social world as in the physical), (c) fear (especially fear of the unexpected, the irregular and the uncomfortable), and (d) emulation (a product of both fear of alienation from the group and a craving for its approval). So understood, one may speak, with propriety, of the conservatism of the poor, of the aged and of the ignorant. "At the same time", Rossiter writes, "one must assign a high value to the conservative temperament in the pattern of social survival and even of social progress".

21.3.2 Situational conservatism

Conservatism, by a second definition, related to the first, is an attitude of opposition to disruptive changes in the social, economic, legal, religious, political or cultural order. "It describes", Rossiter clarifies, "somewhat less crudely and somewhat more effectively, a pattern of social behaviour, a cluster of principles and prejudices that are on daily display by many men in all developed societies." The distinguishing feature of this conservatism is the fear of change, which becomes transformed in the political arena, as Rossiter tells, "into the fear of radicalism..." In this instance, "the radicalism of men who propose to make the world order... at the expense of old values, institutions and patterns of living".

Situational conservatism is not confined only to the well-to-do; it extends to all levels of people who lament change in the status quo.

It is unfortunate that both temperamental conservatism and situational conservatism tend to be equated to authoritarianism, obscurantism, racism, fascism, alienation, maladjustment, and 'the closed mind' studies are needed before these elements are linked to either of conservatism.

21.3.3 Political Conservatism

Conservatism, by still another definition, is the aspirations and activities, most of them defensive rather than creative, of parties and movements that celebrate inherited patterns of morality and tested institutions that oppose the reforming plans of the moderate left and the schemes of the extreme left.

Political conservatism is a phenomenon which is universal of organised society, and essentially, the defense of a going society. Reaction is not conservatism. It is the position of men who sigh for past more intensively than they celebrate the present and who feel that a retreat back into it is worth trying. The conservative is a man essentially at rest: generally, well adjusted psychologically as well as programmatically to "a world he never made." The reactionary is a man always in motion, "refuses to", Rossiter points out, "acknowledge that whatever has been settled must henceforth be considered good or at least tolerable, and he seems willing to erase same paws, scrap some institutions, even amend his nation's constitution, so that he can roll back the social process to the time which his countrymen first went foolishly astray".

This should not mean that a restorationist is a conservative always, though there seems a relationship between a restorationist in the sense of conservative and a revaluation. In the sense of a restorationist, a conservative is delusionist and like a revolutionist, he may have outbursts. But it is going too far. A conservative, which a revolutionary is not, is a man of order in whose scheme of things, a shattered society has no place.

Conservatism is restorationism in so far as it comes to holding a brief for traditions, customs, morals, history and the older institutions. It is radical in so far as these all, as mentioned above, are to be protected from attacks of either liberal or socialist-Marxist measures. It is liberal in so far as its values are not challenged. It is reactionary in so far as the trace of history remains within the control of tested moral gospels. Rossiter writes: "He (conservative), like the liberal, must reason and discriminate; he, like the radical, may have to plan and gamble. The conservative as reformer, the right-wrong politician who tries to outpromise liberals in the area of welfare legislation, is an uncomfortable man. The conservative as revolutionary, the traditionalist who acts 'radically' to preserve the crumbling values and institutions of his community, is no conservative at all".

21.4 CONSERVATISM: ITS CHARACTERISTIC FEATURES

"The desire to conserve", the words which Edmund Burke used, is the underlying theme of conservative ideology, though it is not the sole objective which conservatives of all shades seek to attain. Authoritarian conservatism has often been reactionary; it either refuses to yield to change or attempts to turn the clock back. Revolutionary conservatism may use the term radical conservatism and tends to regain or reestablish or argue for a conservative fabric of revolutionary character. The characteristic features of conservatism, as evolved in different forms and conveying the fundamentals of conservatism can be identified.

21.4.1 History and Tradition

The role of history and tradition is basic to any type of conservatism. History, reduced to its essentials, is nothing but experience. It is deductive thought in matters of human relationship, Legitimacy is the work of history. "To see things authentically as a conservative", Mannheim

writes, "is to experience events in the past". True history is expressed not in linear and chronological fashion; but in the persistence of structures, communities, habits and prejudices generation after generation. The correctness of history or of experience for that matter is a persisting conservative emphasis. This has been shown by Burke, Rourke, Oakeshott and Voegelin, to mention a few. Social reality can be understood through a historical approach: "We cannot know where we are, much less where we are going, until we know where we have been. That is the bedrock position of the conservative philosophy of history". ('Conservatism: Dream and Reality')

History is represented in traditions, and traditions constitute an important component of history. As such, a central theme of conservatism is, with regard to history, its defence of traditions, its desire to maintain established customs and institutions. Burke was talking about tradition when he conceived of society as a partnership between "those who are living, those who are dead and those who are to be born". Tradition is, Chesterton says, "a democracy of the dead." In this sense, tradition reflects the accumulated wisdom of the past. The institutions and practices of the past have been tested by time, and should the conservatives demand, be preserved for the benefit of the living and for generations to come.

21.4.2 Human Imperfection, Prejudice and Reason

Conservatism is a philosophy of human imperfection; the roots of man's basis lay more in prejudice than in reason. As against the liberals, who think of human beings as moral, rational and social, the conservatives regard men, both imperfect and unperfectable. Human beings, the conservatives believe, are dependent creatures, always fearing isolation and instability, and therefore, always seek safety, security and what is familiar, ready always to sacrifice liberty for social order. By their very nature, the people, the conservatives would say, are suspicious of abstract ideas and prefer to ground their ideas in experience and reality: they have usually an already framed view evolved from the past, a prejudice-mad? framework. "Prejudice", Nisbet argues for the conservative, "has its own intrinsic wisdom, one that is anterior to intellect. Prejudice is of ready application in the emergency; it previously engages the mind in a steady course of wisdom and virtue and does not leave the man hesitating in the moment of decision, skeptical, puzzled, and unresolved". Reason stems from knowledge that is learnt than imparted. The conservatives are of the opinion that imparted knowledge leads to abstractions, abstract knowledge, and for human beings, it is too complicated to be fully grasped. Learnt knowledge is rooted in experience and is limited to the doing of something, to the learning of something through committing mistakes. Such a knowledge is not the knowledge of rules and generalisations, but is one that comes from one man's experience and goes down in the blood of the other. Reason as knowledge of this time is not a cure worse than the disease, but is one that eliminates the disease.

21.4.3 Organic Society, Liberty and Equality

The conservative view of society is an organic view of society: the individuals do not and cannot exist outside society, but they are 'rooted' in society, and 'belong' to it; they are parts of social groups and these groups provide the individuals' lives with security and meaning. The conservative's view of liberty is not 'leaving the individual alone', but is one where there is willing acceptance of social obligations and ties. For the conservatives, liberty is primarily 'doing one's duty'. When the parents, for example, advise their children to behave in a particular way, they do not constrain their liberty, but they are providing a basis for the liberty the

children would enjoy when they grow up. The conservative view of liberty is neither atomistic nor rootless: it is the enjoyment of rights together with the performance of duties, either before or after or both.

The conservative view of society is one that is a living thing, an organism whose parts are neither equal nor the same, work together and make the human body function properly; each part of the organic society (i.e., family, government, a factory) plays a particular role in sustaining and maintaining the health of society. Heywood explains, "If society is organic, its structure and institutions have been shaped by natural forces and its fabric should therefore be preserved and respected by the individuals who live within it."

The conservative view of organic society is a unity composed of diversities: such a society is always in a hierarchical form where alone liberty works effectively and with a meaning. In such a socially differentiated society, organic as it is, equality has no place. "... most forms of equality ... seem to the conservative to threaten the liberties of both individual and group. liberties which are inseparable from the built-in differentiation, variety, and variable opportunity..." (Nisbet). Burke's dictum, in this context, is: "Those who attempt to level, never equalise."

21.4.4 Authority and Power

Authority and power, in the sense they are used, have much in common for a conservative. Power is used by one who is authorised to exercise it and it is the legitimate act to get what one wills. In an organic society, order has to be maintained: so power is an essential component of an organic society; in an hierarchical system, there are different levels; so authority became necessary. Power and authority are the important concepts in conservative philosophy. These, in no sense, constitute an obstacle to what the conservatives think about liberty. "The only liberty", Burke said, "I mean is a liberty connected with order; that exists not only along with order and virtue, but which cannot exist at all without them". The conservatives believe that authority, like society, develops naturally; power emerges from functions. Authority and power, the conservatives strongly feel, develop from natural society. These are natural because they are rooted in the nature of society and all social institutions. Within school, authority or power is, and in fact, should be exercised by the teacher; in the work place, by the employer; and in the society, by the government. The conservatives say that authority is necessary because it is beneficial, as every one needs the guidance, support and security of knowing where the people stand and what is expected of them. That is why all the conservatives emphasise leadership and discipline. "Leadership", Heywood says, "is a vital ingredient in any society because it has the capacity to give direction and provide inspiration for others. Discipline is ... a willing and healthy respect for authority."

No conservative believes in equality, in social equality at that. They think that people are born unequally in the sense that: talents and skills are distributed unequally: unequal should not be treated equally. The conservatives believe that inequality is more deep-rooted. Genuine social equality, for the conservatives, is therefore, a myth.

Conservatism adores power in so far as it helps establish order in society. It admires authority because it is authority through which order is established in society. Conservatives favour an authoritarian and all-powerful state. Public order and the moral fabric of society can be maintained through the power and authority of the state. Heywood writes: "Furthermore,

within conservatism there is a strong paternalistic tradition which portrays government as a father-figure within society."

21.4.5 Property and Life

Property, for conservatives, possesses a deep and mystical significance. The conservatives hold the view that property has a range of psychological and social advantages: it provides security; gives people a sense of confidence; promotes social values. As such, the conservatives want that property must be safeguarded from disorder and lawlessness. They say that the property owners have a stake in society. They have an interest in maintaining law and order. Property ownership promotes the conservative values of respecting the law, authority and social order. "A deeper and more personal reason", Heywood writes, "Why Conservatives may support property is that it can be thought of almost an extension of an individual's personality. People 'realise' themselves, even see themselves, in what they own".

"It is the contempt", Burke wrote, "for property ...that has led to all the other evils which have received France (the French Revolution, 1789) and brought all Europe into the most imminent danger".

Conservatism advocates the sanctity of property. In the heart of every true conservative there is, as Russell Kirk writes, "persuasion that property and freedom are inseparably connected and that economic levelling is not economic progress. Separate property from private possession and liberty is erased". Irving Babbitt added: "Every form of social justice.... tends toward confiscation, and confiscation, when practised on large scale, undermines moral standards, and in so far, substitutes for real justice the law of cunning and the law of force."

21.4.6 Religion and Morality

Conservatism is, indeed, unique among major ideologies in its emphasis on religion and morality. Irrespective of denomination, all the conservatives including Hegel, Haller and Coleridge made religion, and therefore morality, a keynote of state and society.

The conservative support for religion and morality rests on the well-founded belief that human beings, once they get a lift from major orthodoxy, are likely to suffer some measure of derangement, of loss of equilibrium. "Religion", Burke wrote to his son, "is man's fastness in an otherwise incomprehensible and thereby hostile world". Tocqueville, before his death bed confession, described the value of religion and morality to government and society, and to freedom: "When there is no longer any principle of authority in religion anymore than in politics, men are speedily frightened at the prospect of unbounded independence. ... for my part, I doubt whether man can ever support at the same time complete religious independence and entire political freedom. And I am inclined to think that if faith be wanting in him, he must be subject; and if he be free, he must believe".

Religion is a spiritual phenomenon. But at the same time, it is an essential social cement as well. For the conservatives, there exists a close relationship between religion and conservatism, for religion provides society a moral fabric.

21.5 SOME REPRESENTATIVE CONSERVATIVES

It is only by way of completing an argument for conservatism that an attempt is being made to mention a few, and among them, two major representative conservatives; Burke and Oakeshott.

- i) Burke's 'Reflections on the Revolution in France' has been taken as definitive and fortnative of modern conservatism, with its opposition to radical reform based on abstract principles and its plea for the virtues of established and evolved institutions. Burke's faith in the past, his admiration of the present, his opposition to innovations, his small view of human nature, his belief in the traditional outlook of society and his sympathies with men of property all these go on to make him a conservative thinker. Cobban ('Edmund Burke') remarks: "Disciple of Locke and Whig politicians, though Burke was, the real man stands quite apart from the eighteenth century and the philosopher. A believer in antiquity in an age when the Modern had definitely conquered in their struggle with the Ancients, an adherent of the past in an age that was beginning to look to the future, he was also a philosopher of unreason in the great age of Reason."

Burke's conservatism is the basis of all his writings. Conservatism, as a theory, usually has three varieties: (a) *Status Quo*: It is one in which things are kept as they are. In every society, one finds people who are interested to keep things as they stand and who would not like to bring changes, for in a status quo, they have nothing to lose; (b) *Organizational Conservatism*: Such interests of men as favour status quo would find ways and means to protect them, promote them and defend them. Thus, comes organization which serves those who want to keep the status quo. What is organizational is conservative in nature. Yesterday's idea becomes today's movement and today's movement becomes tomorrow's organization; (c) *Philosophical Conservatism*: Once there is interest in the status quo and an organization to protect it, there is built an ideology, a philosophy around the interest to be protected. Conservatism, as a philosophy, is the building of a case for the protection and promotion of such interests.

Burke, in his writings, has passed through the above varieties of conservatism. Having stood for the admiration of the status quo, he builds the organization (parliamentary system, the political parties with national interests, etc., etc.) to support the status quo. But within the frame-work of conservatism, Burke demonstrates reformism. Until Burke's arrival, the Whig party was on the offensive. With Burke, there developed the beginning of a shift which carried the prevailing social philosophy from attack to defence.

- ii) Oakeshott's plea for traditionalism, as an aspect of his conservatism in politics, morals and life, in general, proceeds logically from his critique of rationalism. According to Oakeshott, the ideological style of politics (i.e., the rationalist style) is a confused style, for ideology in the rationalist scheme, as he thinks, is merely an abridgement, an index. So, Oakeshott's answer is that the only style, one should adopt and pursue, is the traditional one. Political activity, Oakeshott affirms, cannot spring but from the existing traditions of behaviour and the form that it takes is the amendment of existing arrangements by exploring and pursuing what is implied in them. All activity, for him, therefore, is traditional in nature. Every idea, every ideal, every ideology, even the most revolutionary, as described by Oakeshott, is traditional, always an index, an abridgement of traditional manner of attending to the arrangements of society.

Political activity, for Oakeshott, is, as Minogue says, "not succumbing to an impulse, nor is it drawing an implication: it is the pursuit of an intimation ... intimations appear as a kind of via media between the extremes of logical implication and inexplicable accident." Oakeshott's solution, Minogue holds, "is to take politics as a traditional activity, the point of the word 'traditional' being to emphasize that it can only be understood in historical terms."

Tradition, Oakeshott feels, is not a fixed manner of doing thing, but is flow of sympathy. Every political activity, therefore, is a consequential activity for him, the pursuit of intimacy as he fondly calls it. This means that political activity is what political activity actually is and not what it can be or it ought to be. It is what it succeeds actually in doing. All those who indulge; Oakeshott says, in revolutionary or idealistic actions indulge only in self-deception. Oakeshott writes: "In political activity, then, men sail a boundless and bottomless sea: there is neither harbour for shelter nor floor for anchorage, neither starting-place nor appointed destination. The enterprise is to keep afloat on an even keel; the sea is both friend and enemy: and the seamanship consists in using the resources of a traditional manner of behaviour in order to make a friend of every hostile occasion."

Oakeshott regards the traditional style of politics as the only legitimate style. In this essay on "Being Conservative", he emphasizes that being conservative is to prefer the familiar to the unknown, the tried to the untried, fact to mystery, the actual to the possible, near to the distant, the convenient to the perfect, present laughter to the utopian bliss. To be conservative is to be equal to one's own fortune, to live at the level of one's means. Stability, Oakeshott says, is any day more profitable than improvement. Oakeshott is suspicious of both change and innovation and, therefore, would like people to look twice at the claims promised by a change. If the change is unavoidable, Oakeshott would then favour only small and slow changes. Only that reform, he insists, be accepted that remedies a defect or that helps disequilibrium to be redressed.

Like Burke, Oakeshott regards society as a conversation rather than an argument. "Oakeshott does not believe", Minogue says, "that the point of the conversation is to elicit truth, though at times it will doubtless do so. Indeed, the whole point of the conversation is that it doesn't have a point, and therefore many things may find a place in it which would be expelled as irrelevant in a seminar or a debate in a legislative assembly." As Oakeshott himself says, "It is with conversation as with gambling, its significance lies neither in winning nor in losing, but in wagering."

Tradition, according to Oakeshott, is described as anything under the sun. It is, he says, continuity; it is steady; though it moves, it never is wholly in motion; though it is never wholly at rest. To know, Oakeshott says, only the gist of traditionalism is to know nothing; knowledge of it is unavoidably knowledge of its detail. Oakeshott's definition is too broad to mean anything or mean nothing.

21.6 SUMMARY

Conservatism is an ideology of conservation. It developed essentially as a reaction against the growing pace of political and economic changes especially in the West. This is one reason that any use of the word 'conservatism' resists change. As a philosophy, it defends the values of hierarchy, tradition and order against pressures generated by industrialisation and represented by the political challenges of liberalism and socialism. That is why there is a basic distinction among the leftists and socialists, libertarians and conservatives. The leftists and the socialists are the party of bureaucracy (i.e., hardcore communists); libertarians, of markets; and conservatives, of tradition.

Conservative ideology has its peculiar features: tradition and history, human imperfections with a love for prejudice and against reason, organic society with liberty and inequality,

admiration of authority and power, strong plea for property and life rights, and belief in ethical, moral and religious values.

The future of conservatism is inarred by its own limitations. Its opposition to equality and more than this, its defense of inequality make it unpopular in societies which have a strong democratic tendency. Consequently, conservatism has not succeeded in developing into an ideology of worldwide importance. In itself, conservatism is too broad and has become, to that extent, too vague an ideology: what is radical today may not be so tomorrow.

21.7 EXERCISES

- 1) Explain the meaning of conservatism. In how many major senses the word 'conservatism' is used?
- 2) What are, in your view, principles and canons of conservatism?
- 3) Describe briefly the characteristic features of conservatism.
- 4) Write a note on Edmund Burke as a conservative thinker.
- 5) How does Michael Oakeshott defend traditionalism? Explain in detail.

UNIT 22 FUNDAMENTALISM

Structure

- 22.1 Introduction
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22.1 INTRODUCTION

Religion has been traditionally one of the major components of national identity, and at times, its most prominent feature. Almost every state comprises of groups having faith in one religion or the other: Northern Ireland has Protestants and Catholics, Sri Lanka, Christian Tamils and Buddhist Sinhalese, India, Hindus, Muslims, Sikhs, Christians and many others, and even in a particular religion, there may be one sect or the other: the Sunnis and the Shias among the Muslims; the Arya Samajis, the Sanatan Dharmees and the Parnamis among the Hindus, for example.

In addition to religious fundamentalism, there is or what may be said, secularist fundamentalism, if fundamentalism is to be meant an uncompromising belief in the original and most basic thought frameworks of certain principles and a commitment to them. So understood, totalitarianism in the form of fascism or communism amounts to fundamentalism. Religious fundamentalism and secularist fundamentalism have much in common: conviction in the basic principles, commitment to beliefs and more or less, a fanatical zeal in methods. Fundamentalism is not necessarily always religious, it may be non-religious as well. Fundamentalism is rigid conformity to doctrines and this may be religious or ideological or both.

22.2 MEANING OF FUNDAMENTALISM

Fundamentalism is variously described by different scholars while emphasizing its one aspect or the other. This is why fundamentalism is religious as well as non-religious. Ideological fundamentalism may also be stated as one form of fundamentalism. Haywood (*Political Ideologies*) defines fundamentalism as "a belief in the original or most basic principles of a creed, often associated with fierce commitment and sometimes reflected in fanatical zeal". The implications of the term 'fundamentalism' from his definition are: (1) the belief either in the original creed or in its basic principles; (2) the belief takes the form of commitment and (3) the commitment takes the form of fanaticism. The word 'creed', denoting the accepting system of beliefs, becomes more or less, a religious term. If creed be taken as a religious concept, religious fundamentalism would therefore, mean, the belief in the original creed or in the basic principles of the creed together with commitment to those principles touching the

boundaries of fanaticism. In this sense, any religion may take the shape of religious fundamentalism: Christian, Islamic, Hindu and the like.

To be a man of religion and to be a fundamentalist are not the same thing, for religion is not fundamentalism. Faith in religion does not amount to faith in religious fundamentalism. Religion implies a moral order, a sublime faith and a spiritual end. Fundamentalism and especially, its religious aspect is the perversion of religion; it is the exploitation of religion, sometimes open and sometimes subtle; it is a tactical means to the wicked immoral end, converting religiosity into political/fanatical bellicosity.

Fundamentalism is opposed to secularism, rationalism, humanism and tolerance. It seeks to divide the civil society into numerous parts, pitting one against the other and preaching nothing but hatred. A fundamentalist knows his own religion and knows it in his own interest alone, and, therefore, to that extent, does not even respect his own religion. A true follower of religion is not necessarily fundamentalist; rather a fundamentalism is anti-religious. A religious fundamentalist is one who projects his religious community as distinct and separate from the others. He gives precedence to his interest over the common interest. He perceives and deals with citizens not individually but religion-wise. He, by looking at the citizens this way, distances himself from others and others from himself.

Fundamentalism is a system of beliefs; so is true about any ideology. If fundamentalism is regarded as an ideology of belief; if it is a system-belief, it is also an ideology-belief. In this sense, if there is a religious fundamentalism, there is also a non-religious, say, ideological fundamentalism. Communism, fascism, liberalism and to a degree, every ideology is also a system-belief. Every ideology to that degree is fundamentalistic. In every ideology, there are beliefs, theories, set of principles, foundational elements, followers who demonstrate faith as much as in any religion and there are people who readily accept martyrdom. All these features can be seen in any religious fundamentalism as well. Fundamentalism, in the general and relatively wider sense, means an ideology or belief system, commitment to which is more or less a matter of faith, both in words and deeds.

22.3 IDEOLOGY AND FUNDAMENTALISM

Ideologies are religions as religions are ideologies in their own right. Religion becomes a pin to fundamentalism, when belief in it becomes unchallengeable and the other religions are made to appear separate from it. Ideology, like religion, is a belief system against which all other ideologies become false. There is, thus, a common feature working in both, in ideology and religion and it is a system of beliefs. Rigidity in beliefs leads to fundamentalism, both religious and non-religious.

The relationship between knowledge and belief is, indeed, subtle, though the distinction between the two is very obvious. It is science that separates the two. Knowledge is all science or science leads to knowledge. Belief is only faith, and faith is always unscientific. But when knowledge ends up in belief, ideology and religion transform themselves into fundamentalism: ideological fundamentalism is as unscientific and bereft of knowledge as religious fundamentalism. When a religious precept says, truth shall win, it is knowledge, but when a man from a religion says that what he is saying is the truth, it is belief and therefore, has in it, all the essentials of fundamentalism. Likewise, Hitler, Mussolini or Stalin claim that their assertion alone is the gospel truth and when they want all others to believe so, it is secular or

non-religious fundamentalism. Faith, in any form of fundamentalism, is never questioned and it stays beyond the reach of any reason and enquiry. A fundamentalist of the religious type would never permit faith to be destroyed, of what he thinks to be a faith. No ideology and no leader of any ideology would ever allow to get its tenets challenged. Ganguly (*Faces of Fundamentalism*) points and rightly: "The result is that we decide about an invariant faith, whenever discrepancies arise, we have to reinterpret, modify, ignore or destroy the sources of discrepancies." As fundamentals become an article of faith, changes in the ideological belief become impossible and, it, then changes to fundamentalism.

Neither any religious nor any non-religious fundamentalist can afford any dissent, either of voice or word. Silencing of voice and pen is a significant pursuit of all forms of fundamentalism. With the development of ideological or religious thinking and the evolution of fundamentalism, a condition is created that is aptly described by Aldous Huxley: "At no period of world's history has organized lying been practiced so shamelessly....". The fundamentalist's demand is the surrender of individual consciousness to what he thinks is the basic principle of religion or ideology. With a fundamentalist, "God, Hitler, or Marx" are never wrong.

Fundamentalism need not be confused with revivalism. With the passage of time, there do arise rigidity and complexities in the evolution of any religion. When attempts are made to modify rigid rules or in the course of such movements, new sects appear, they do not constitute fundamentalistic activities. The rise of Buddhism and Jainism as a reaction to Hinduism, reformation movement as a reaction to the Roman Catholic Church or movements launched by the Muslim reformers can not be labelled as fundamentalistic movements. These and other religious revivals are attempts to reform religions, reinterpret the precepts or launch a new religion. Likewise, when Lenin was trying to reinterpret Marxism or Mao seeking to introduce Marxism – Leninism in China, they were making efforts not to deviate from the Marxian tenets, though such an assertion cannot be made about Bernstein. Hitler and Mussolini, on the other hand, were merely restating totalitarian fundamentalism.

22.4 CORE CHARACTERISTICS OF FUNDAMENTALISM

Fundamentalism, though used so frequently in the present day world, has never been clear in the minds of the people so far as its meaning is concerned. The word means different things to different people. At times, it is used in a deprecatory sense without assigning any clear-cut connotation. The word first received currency from a series of publications entitled, '*The Fundamentals*' published in the United States in 1909. Originally it indicated a belief that the Bible or for that matter any holy book of any religion is infallible as it contains the words of God. A fundamentalist regards his own creed or religion or a system of belief to be necessary, sufficient and eternally/completely valid.

One of the basic characteristics of fundamentalism is that it goes back to the original and to the definite sources and interprets them in its own words, asserting in the correctness of what the interpreter is saying. A fundamentalist's position, in this regard, is that what he is saying is the correct interpretation of the original or that the source meant what his interpretation is; a fundamentalist would not accept the opposite interpretation nor would he like to change what he thinks to be correct. In his attitude, a fundamentalist is uncompromising in his nature, he is aggressive; in his conviction, he is a fanatic. Ideology too has these features: a Hitlerite is a Hitlerite whatever be the circumstance; a liberal is a liberal whatever be at stake; a communist is a communist whatever be the temptations.

Doctrinal conformity is another characteristic feature of all fundamentalism. The fundamentalist's conviction in the doctrine is unassailable, its principles are inviolable, indefeasible, literal and absolutely binding. He is absolutely certain that the essential core of his belief is capable of solving all problems; his faith is inerrant, exclusive to all other ideologies and thus self-sufficient and incommensurate with other philosophies or ideologies. Ganguly writes: "We can clearly comprehend why 'revisionism' is a deadly crime in communism and why apostasy is punishable by death in fundamentalist Islam."

Fundamentalism does not know the language of conversation, but only that of imposition. Believing in doctrinal correctness, a fundamentalist wants the rest of the society to conform to the doctrine. The fundamentalists, instead of participating in dialogue, control deliberations and do not hesitate to intervene, often forcibly, to ensure that society is compelled to conform to the behaviour their worldview requires. Scott Bidstrup (*Why the 'Fundamentalist' Approach to Religion must be Wrong?*) says: "The belief that they (the fundamentalists) are right, without any question, justifies, in their own minds, taking upon themselves the right to impose their point of view, by force if necessary."

Fundamentalism has its own doctrine, if not the creed; it seeks to institute a harsh set of roles as political law: the *Sharia*, as in Khomeini's Iran, becomes the law of the land; so was the case in Taliban's Afghanistan; and so was Hitler's word, (or Mussolini's word in Italy) a law in Nazi Germany, and that of Stalin in the former USSR. As one Mormon leader, in the case of religious fundamentalism, once said (and this is true about any non-religious fundamentalism as well), while addressing an audience of university students: "Do not think for yourself. The thinking has already been done." A fundamentalist is never an audience, he is always a speaker.

Chauvinism is another defining characteristic of fundamentalism. While a fundamentalist of a religious type talks in the name of God, he is one who denies himself the power of God; while he makes a full cry of equality, he is, by nature, a patriarchalistic; while he claims all life based around faith, he declares all science to be wrong. While he pays a great deal of lip service to the ideals, he ignores them in practice and occasionally is contemptuous of them in private. He plays foul with religion/ideology for which he claims to live and die, if necessary.

Fundamentalism is always without a base. It starts with a conclusion and, thereafter, searches for evidence of support for the conclusion and if the fundamentalist does not find any, he creates one. It is an evidence-less exercise. This sort of methodology is not exclusive to Christianity, but can be seen in other religions too: the Christian fundamentalists are as non-scientific as other fundamentalists: Islamic, Hindu and the like. Fundamentalism promotes ignorance. It does not permit 'why'. The followers of Marx whose life motto was 'challenge everything' do not give this concession to others, not even to the Marxists themselves. Bidstrup writes: "... Fundamentalism all too often justifies in its adherents' minds the prejudices, the zealotry, the intolerance and the hate mongering that are all the most base of human instincts". "Fundamentalism of any stripe", he continues, "is not progress: but rather I contend, is the impedance of progress,"

22.5 IDENTITY OF SECULAR AND RELIGIOUS FUNDAMENTALISM

Fundamentalism, either secular (say, non-religious) or religious, negates science and rationalism. Every religion and every ideology thrive on belief-systems where reasoning has

no place. It is, therefore, easier for some pseudo believers of any religion or ideology to turn to fundamentalism in order to seek the fulfilment of certain selfish interests. One need not be a true believer to be religious; a pseudo-Marxist need not be a true Marxist.

It is not necessary that one has to believe in God to be called religious. Many religions do not believe in a creator-deity. Buddhism, in its original form, did not postulate a creator-deity. Buddhist Japan has no word for 'God'. Confucius preached, if Confucianism is regarded a religion, it is basically a system of moral code of conduct. So is true about Taoism as well. Mussolini and Hitler were no regular visitors of any church. No Marxist believes in God or for that matter, in religion.

Many scholars see in communism (Marxism) almost all the features of a religion. The historian Toynbee says that a lasting contribution of Marx has been the historical re-affirmation of Christian moral conscience of Marxism: "Saint Augustine emphasised this through Christian theology. Marx did it through socialism." Russell has also shown that Marxist has the structure of a religion: "it has the Yahweh which is the Dialectical Materialism, the Messiah that is Marx, the Elect that is the Proletariat, the Church that is the Communist Party." "It has the absolute source, of mystery", he continues, "the dialectical materialism, the revelation in the form of historical laws and its deterministic unfolding and also, it has its eschatology, that is, the withering away of the state, the coming of the Communist Man and the ultimate advent of trans-communism."

It is difficult to deny the scientific approach which Marx adopted; it is difficult to label Marx a utopian, especially when everyone knows his efforts at theorising socialism as scientifically as possible. It is also difficult to refer to his theory as deterministic when all through he fought against determinism. But as his philosophy came down to his followers, they made it doctrinal, Lenin closing it to fundamentalism and Stalin, after completing the progression, giving it the shape of a totalitarian doctrine.

Fundamentalism and totalitarianism, in the political context, go together. This means that a fundamentalist has to be, by nature, totalitarian: aggressive in mood; a totalitarian, on the other hand, has to be a fundamentalist, as oppressive as he can. Hitler or Mussolini were totalitarians and fundamentalists. They were, like fundamentalists, no friend of democracy; nor any lover of rationalism. Ganguly writes: "the irrational ideologies like fascism (or one may add Nazism), or religious fundamentalism go ahead without much ado to establish their hegemony by any means including large scale distortions of truth and lying." "The rationalist ideologies like Marxism developed further doctrinal justification for lying and terror." As Hitler once said in his *Mein Kampf*: "... the greater the lie, the greater the chance that it will be believed."

22.6 THE FUNDAMENTALIST MIND

The fundamentalists are invariably doctrinaire. As such, they are essentially uncompromising. Their doctrine (of what they think that it is) admits no contradiction, no qualification of what they think is the truth; no betrayal of the essentials, and no compromise with the enemy, malting them anti-intellectual. (See James Warner Bjorkman (ed.) *Fundamentalism, Revivalists and Violence in South Asia*).

A fundamentalist's mind is one that does not permit the idea of unintended consequences to creep in. If anything happens, the happening must have a meaning. For a fundamentalist, the

meaning is found in the intentions of the person who has caused the act. Narrow as his thinking is, narrowly as he perceives things, the fundamentalist never thinks beyond his own thinking. For those who think the other way, it becomes a moral matter for the fundamentalist to defend and furthermore, impose his worldview over the opponents.

The fundamentalists seek to attain support of the enemies of the enemies, 'consolidating the bad people' as Bruce says. The US fundamentalists, Bruce explains, do not see themselves set against an array of different groups, operating with quite different and often incompatible agendas. The fundamentalists have always been enemies confronting them, or enemies always confronting fundamentalists. For the US fundamentalists, communism is not a general political philosophy, but is a single conspiracy. Referring to the US fundamentalism, Bruce writes: "Fundamentalists differ as to who is 'really' behind it all. Some think that communists are really Jews; others think that Jews are really communists. In the 1980s, with communism an obviously spent force, and the Jews suddenly elected as allies, the US fundamentalists hit on a new collective noun for their various enemies: 'secular humanists'. The Iranian Ayatollahs suppose that US imperialism, Judaism, Zionism and Christianity are all the same evil thing."

The fundamentalists are always secretive. They are habitual in coding and decoding signs and discovering their hidden connections. "There is a long tradition", Bruce tells us, "in Protestant fundamentalism in decoding allegorical Bible passages." That the fundamentalists are close to terrorists or that they themselves are terrorists is a well-known fact in the context of Indo-Pakistan relations. They are ready to provide an all-purpose legitimization (say, 'Jehad' in the case of Islamic fundamentalism as also other terms in other religious fundamentalisms) for almost any act.

Fundamentalism, one may, therefore, conclude grossly over-simplifies, presents an underlying moral order to everything, readily demonizes its opponents and finds reds under every bed. (See Steve Bruce, *Fundamentalism*).

22.7 COMPARING FUNDAMENTALISM

Religions like ideologies vary. They differ in their potential for becoming fundamentalistic. The more monolithic a religion or ideology is, the more are the chances of it turning to fundamentalism. Islam and the evangelical Protestant strand of Christianity are monolithic religions; they believe that there is just one God; they are also dogmatic; they believe it is possible to express his (God's) nature and will in specific propositions: both these things are the necessary pre-conditions for fundamentalism.

Hinduism, as a religion, in the context of Islam and Protestant Christianity as they are, is less monolithic and dogmatic and hence, less fundamentalistic. There are a number of reasons for that: there is diffuseness in Hinduism, different deities, a variety of gods. So diffused is the society as well: a variety of traditions, groups, sects. It may be, Bruce says, "better described riot as a religion, but as a loose collection of religions: that of the Shaivites, the Vaishnavas, the Shalcas, the Smartas, and others – that share some common themes but they tolerate a huge variety of expressions of these themes. As those expressions can vary from village to village and caste to caste, there is a little scope for enforcing conformity, criticising laxity, or vigorously rejecting moderate reconstructions of the tradition. Instead of the single Bible or Quran, there are a large numbers of holy books and holy traditions." Hindu fundamentalism is rare and arises only when anti-Hindu fundamentalism challenges it. Within itself, revivalistic

attempts have been at work in Hinduism: sometimes in the forms of Buddhism, Jainism or Sikhism at an early period of history or in the forms of Brahmo Samaj, Arya Samaj, Ramakrishna Mission or Ved-Samaj during the greater part of the nineteenth century. Orthodoxy has always been met with revivalism in Hinduism. To that extent and arguably, monolithic religions such as Judaism, Christianity and Islam offer relatively more fertile soil for fundamentalism than Hinduism.

Protestantism and Islam have much in common. Their potentials are the same: both can generate fundamentalism; their aims are similar: each wishes to assert the primacy of its religious belief systems and the patterns of behaviour each belief system requires. But both differ in their methods. The Islamic fundamentalists believe that coercion is proper; most of them believe that it is necessary as well, while others feel that it is required, declaring 'jihad' literally. The Protestant fundamentalists do not believe so. Christ preached against the old law of 'eye for an eye' and instead recommended to offer another cheek to the person who has already hit the first cheek. Though radical Protestants have created militant sects, the Protestants are relatively pacifists.

Protestants and Islamists differ in their attitudes to toleration. By and large, the Protestants are tolerant while the Islamists are less so; the USA, for example, permits freedom of religious expression and attempts to prevent the state promoting one religion as superior to any other. As against this, most of the Muslim countries are far less tolerant. Referring to this, Bruce writes: "Note that this is a matter of description and not value judgement. Nothing about what I have said requires us to believe that permissiveness is better than authoritarianism."

Differences in the two monolithic religions can be cited in abundance. But that apart, what is more significant here is that Islamic fundamentalism is more potent, and more severe than Christian fundamentalism. We can turn to them briefly.

Christianity and politics, for most of the time stayed apart. It became official religion of the Roman Empire in only AD 373, though it was officially tolerated from sixty years before, i.e., 313 AD. During the Middle Ages, the theory of the two swords kept the two domains, temporal and ecclesiastical, distinct from each other. The Reformation not only brought to the fore the two sects, Catholics and Protestants, it made religion a private affair of the individual. Liberalism, in the West, is not due to Christianity but due to its absence. Lewis says: "The distinction between the church and the state (is) rooted in Christendom".

This is not to say that Christians are not religious. They are as religious minded as the followers of any other religions: many of them live a life-style which is particularly godly. Bruce says, "... The core of Protestantism is correct belief, not correct action; orthodoxy rather than ortho-praxis." With the emergence of the modern state, century after century, Christianity remained aloof from the state, though most of the citizens in the western nations were Christians. Christian fundamentalists, in relation to the state and the law, operate in a more legitimate manner and largely in secular countries.

Islamic fundamentalism is more pronounced, more vocal and more action-oriented. From the beginning, Islam, unlike Christianity, remained political. The Prophet and the subsequent Caliphs were both spiritual and political leaders. The founder of the Muslim Brotherhood, an Islamic fundamentalist organisation, puts it as: "Politics is part of religion. Caesar and what belongs to Caesar is for God Almighty alone." The Islamic fundamentalist promotes a life-

style which is not only conformity to the creed, it demands actions also in conformity with what the fundamentalist wants. A hostage, held by Hezbollah, puts the case of Islamic fundamentalism, saying: "All our activities, from the way we slept to the way we entered a lavatory, were watched so that we could not violate the laws of Islam. Khomeini had written that on entering a lavatory, a believer must put his left foot forward first. We were taken to task for violating that rule." And Bruce adds: "For Islam, religion is a matter of obeying the Holy Law. As what God requires is obedience to the Law, then its imposition is not just acceptable but necessary." Most of the Muslim countries, especially in the Middle East, have not been able to shed their religion which is Islam, despite all their efforts to westernise themselves. Islam, for them, is more than a religion: it is their eye, it is their way. The Islamic fundamentalists in relation to the state, operate largely in theocratic countries and seek Muslim brotherhood and Islamic unity.

22.8 SUMMARY

Religion, as a basic urge of mankind, cannot be altogether ignored. But when it, along with any fundamentalist ideology, tends to get personalised in leadership and when the latter speaks for religion while ignoring all reasoning, it becomes fundamentalism. Fundamentalism is not religion; it is the perversion of religion. A fundamentalist is one who considers his religion separate from others, claiming its superiority. He is the one who has faith in what he thinks to be the creed. Instead of a devotee of a religion (or a follower of an ideology), he becomes its spokesman, its prophet and wants all the rest to conform. He is a doctrinaire to the extent of an impositionist; he is an impositionist to the extent of a terrorist.

Fundamentalism, of any type, is extremism. It has, as its strength, all faith, and no reason; all hatred for others, and no compassion; all doctrinal conformity, and no love. In the name of religion (or say ideology) it does all that which is irreligious. It misinterprets the precepts and the original creed. It ill-educates the disciples.

The fundamentalist, of any type, is rigid, uncompromising and aggressive: he never listens, he only speaks; lie never follows, lie only guides; he, himself, becomes the teacher, the philosopher and the guide; he has more enemies than friends; he is secretive in his activities – more or less a misguided fellow.

Fundamentalism has its base, its means and its objectives. Its base lies in untruth; its means are confined to violence, and its objectives are to let terror rule the world. It arises from time to time, but it has never seen victory and would never do so.

22.9 EXERCISES

- 1) Explain the meaning of fundamentalism. Who is a fundamentalist?
- 2) Do you think fundamentalism is confined only to religious faiths? If so, give arguments.
- 3) Discuss the relationship between ideology and fundamentalism. Bring out similarities between the two.
- 4) How does the mind of a fundamentalist work? Explain in detail.
- 5) Compare briefly the Hindu, Islamic and Christian fundamentalisms.

UNIT 23 NATIONALISM

Structure

- 23.1 Introduction
 - 23.2 What is Nationalism?
 - 23.2.1 National Identity
 - 23.3 Theories of Nationalism
 - 23.3.1 Perennial Theories
 - 23.3.1.1 Primordialist and Socio-Biological Theories
 - 23.3.2 Modernization Theories
 - 23.3.2.1 Social Communication Theories (Deutsch, Rustow, Rokkan and Anderson)
 - 23.3.2.2 Economistic Theories
 - 23.3.2.3 Gellner's Theory of Nationalism
 - 23.3.2.4 Political Ideological Theories
 - 23.4 Rise and Growth of Nationalism
 - 23.4.1 Nation-state in Europe
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 - 23.4.3 Anti-Colonial Nationalism
 - 23.5 Contemporary Developments: Nationalism vis-A-vis Ethnic Resurgence and Globalization
 - 23.6 Summary
 - 23.7 Exercises
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23.1 INTRODUCTION

Nationalism is an important social and political phenomenon that involves the making of nations and nation-states into a definable identity. It is a normative doctrine that embodies a particular set of assumptions and beliefs about politics. The essence of nationalism is a belief about the social bases of political authority. As a way of thinking about the world, it emphasizes the importance of nations in explaining historical developments and analyzing contemporary politics and also claims that 'national character' is a pervasive factor differentiating human beings.' It assures that all human beings should have one and only one nationality which should be their prime factor of identity and loyalty. Nationalism claims to represent the will of the people to be able to decide their own destiny, their will to be respected as people to develop their culture and personality. During the last two hundred years, nationalism has combined with the ideologies of liberalism, socialism and communism and emerged a winner. The national movements in the ex-colonial countries in the first half of the 20th century and the disintegration of the Soviet Union at its fag end revealed the powerful force of nationalism. Today, we live in a world where instead of peaceful multiculturalism, nations feel a constant threat of being annihilated. This is all the more important when in the context of globalization, there is an attempt to homogenize all communities. In this unit, we shall raise and answer these issues.

There are four main debates which have dominated the study of nationalism. They are:

- i) How to define nationalism?
- ii) When did the nation appear? The different theories of nationalism try to answer this question, though we do not find any final answers.
- iii) How did the nations and nation-states historically evolve and develop and whether there is any marked difference between the development of nationalism in the western and the non-western world?
- iv) Recent challenges to nationalism in the form of ethnic resurgence and globalization,

23.2 WHAT IS NATIONALISM?

Nationalism is a compound of many factors, some of which have their roots in human nature and many of which have a long history. Yet it is a modern phenomenon. To discover it is a difficult undertaking and to define it in succinct phrases is even more difficult. In one sense, it is the extension of a group to which one belongs. In this sense, it is a form of collective egoism. In a negative sense, it is a manifestation of that fear of the 'stranger' with its roots deep in human nature. In the modern sense, it is born of that love of the familiar land and people which is often regarded as the core of patriotism. According to Hayes, nationalism has been used in many different ways and it is commonly used "to denote a condition of mind among members of a nationality, perhaps already possessed of a national state, a condition of mind in which loyalty to the ideal or to the fact of a national state is superior to all other loyalties, and of which pride in one. A nationality and belief in its intrinsic excellence and its 'mission' are integral parts". Similarly, Hans Kohn defines nationalism as "state of mind ... striving to correspond to a political fact." On the other hand, Gellner writes, "Nationalism is primarily a political principle which holds that the political unit and the national unit should be congruent ... nationalist sentiment is a feeling of anger aroused by the violation of the principle, or the feel of satisfaction aroused by its fulfilment". Giddens points to the psychological character of nationalism "the affiliation of the individual to a set of symbols and beliefs, emphasizing commonality among the members of a particular community".

In short, nationalism has two aspects: i) the political character of nationalism as an ideology defending the notion that the state and the nation should be congruent, and ii) its capacity to be a provider of identity for individuals conscious of forming a group based upon a common past and culture and attachment to a concrete territory. The power of nationalism emanates from its ability to engender sentiments of belonging to a particular community. Symbols and rituals play a major role in the cultivation of a sense of solidarity among the people.

Thus, in order to understand the concept of nationalism, we must keep in mind that:

- nationalism is a sentiment that has to do with attachment to a common homeland, a common language, ideals, values and traditions, identifying a particular group with symbols such as a flag, songs which define it as 'different' from others,

how a sentiment of attachment to a homeland and a common culture can be transformed into the political demand for the creation of a state; how is it possible to make this transition?

A theory of nationalism has to deal with questions such as: how does nationalism use and legitimize the use of violence in its quest for the creation of a state; what is the role of national ideology; what is the role of the leaders in the national movement and how far can they contribute to the propagation of symbols and ideals.

- an important feature of nationalism is its capacity to bring together people from different social and cultural levels. Nationalism is not merely an invention of the ruling classes to maintain the unconditional loyalty of the masses, but also a tool to make them believe that they have much in common. This is one of the basic factors for understanding the persistence of nationalism.

23.2.1 . National.Identity

Apart from the definitions, another important aspect in the study of nationalism is what constitutes national identity, i.e. how an individual is able to attach himself with a particular community and thinks himself different from others. Hayes attributes seven factors for the rise of this national consciousness and identity: linguistics and literacy, political, commercial, economic, ecclesiastical, religious and cultural. Historically, kinship represented the first sign of identification and loyalty. The Middle Ages allowed the formation of a larger group attached to a concrete territory. Through the creation of markets, the intensification of trade, the waging of wars and the slow but progressive amplification of the state's scope, there emerged the formation of a community conscious of itself as different from others. It is at this stage that one can start talking of the emergence of nations and different national identities. According to Guibernau, broadly speaking, there are three factors which helped in the creation of a national identity: i) development of printing and creation of vernacular languages, ii) relationship between nation and culture, and iii) common symbols and rituals.

The development of vernacular languages after the invention of the printing-press in Europe played a decisive role in creating a sense of belonging to a community. National consciousness is derived from shared values, traditions and memories within a particular culture and which are thought of and spoken in a particular language. Though the vernacular is not an indispensable basis for the creation of national consciousness, yet it does facilitate that creation. Where nation and state were co-extensive, education and the generalization of literacy not only reinforced the possibility of communication among the people, but also helped in the development of a strong sense of community. The development of English, French and German languages and education based upon the school system led to the creation of a strong national consciousness. When the state manages to impose a culture and language, it is 'nationalism which engenders nations'. If the state is successful, it manages to develop, apart from the political, a combination of several relationships such as economic, territorial, religious, linguistic and cultural. It is this state which creates a nation.

Secondly, the key question with regard to national identity is - who am I? Identity is an interpretation of the self that establishes what and where a person is, both socially and psychologically. Identity exists in societies which define and organize them. In the current era, the nation represents one of these communities. National identity is its product. The defining criteria of identity are: continuity over time and differentiation. While continuity lies in historical roots, differentiation stems from the consciousness of forming a community with a shared culture, attached to a concrete territory which distinguishes between members and 'strangers'. This identity fulfils three functions: i) it helps in making choices such as the right

to decide about their common political identity, ii) it makes the relationship possible with others because nation is a common pool in which individuals with a common culture live and work together, and iii) national identity gives strength and resilience to individuals to identify with an entity which transcends them. Now this identity is created through the development of a common culture i.e. values, beliefs, customs, conventions, habits and practices that are transmitted to the new members who receive the culture of a particular community. The process of identification with the elements of a specific culture implies a strong emotional investment. From the point of view of nationalism, a common culture favours the creation of a bond of solidarity among the members of a given community and allows them to image the community they belong to as separate and distinct from others.

Thirdly, in the creation of national identity, a powerful role is also played by symbols and rituals. The consciousness of forming a community is created through the use of symbols and repetition of rituals that give strength to the individual members of the community. By favouring occasions in which they feel united and by displaying symbols that represent this unity, a nation establishes its distinction from others. For example, a soldier does so for his flag because he identifies the flag with his country. Also, symbols like the flag have the power to evoke particular memories or feelings. This helps in the ability of nationalism to bind together people from different cultural levels and social background. Symbols mask differences and highlight commonality, creating a sense of group. And last but not the least, individuals who share the same culture, feel attached to a concrete land, have the experience of a common past and a project for the future, need to create occasions in which all that unites them is emphasized. In these moments, the individual forgets about himself and the sentiment of belonging to a group occupies the prime position. Through rituals, individuals are able to feel an emotion of unusual intensity that springs from their identification with the entity - the nation - which is above them and of which they are a part.

Thus, the force of nationalism springs not only from rational thought alone, but also from irrational power of emotions that stems from the feeling of belonging to a particular group. This double face of nationalism results from the way in which these emotions are either transformed into a peaceful and democratic movement seeking the recognition and development of one's nation or turned into xenophobia; i.e., the will to put one's nation above others and eradicate the differences.

23.3 THEORIES OF NATIONALISM

The most hotly debated question in the context of nationalism is when and how did the nation appear. In other words, whether national consciousness and sentiment is an evolutionary historical continuum or it is the result of modernism such as commercialization, industrialization, urbanization, mass participation in political culture etc. Different theories of nationalism try to answer this question, though we do not find a final answer. For the sake of study, these theories can be divided into two broad categories: 'Perennialism' and 'Modernism'. Perennialism concentrates on the history of nations which are described as ancient and immemorial. They see the nation as a cultural community, immemorial, rooted, organic (natural based on languages) seamless (i.e. they see society as a whole), and as a popular community that reflects the needs and ideals of the people. Ancestral ties and culture are of great importance to the advocates of this theory. On the other hand, modernists see the nation as a political community - modern, social construct and social creation, designed for an

age of revolution and mass mobilization. The nation is seen as a creation of the elite in order to control and influence the thought and actions of the masses. They see the nation as divided, different social groups representing religion, gender and class, having different needs and therefore, split into separate groupings. Let us have a look at these theories in detail:

A) Perennial Theories

- Primordialist
- Sociobiological

(B) Modernization Theories

- Social Communication Theories
- Economistic Theories - Marxist and Non-Marxist
- Political-Ideological Theories

23.3.1 Perennial Theories

23.3.1.1 Primordialist and Socio-Biological Theories

Among the perennial theories, we can refer to the primordial and the socio-biological perspectives. Primordialism assumes that group identity is given; that there exist in all societies certain primordial, irrational attachments based on blood, race, language, religion, region etc. They are, as Clifford Geertz writes, "ineffable and yet coercive ties, which are the result of a long process of crystallization". Modern states particularly but not exclusively, in the third world, are superimposed on the primordial realities which are the ethnic groups or communities. Primordialists believe that ethnic identity is deeply rooted in the historical experience of human beings to the point of being practically given. They believe that ethnic bonds are 'natural', fixed by the basic experiences that human beings undergo within their family ties' and other primary groups. In short, according to Geertz, i) primordial identities are given or natural, ii) primordial identities are ineffable, that is, cannot be explained or analysed by referring to social interaction but are coercive, and iii) primordial identities deal essentially with the sentiments or affections.

The social biologists go a step further. This approach starts with the assumption that nationalism is the result of the extension of kin selection to a wider sphere of individuals who are defined in terms of putative or common descent. It insists that nationalism combines both rational and irrational elements; that is, a 'primitive mind' with modern techniques. The word nationalism expresses different realities: a love of country, the assertion of national identity and national dignity as well as the xenophobic obsession to obtain these things through violence and sacrifices. Nationalism builds on ethno-centrism towards the in-groups and xenophobia towards the out-groups. According to Shaw and Tuba, nationalism fosters pride, dignity and related sentiments among members of the in-group, thereby constituting a moral and philosophical basis on which to demand the political. It has its roots in the past, but it is a contemporary vehicle to vent out human propensities to war. It is important in this context to emphasize the psychological dimensions of nationalism. A bond is established between the individual and the nation based on the idea that the latter is a family writ large, the individual identifies with the nation and hence, prefers it to other nations. The extensive use of kin terms to refer to the nation reflects this psycho-affective reality that is called '*matripatriotic*' with an associated fraternal component.

23.3.2 Modernization Theories

Modernization theories of nationalism broadly assert that nationalism is a modern phenomenon and is the result of the process of transition from traditional to modern society. Some of these theories focus more specifically on the spread of industrialization and the socio-economic, political and cultural conditions functionally associated with it as the main cause for the development of nationalism. The ideological roots of modernization are found in Renaissance, Scientific Revolution and the Enlightenment. At the economic level, modernization was brought about by the development of commerce and then, the process of industrialization. At the political level, it implied the appearance of the modern nation-state - a centralized, bureaucratic, territorial sovereign polity. When applied to non-western societies, some features of modernity such as commercialization, bureaucratization, secularization, urbanization, mass communication, literacy may be present while industrialization is often absent.

Modernization theories of nationalism come under different forms. Let us study them in detail.

23.3.2.1 Social Communication Theories (Deutsch, Rustow, Rokkan and Anderson)

A pioneering study on the effects of modernization on nationalism was Karl Deutsch's *Nationalism and Social Communication*. Here, he deals with the growth of nations and nationalism in the context of transition from traditional to modern societies. Deutsch emphasized the centrality of communication in the making of national communities. He defines nation as a 'group of people who communicate more effectively and intensely with one another than with people outside the group'. He focuses on the development of internal communications within the state as leading to the creation of a common sense of moral and political identity. As he says, 'in the political and social struggles of modern age, nationality means an alignment of large number of individuals from the middle and lower classes linked to regional centres and leading social groups by channels of social communication and economic intercourse, both indirectly from link to link and directly with the centre'. By using a variety of data from economics, history and demography, Deutsch pointed out that massive social mobilization which went along with the process of commercialization, industrialization and urbanization as well as with the growth of general literacy and mass communication were responsible for the growth of nationalism.

Another writer who has established a link between modernization and nationalism is the American political scientist Dankwart Rustow. In his book *A World of Nations*, he writes that 'the essential link between modernization and nationalism consists of course in the need for an intensive division of labour'. Other key features such as equality and loyalty have also been essential to the nation that emerged from the modernization process. Modernization and nationhood are closely related and the most appropriate political structure to achieve advanced modernization is the nation-state.

Another scholar Stein Rokkan has proposed a *longue duree* which places some important variables in the medieval and early modern periods. In the modern situation, he accounts for the accelerated nation building in the nineteenth and twentieth centuries by reference to six factors: i) combination of rural and urban resources, ii) spread and localization of industrialization, iii) pressure towards centralization and unification of the state, iv) pull of imperialist tendencies, v) tension between centre and periphery during the course of ethnic/linguistic mobilization, and vi) the conflict between the state and the church.

Yet another important writer Benedict Anderson in his book *Imagined Communities* emphasizes the issue of social communication in the early period of the development of nationality. According to him, national consciousness was made possible with the breakdown of three defining characteristics of pre-modern period: sacred scripts, divine kingship, and conflation of history with cosmology. Anderson defines nation as an 'imagined political community' (imagined as both limited and sovereign). His argument about the origin of nationalism leads to the focus on the tremendous impact of print capitalism. The book was the first commodity produced in a massive way. This was one area in which early capitalism using the new technology of production was able to make great profits. The effect of print language was felt on national consciousness by the means of creation of a unified language which allowed a sizeable part of the population to read the same text and identify with each other. Further, by giving fixity to language, it was possible to develop the idea of the antiquity of one's nation. According to Anderson, what made the new communities imaginable was a half-conscious, but explosive interaction between a system of production and productive relations (capitalism), a technology of communication and the type of fatality of human linguistic diversity. At a later stage in history, state consolidation both at home and in the colonies created groups of people who felt politically and culturally excluded and by imagining themselves as communities were able to shake off alien rule.

23.3.2.2 Economicistic Theories

Economism is an extremely popular form of explanation and as such is favoured by both the Marxists and the non-Marxists alike. In modern literature, this explanatory framework appears in different forms, but in the final analysis the common denominator is that both deny the specificity of the nation state. The starting point of the economic conception of nation is that national consciousness is fundamentally a false consciousness and it can be used to justify or hide economic exploitation as well as political power and cultural supremacy.

Marxist theories envisage nationalism as a modern phenomenon and posit a more or less explicit causal connection between the development of capitalism and the appearance of nationalism. For Karl Marx, nations and states need to be studied and evaluated within the context and from the perspective of their place in class relations and in the class struggle occurring on the global scale. For him nationalism was an expression of bourgeois interest. But the bourgeois 'fatherland' did not refer to the country's potentialities for progress or to the nation regarded democratically, but to the aggregate of institutions, customs and laws and ideas which sanctify the right to property on a considerable scale. For Marx and Engles, the nation was not a central category of social existence, but a transitory institution created by the bourgeoisie; hence, the famous sentence, 'The proletariat has no fatherland'.

However, Marx and Engles were well aware of the nationalist phenomenon. As politically committed intellectuals, they lived through the troublesome 1840s, 'a period in which nationalist struggles ravaged the European arena'. In their formative years, they therefore had to confront the nationalist demands of a variety of European people. To understand their attitude towards nationalism, it is essential to know that they subordinated the survival of nations to the progressive march of history: some people were fossils from a long gone past and were, therefore, objectively counter-revolutionary. These reactionary nations had to be sacrificed at the altar of the mightier national states. Though in some articles, they presented the national question as a part of the political scenario, there was no attempt to explain the phenomenon except perhaps in terms of crude stereotypes of national character.

Marx did not present a theory of nationalism for three main reasons. First, according to him, the prevailing ideas of society in any epoch are the ideas of the ruling classes. Hence, the spread of ideas (such as that of nationalism) depended heavily upon the distribution of economic power in society. Secondly, Marx's understanding of history as a history of class struggle implied that a proletarian revolution should follow a bourgeois one and impose a dictatorship of the proletariat on the road towards a communist society. The stateless society of Marx had no room for nationalism since nationalism's main aim was the establishment of a state and not its abolition. Thirdly, Marx did not give attention to nationalism because he felt that neither capitalist relations of production, nor nationality, religion, etc. should obstruct the liberation of people as human beings. The proletariat should transcend national identities and be able to recognize itself as a part of the big family of mankind.

However, by the turn of the century, the vindication of the rights of the nations changed the Marxist view on the national question. In the Second International, the national question was central in the political agenda. Within the Austro-Marxist tradition, a serious attempt was made to come to terms with the theoretical problems posed by the category of nation. Otto Bauer presented a theory of nationalism based on the idea of national character and national culture, though he also used the dubious idea that nations have a historical destiny to fulfil. A more influential definition of nationalism was given by Stalin. In *Marxism and the National Question*, he emphasized the simultaneous coalescence of four elements (language, territory, economic life and psychic formation) in an historically constituted community of culture. Lenin adopted a more flexible definition of the nation, and although he was like most Marxists in favour of the creation of large political units, yet he endorsed the principle of self-determination of oppressed nations, at least in theory.

In the 1970s, a number of attempts were made to evolve a theory of nation along modified Marxist lines. Most prominent among them are the following three: i) *Internal Colonialism* ii) *Uneven Development* and iii) *World System*.

The theory of internal colonialism has been developed by Michael Hechter in his book *Internal Colonialism*. In a nutshell, it is based on the idea that the modern states exhibit strong internal inequalities based on ethnic lines (such as the Indians in Latin America, the Blacks in the USA and among the Scots, the Welsh and the Irish). Industrialization aggravated an already existing situation of economic dependency and inequality within the states, which manifests itself first in different political behaviour and later in ethno-national movements. He believes that in each country there is a region which is favoured by capitalist development while others are subordinated. Also, Hechter pointed out that instead of national culture, what we have is a core culture which dominates over others by establishing ethnic boundaries. In other words, a cultural division of labour also exists between the core and the periphery; that is, there developed a system of stratification by means of which the dominant group at the core is in a position to monopolize social positions which have a high prestige in society, while the members of the peripheral cultures are assigned social roles which were considered inferior. The more industrialization advanced in its uneven way, the internal differences became more accentuated, and ethno-nationalism emerged as a response to a situation of perceived dependence and exploitation.

An illuminating account of nationalism from the Marxist point of view has been given by Tom Nairn in his book *The Break up of Britain*. Nairn understands nationalism as a product of uneven development of regions within the world capitalist economy. He refers to nationalism

as an effect of the expansion of capitalism. Though agreeing that Marxism has little to offer on nationalism, Nairn insists that only by focusing on the ravages and contradictory effects of uneven development could we hope to understand nationalism. Capitalism has unified mankind but at a price of great disequilibrium and tremendous antagonism which has triggered a process of socio-political fragmentation, affecting even the old continent. Nationalism was the result of certain aspects of the global political economy in the modern era; it was a way that peripheral countries found to defend themselves against the core. This was done by inter-class mobilization on the basis of an identity different from that of the dominating state. Nationalism had of necessity to express itself through the cultural peculiarities of each area. In conclusion, for Nairn, nationalism was the socio-historical cost of the accelerated implantation of capitalism at the world level.

In the wealth of writings that Emmanuel Wallerstein has dedicated to the world system, he has occasionally touched upon the national question. Wallerstein insists on the invented or constructed character of the nation. According to him, 'the nation hinges around one of the basic structural features of the world economy', that is 'the politic superstructure of this historical system, the sovereign states that form and derive from the 'inter-state system'. A nation derives from the political structuring of the world system. In other words, statehood preceded nationhood. The nation is 'in no sense a primordial stable social reality, but a complex clay like historical production of the capitalist world economy'.

Another original Marxist approach to nationalism has been expounded by Miroslav Hroch. In his book *Social Preconditions of National Revival of Europe*, he has proposed a class analysis of the modern nation as well as the role of cultural development. He distinguishes three main stages in the development of modern society: i) an early period in which the transition from feudalism to capitalism took place. This stage comprised of the fight against absolute monarchies and the starting of bourgeois revolutions; ii) the second stage coincided with the victory and consolidation of capitalism as well as the appearance of an organized working class movement; and iii) during the 20th century, there is a process of world wide integration and unprecedented development of mass communication. At a cultural level, each nationalist movement runs through three phases: i) the period of scholarly interest, ii) period of patriotic agitation and iii) period of mass movement.

However, the Marxist tradition generally has been extremely suspicious of nationalism, though for tactical reasons they have often made use of national sentiments to achieve socialist objectives. In conclusion, one can agree with Tom Nairn that 'the theory of nationalism represents Marxism's great historical failure'. The developments in the 1960s in which socialist countries fought bitterly against each other along nationalist lines opened the eyes of some Marxists to the reality of national interest. With the collapse of the Soviet Block in 1989 and the disintegration of the USSR in 1991, this issue has come to the forefront again. At present, few really believe that Marxism can provide a genuine theory of nationalism.

23.3.2.3 Gellner's Theory of Nationalism

Though Gellner's theory is not an economic one and A.D. Smith has labelled it as cultural and linguistic, still he maintains that nationalism is the unavoidable outcome of an industrial society which requires a specially ductile labour force. Gellner does not use the word 'capitalism' and uses instead 'industrial society'. According to him, nationalism can be understood in the context of the impact of industrialization, of the competition between classes

in the newly created industrial stratification and of the integrating effects of language and education. The process of industrialization undermined the traditional social structures and gave primacy to cultural elements such as communication. The identity of an individual was no longer defined in terms of his social relations, but in terms of his culture. And culture and nationality are closely related. Only the state could provide through an educational system and the official language the kind of cultured person required by the process of industrialization. The fact that industrialization and modernization spread in an uneven fashion created a new system of social stratification; a class system which was felt to be unacceptable because of its illegitimacy. If this overlaps with cultural differences, an uneasy alliance between a culturally displaced intelligentsia and an overexploited proletariat may lead to a nation's secession. According to him, it was the social chasms (doubled with cultural differences) created by early industrialism and by the unevenness of its diffusion which made the nationalist conflicts acute. Thus, the specific roots of nationalism are found in the distinctive structural requirements of industrial society.

The Gellnerian model of nationalist development strongly emphasized that nationalism has its roots in the new industrial order and that nothing before this period - i.e. agrarian society - can be equated to nationalism, because political units were not defined in terms of cultural boundaries. Since for Gellner nations can only be defined in terms of the age of nationalism, he cannot conceive of the nation as an imaginative vision created by intellectuals in order to legitimize the medieval (agrarian) state (monarchy) in Western Europe. His other emphasis is on modernization in the form of population explosion, rapid urbanization, labour migration, penetration of local economies by global economy etc. He also admits that the Protestant Reformation must have had an impact on nationalism as did colonialism and imperialism.

23.3.2.4 Political-Ideological Theories

Apart from the economic theories, there are a number of politico-ideological theories of nationalism. The common feature of all these theories is that they give a prominent role to the state in the development of nationalism in modernity. Under these theories, we shall dwell upon the views of four authors; namely, John Breuilly, Anthony Giddens, Paul Brass and Michael Mann.

John Breuilly in his book *Nationalism and State* accepts the existence of nations and nationalist sentiments in medieval Europe, but he restricts nationalism to the modern period and associates it with the development of modern state and of the international state system. Nationalism is understood as a form of politics that arises in close association with the development of the state. In other words, in all its history, the modern state has shaped nationalist politics. Giddens defines nationalism as 'the existence of symbols and beliefs which are either propagated by elite groups or held by many of the members of regional, ethnic or linguistic categories of a population and which imply a community between them'. Nationalism for Giddens is a modern phenomenon stemming from the aftermath of the French revolution. He also insists that the European nationalism is a category of its own and that it should not be generalized to other areas without reference to what he calls 'world time'. Nationalism was a response to certain 'needs and dispositions' which would appear at a time when as a result of the mass commoditification of time and space, the individual lost his ontological security. Simultaneously, he also agrees that nationalism is connected with class domination and that the uneven development of capitalism strongly influenced the origin of oppositional nationalism.

Another writer Paul Brass insists that ethnicity and nationalism are the product of modernity and emphasizes its constructed character. According to him, cultures are fabricated by elite groups who use raw materials from different groups to create ethnicities and nations. By using these representations, the elite aim at ensuring their economic or political advantages for themselves. Brass's theory states that ethnic identity and modern nationalism arise out of specific types of interaction between the leadership of centralizing states and the elites from non-dominant ethnic groups, especially but not exclusively on the peripheries of those states.

Michael Mann sees himself as a modernist, although he accepts the existence of more or less conscious ethnicity and proto-nations before modern times. To account for the development of nationalism, it is necessary to refer to all the four sources of social powers; namely, economic, political, ideological and military. In the first phase which began in the 16th century, ideological power dominated. It was in the shape of religion and it gave form to proto-nations like Protestant England. The second phase commenced in 1700 and it can be defined as a 'commercial statist' phase; it was characterized by a further diffusion of proto-national identities. It roughly corresponded to Anderson's idea of 'print capitalism'. In the third phase, military power dominated and propelled nationhood. By the beginning of the 19th century, most of the western nations were already in full sight. Finally, the industrialist phase of the nation encouraged three types of nations: state reinforcing, state creating and state subverting. According to Mann, nationalism appeared heavily mediated by the role of the state. Industrialization was not the principal cause of nationalism; in fact it arrived too late. According to Mann, there were two principal causes: on the one hand, the emergence of commercial capitalism and its universal social classes, and on the other, the emergence of modern state and its professional armed forces and administrators. Conjoined by the fiscal-military pressure exerted by geopolitical rivalry, they produced the politics of popular representation and these formed several varieties of modern nationalism.

In short, nationalism is a modern phenomenon though its rise has been ridden with a complexity of factors.

23.4 RISE AND GROWTH OF NATIONALISM

Historically, nationalism has been the product of the rise of nation-states in Europe. During its earlier phase, it was identified with the absolute monarchies of Europe. In the 18th and the 19th centuries, it acquired an imperialist form in the struggle for colonies in Asia and Africa; in the 19th century it associated itself with liberalism, democracy, constitutionalism and civil liberties. It played an important part in the reorganization of Europe, unification of Italy and Germany and the liquidation of Hapsburg and Ottoman Empires. After the First World War, it acquired an aggressive and racial shape in the form of fascism. During the 20th century, it brought a new awakening in the Asian and African countries, through national liberation movements. After the cold war, the disintegration of the Soviet Union and the rise of a number of new states has once again shown the domination of nationalism as a political force.

Nationalism has found expression through the medium of modern nation-states which were the product of many forces and struggles. The principle factors responsible for the rise of nationalist states have been as follows:

- i) the individualistic climate of opinion that characterized Renaissance and Reformation

- ii) the collapse of universal authority of the Church
- iii) the desire of the rising commercial classes for uniform trade regulations, abolition of feudal obstacles to trade for creating conditions under which trade could be carried on peacefully and profitably
- iv) the desire for peace, order and security in an age marked by bloodshed and violence
- v) personal ambitions of monarchs who allied themselves with rising commercial classes in opposition to the more powerful feudal lords
- vi) the doctrine of territorial sovereignty which provided the kings the most convenient weapon to combat the claims of rivals or religious authorities. The idea of one unified legal system affording order, consistency and certainty in the governing of all social relations within a given national area made a very strong appeal.

Based upon the above factors, the growth of states on nationalistic lines started from England and Western Europe and spread to different continents and regions. To have a clear understanding of the phenomenon, we can study it under the following headings:

- i) Growth of the nation-state in Western, Southern and Eastern Europe
- ii) Nation-state in America
- iii) Anti-colonial nationalism in Asia and Africa

23.4.1 Nation-state in Europe

As stated above, the nation-state was the product of combined influence of Reformation, Renaissance and commercial revolution. The decline in the authority of the church raised the question of loyalty of the individual and by withdrawing this loyalty from the Holy Roman Empire, gave it to the monarch who was emerging as the symbol and sole representative of the nation itself. These monarchies tended to consolidate their power in areas united by a common vernacular, religion, culture etc. Thus, nationality began to form into a state which represented them. As a result, a new principle was introduced in the concept of the nation-state. This concept rejected the Holy Roman Empire and supported the formation of states on the basis of nationality.

Loyalty to a nation represented by a king began to emerge and exert powerful influence. The English, French, Spanish and German nationalities were there even before, but the bond had been religion. The breaking of church power and the establishment of the national church wider the authority of the king paved the way for the nation-state. The task was initiated by England and was followed by France. Henry VII and Philip II were absolute monarchs who destroyed feudalism and the multiplicity of authority in society and established strong centralized states. Thus, there emerged a separate and independent national identity represented by a powerful king. This state freed the individual from the dual loyalty of the church and the state. During this phase, nation-state meant the submission of the individual to the king representing the nationality of the ruled.

This period was also characterized by a new development i.e. colonialism. It spread both in eastern and western directions, i.e. Asia and America. The great discoveries were the achievements of adventurous individuals, supported by kings who in turn expected financial gains. The increasing competition among the nation-states to maximize colonies led to further centralization and solidarity within the nation and intensification of the spirit of nationalism. The new colonies were not intended to be territorially subjugated or ruled from abroad, but were to serve as centres of commerce in the initial phase and as a source of raw materials and market in the era of industrial revolution. The industrial revolution gave birth to a new economy and a new class — the capitalist class, whose interests clashed with those of absolute monarchy. The struggle between the kings and the capitalist class was resolved through democracy. This gave a new meaning to the nation-state. Now, nation-state meant not loyalty to the king, but to the government which gave freedom, which consulted the people and placed real authority in their hands. Nationalism was meaningless, unless it embodied liberty for the people. The establishment of representative institutions gave a new solid base to the ideology of nationalism.

The French revolution in the fag end of the 18th century was a turning point in the rise and growth of the nation-state. Here, the stage shifted to central Europe. The declaration of the national assembly, rights of man, location of sovereignty in the nation, abolition of feudal legacies, confiscation of church property to meet the national debt, formation of the national education policy, the-national flag, the national anthem, and the war fought for the glory c the nation — all these thing led nationalism in France to its pinnacle. In 1792 when Napoleon Bonaparte began the national revolutionary struggles, national consciousness was almost absent in Europe. But as the national wars increased and a large portion of Belgium, Netherlands, Germany and Italy came under French occupation, it led to a reaction which found expression in nationalism. There was an upsurge in German nationalism. The defeat of Germany in 1806 made Fichte and Hegel staunch enemies of France and ardent supporters of German nationalism. It led to the belief that politics cannot be ignored at the cost of philosophy. The Napoleonic wars helped immensely in awakening the national consciousness of the German State. The German State wanted to stand at an equal level with France and England. Fichte held the view that economic progress was the basis of political unity and this could be achieved only through state socialism. The concept of nation as propounded by Hegel, the state socialism of Lassale and Bismark had its roots in Fichte. In Germany, the nation-state was not only a political theory, but emerged as a philosophy of life. Hegel combined the state with the will of the nation. He called the state as the march of God on earth and by giving a mystical base to the nation, justified an absolute state which was misused by Nazism in the 20th century in the name of national socialism.

The formation of nation-state in Eastern Europe did not take place under a centralized authority. Right from the beginning, due to the lack of any political organization to spread national consciousness, these states were under three empires — Hapsburg, Ottoman and Asian. All these empires were unable to inculcate any national sentiment among the population. In the 19th century, socio-economic changes in the rest of Europe had their repercussions on the eastern parts as well. Various segments of the population begin to feel that from the point of view of nationality, they were not only different from the king, but that the oppressive nature of rule was also not tolerable. The theory of self-determination of nationalities was welcomed by these people because this could help them rid themselves of autocratic regimes. Hence, the struggle to get rid of oppressive rule started in the 19th century and continued in the 20th century. During the First World War, a major question was of the new nationalities which

wanted to form new states of their own. The war decided in favour of the nation-states. The map of Europe was redrawn. The Austro-Hungarian empires and the Ottoman empires were broken. Five new states were carved out: Poland, Czechoslovakia, Lithuania, Estonia and Finland. Six new states were extended: Yugoslavia, Romania, Greece, Italy Denmark and France. The Austrian, Hungarian and Turkish empires were pruned to form states based upon nationalities. The Treaty of Paris accepted the principle of nationalities as a part of universal law in Europe. The First World War recommended the idea of self-determination of nationalities to be extended to Asia and Africa.

23.4.2 Nation-state in America

While in Europe, the nation state meant a unified state on the basis of mutual freedom and its defence, it meant something different in America. The American colonies felt that all their efforts and conquests had led to the riches of the home countries. When they became conscious that they were not working for themselves, but for the benefit of those who had never left their comfortable homes, they revolted. Their first slogan was 'no taxation without representation' which subsequently changed into full war of independence. This resulted in the formation of new states and national identities. Out of the contradiction between national feeling and liberty, and self-interest, they were forced to sever old bonds and create new ones. Hence, the nation-state meant severing old national bonds and creating new ones. This ended the colonial rule and the creation of many nation-states in the American continent.

23.4.3 Anti-Colonial Nationalism

In the 20th century, the period between the two world wars, the Russian Revolution and the rise of Fascism were important landmarks in the spread of nationalist ideas from Europe to the non-European lands of Asia, Africa and Latin America. Collectively, they set in motion the process of national liberation movements in Asia and Africa, as a result of which many countries got independence from the imperialist powers of Europe. Such revolutionary changes played a vital role in developing a new form of nationalism. New nations like China, India, Pakistan, Egypt, Vietnam grew on the world scene which gave a new meaning to the concept of nationalism. The circumstances which gave birth to these nations were quite different from those of the West. These were the countries which were subjugated by imperialist countries like England, France, Spain, Holland etc and their economies had been exploited. Imperialist countries considered them their private property which they sold and pilfered. They destroyed their independence and preserved puppet governments which were too weak to do any harm to imperialism.

A new form of nationalism and a new meaning of the concept was born in countries like India, China and the Arab lands. Though the new concept of nationalism which became the basis of new states derived much of its ideology and political theory from the West, yet it adapted the theory to its own historical experiences, its particular circumstances and to its own revolt against imperialism. The basis of the new nationalism was that it began with an instinctive and xenophobic hatred for imperialism, a hatred of its representatives, its nationals and anyone affiliated with them. It was a simple hatred against those who had occupied their lands by force, exploited their riches by force, crushed their governments, enslaved their people and who had not hesitated to destroy, plunder and steal. This hatred was expressed violently in

killings, destruction and assassinations such as the Boxer Rebellion in South Africa as well as in peaceful, non-violent forms in India under Gandhi. These states were conscious of imperialism, aimed at its destruction and the destruction of accompanying evils such as conquests, oppression, enslavement, stifling of liberty, exploitation of riches and sowing of racial, regional, communal and class distinctions. At the same time, nationalism here was also a creative force which aimed at building a nation based upon the principles of liberty, independence, economic justice and national unity. It viewed national unity as a creative force which could stimulate the people to contribute their share in national reconstruction. This unity meant two things: i) unity of geographical parts, and ii) unity in the diversity of religion, class, caste, and communal elements. These states pledged to work for the welfare of all classes, castes and groups because all of them participated and contributed their lot in the struggle for freedom. From the international point of view, these nation-states opposed military bases, undue alien interference into the affair of other states, apartheid and believed in non-alignment and international cooperation.

A peculiar feature of anti-colonial nationalism has been that in most cases, there is no sense in which a nation precedes the emergence of the state. Here, a difference can be made between the initial form of nationalism as a movement directed against the colonial rulers and engaged in the struggle for independence and nationalism's subsequent transformation into a political discourse employed by new leaders in their attempt to construct a nation capable of sustaining the legitimacy of the state they inherited from the colonial era. After gaining independence, these colonial states established new (constituent) states, drew their borders, built up their capital cities and established a central administration and political institutions to suit their economic needs. As a result, each colony was a 'collection of peoples and old states, or fragments of these, brought together within the same boundaries'. All these states were a mosaic of different ethnic communities and tribes. Thus, the artificial and imposed character of the states in such territories accounted for most of the troubles after obtaining independence. The major problem faced by these states has been their fragility. The newly created nation-states initiated a struggle to replace the pre-national ties with a feeling of national identity and loyalty. But in many cases, the euphoria accompanying the celebration of freedom soon turned sour. The reasons for this stem from the incapacity of the new states to eliminate economic backwardness and the difficulty of creating a coherent civil society out of a population as heterogeneous in itself as in relation to the state. Many of them unable to sustain the claims of the people turned towards the USA or the erstwhile USSR. But this meant becoming dependent.

Also, independence liberated ethnic nationalism within the emergent slate nationalism and in some cases — like India, Pakistan, Malaysia, Indonesia, Nigeria etc — threatened anti-colonialism nationalism whose objective was the conservation of the state and the replacement of the colonial rulers. While Muslims called for a separate nation-state challenging the integrity of the Indian state, caste, class, ethnic origin, religion, language formed separate layers of identity that added to the complexity of creating a single nation within an inherited arbitrarily designed state. After independence, enormous problems were faced in preserving the nation-state. The socio-political environment elevated some leaders like Gandhi, Nehru, Sukarno, Nasser to the category of prophet liberators. Yet, the vast gap between the Western educated elites and the bulk of a mostly illiterate population increased after independence. Most of them did not change the structure of the states and retained colonizers' privileges. The fragility of their governments led to an increasing hostility as well as movements seeking independence of ethnic minorities within established states. Independence brought civil war in Sudan, Zaire,

Chad, Nigeria, Kenya, Ghana, Ceylon and a rift between Eastern and Western wings of Pakistan ultimately resulting in the creation of Bangladesh – a new nation-state.

The major task confronted by the nationalist intellectuals has been to *create a nation to legitimize* the slate. But given the heterogeneous character of their societies, conflict is unavoidable which stems from two sources: i) the differences arising among the ethnic groups included in the most arbitrarily created states inherited from the colonial rulers, and ii) the wide gap between a small affluent elite and a large number of people living in conditions of poverty. In the first case, nationalism is employed as a weapon to ignite old antagonisms and disputes, and in the second case, it could be used to promote an alternative image of the nation or channelled to blame the West for all the troubles.

23.5 CONTEMPORARY DEVELOPMENTS: NATIONALISM VIS-A-VIS ETHNIC RESURGENCE AND GLOBALIZATION

Since the Second World War, three developments have affected the concept of nationalism which has been pointing to different directions. The first was a consolidation trend which made the nation-state the main source of political authority. The domination of the nation-state, the most powerful form of political organisation, has been extended by the virtual end of the colonial empires. There were 51 states in 1945 whereas by 1992, this number had gone up to 185. Moreover, the power of the national governments in many new states, though shaky in the beginning, has been consolidated in the 1970s and 1980s, particularly in third world countries like Zaire, Nigeria, Malaysia and Pakistan. The coming up of India illustrates one of the great virtues of the nation-state as a form of organization which can secure mass compliance of policies with only a minimum of coercion.

The second development relates to ethnic resurgence. Alongwith the consolidation of the nation state, there has been a revival of minority nationalist movements claiming measures of autonomy within the state or even independence from it. Such conflicting trends have increased since the 1970s when the UK saw the growth of nationalist parties in Scotland and Wales, France experienced demands for measures of cultural autonomy from groups in Britain and Corsica. Quebecois nationalists wanted independence from Canada, More recently, India and Sri Lanka are also facing problems of Kashmiri and Tamil nationalists respectively, leading to a certain amount of bloodshed. After the disintegration of the USSR and the East Europe Communist bloc, ethnic resurgence has spread like an infection. The rise of separatist and ethnic agitations is partly due to the loss of group identity of certain minorities and partly, due to the fact that the principle of state creation since the Second World War had nothing to do with self-determination. The creation of new nation-states was more because of the forces of decolonization, revolution or intervention of outside powers. The result was that soon after independence, tensions developed between the component parts of the independence movement in countries like India, Algeria. Again the intervention of outside powers had been obviously non-nationalistic. The split of Soviet Union into its constituents' parts and the disintegration of Yugoslavia have shown that these states were imperfectly integrated. The third development relates to the process of globalization. During the last two decades, the world has become highly inter-dependent. Today, the nation-state has to operate in an inter-dependent world. Information, money, weapons, technology, pollution, values, radiation, food, computers, drugs, disease, data — all flow rapidly around the globe giving the individual nation-states more

opportunities, but also posing more threat to their identity. Simultaneously, the role of international and supranational organizations like the UNO, the World Bank, the International Monetary Fund, GATT and Non-governmental Organizations is increasing by leaps and bounds. In this connection, the past two decades have seen the emergence of a good deal of speculation about the possible transmutation of the nation-state system into some kind of a new world order. The crucial question is whether we are moving towards a common culture or whether globalization will strengthen a particular culture. Hobsbawm predicts that the future is not going to be contained within the limits of 'nation-states' either politically, economically, culturally or linguistically. It will be supranational. It will see nation-states or nations in the being resisting, adapting or being absorbed or dislocated by the new supranational restructuring of the globe. On the other hand, according to Birth, much of such speculation is based upon wishful thinking. Inspite of globalization and the quest for global culture, the current proliferation of struggles for self-determination in several parts of the world indicate that even the democratic nature of the nation-states and granting sufficient autonomy to the minorities within a nation-state has not solved the problem and the use of force still remains the key feature in the definition of nationalism. The role of nationalism as a mass movement has played a crucial role in the conscription of large armies and in the waging of war. Currently, nationalism appeals to a wide ranging sector of population and stands as a dynamic agent that relies on violence as well as promotes peaceful mass mobilization.

In the context of globalization, the reluctance to give away sovereignty and loss of control over domestic matters will increase the presence of nationalism in the nation-states' political discourse. Here, a growth of contradictory forces can be seen: on the one hand, to participate in international forums and institutions and the search for the establishment of common policies with other members of the world community, and on the other, to protect the interests of the nation-state. For example, the European Union has not reduced the preservation of the integrity and identity of the individual nation-states.

Contemporary nationalism uses tradition in the services of modernity. According to Touraine, the nation is a 'non-modern actor that creates modernity.' Doubts and fragmentation are eminent in modernity because they are unexpected. The absence of a single officially sanctioned method of knowledge reflected a certain kind of fragmentation that differs from the one present in our time. The return to tradition emphasizes the value of continuity in a context where constant change and adaptation to new social, political and technological environments determines the day-to-day life of the individuals. The concept of nation is rooted in pre-modern times and the perception of culture and language as products of the evolution of a community over a period of time will retain their strong power to attract the individuals. Tradition will continue to be involved as a legitimizing principle only in so far as it is constantly actualized. The new elements brought about by modernity will be incorporated into and mixed with the traditional forms of life.

Globalization unleashes a pressing demand for identity among those individuals who regard the totality of inherited ideas, values, beliefs and knowledge that constitute the shared basis of their lives as threatened by the expansion of alien cultures endowed with greater resources. In many cases, nationalism emerges as a response to progressive homogenization and represents a struggle to defend identity politics. Thus, though the process of globalization is intensifying, there is no global identity which would suit to fulfil the needs of an otherwise diverse population. Thus, nationalism will survive the wave of globalization.

23.6 SUMMARY

The above discussion on nationalism can be summed up as follows:

Nationalism is a sentiment that has to do with the attachment to a homeland, a common language, ideas, values and traditions, identification of a group with symbols such as flags, songs etc. which make it 'different' from others. The attachment creates an identity and the appeal to that identity has a past and the power to mobilize the people.

One of the most distinctive features of nationalism is its capacity to bring people together from different 'social and cultural levels'. It is the invention of the ruling classes to maintain the unconditional loyalty of the masses and make them believe that they have much in common with the ruled. This is one of the basic factors in understanding the persistence of nationalism.

A theory of nationalism has to deal with questions such as the concept of nationalism and the factors responsible for the evolution of national consciousness and national identity; the genesis and evolution of the idea of nation in Western Europe, its diffusion world-wide; and the contemporary challenges to nationalism.

The different theories of nationalism discussed in this unit try to solve the mystery as to when the nation first appeared. The perennial theories concentrate on the history of nations which are described as ancient and immemorial. They see the nation as a cultural community, rooted, organic, natural and as a single whole. The modernist theories, whether social, communication based, economic or politico-ideological, see the nation as a political community, a modern and social construct designed for an age of revolution. They associate nationalism with movements like Renaissance, Reformation, commercialization, industrialization, urbanization as well as colonialism and imperialism.

Historically, the idea of nation-state began in England, followed by Western Europe such as France, Germany and Italy. The formation of nation-state in Eastern Europe led to the dissolution of three empires: Hapsburg, Ottoman and Asian which resulted in the creation of a number of states such as Poland, Czechoslovakia, Lithuania, Latvia, Romania etc. The American Revolution created a new kind of nationalism which meant severing old bonds and creating new ones. During the 20th century, anti-colonial nationalism in Asia and Africa began with an instinctive and xenophobic hatred of imperialism, colonialism, racism, apartheid etc. The post Second World War period saw the triumph of nationalism and the right of self-determination of nationalism. This gave rise to a number of new nation-states in Asia and Africa.

Since the Second World War, three developments have affected nationalism: consolidation, fragmentation and globalization. Up to 1970, many states which had gained freedom after the Second World War had been able to consolidate their position. But along with that, there had been a revival of minority national movements and ethnic resurgence, both in the advanced countries like the UK, Canada, France and also in underdeveloped countries like India and Sri Lanka. And last but not the least, the process of globalization has been posing a serious threat to the national identity of the states, however, nationalism has been able to meet all these challenges and still remains the dominant force in the world.

23.7 EXERCISES

- 1) Explain in your own words what do you understand by nationalism.
- 2) Discuss the factors responsible for giving rise to a national identity.
- 3) Which are the two broad categories of theories of nationalism? Explain.
- 4) Enumerate the various theories of nationalism.
- 5) Explain any two nationalism theories of your choice.
- 6) Explain the factors behind the rise and growth of nationalism.
- 7) Write a short essay on anti-colonial nationalism.
- 8) Discuss contemporary developments in the arena of nationalism.

UNIT 24 MULTICULTURALISM

Structure

- 24.1 Multiculturalism: The Concept
 - 24.1.1 The Ideal of Non-Discrimination
 - 24.1.2 Protecting Cultural Diversity
 - 24.1.3 Multiculturalism, Pluralism and Diversity
 - 24.2 Multiculturalism and Liberalism
 - 24.2.1 Critique of Liberal Democracies
 - 24.2.2 Multiculturalism as a Liberal Theory of Minority Rights
 - 24.3 The Idea of Differentiated Citizenship
 - 24.3.1 Different Kinds of Special Rights
 - 24.3.2 Differentiating Between Minorities
 - 24.4 Critiques of Multiculturalism
 - 24.5 Multiculturalism: An Assessment
 - 24.6 Summary
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24.1 MULTICULTURALISM: THE CONCEPT

Most countries of the world today are internally plural. They have people of different religions, races and cultures living within their boundaries. How can these diverse communities of people be treated as equal within the framework of democracy? This is the question that multiculturalism poses and seeks to answer. Multiculturalism begins with the understanding that granting equal civil and political rights was an important achievement within democracy, but it has not adequately addressed the issue of discrimination in society. Marginalized cultural communities, as minorities, continue to be disadvantaged even within the democratic nation-state. Culture-based discrimination exists even in the most advanced liberal polities of the west, and it can not be redressed simply by giving identical rights to all persons as citizens. What we need instead are a set of special arrangements that enable minority cultures to survive and flourish in the public arena.

24.1.1 The Ideal of Non-Discrimination

Multiculturalism aims to minimize discrimination of minority cultural communities and to promote the ideal of non-discrimination. Over the last three centuries or more, democratization has occurred by identifying sources of discrimination within the polity and finding ways to eliminate them. As countries became democratic, they set aside discrimination based upon religion, gender, caste and race. Multiculturalism contributes to this on going project of democratization by pointing to a site of discrimination that had received little attention before, namely, cultural identity. The recognition that cultural identities may also be a source of marginalization, and that the actions of the liberal state may disadvantage members of minority communities is the singular contribution of multiculturalism to the discourse on democracy. More than any other strand of political theory, it is multiculturalism that has drawn our attention

to the discrimination faced by vulnerable minority cultural communities within the state, and shown us that pursuing the goal of non-discrimination requires a radical re-consideration of the dominant tradition of liberal theory.

24.1.2 Promoting Cultural Diversity

To counter existing patterns of culture-related discrimination in liberal democratic polities, multiculturalism recommends policies that enhance cultural diversity in society. Protecting and promoting cultural diversity is a primary value within multiculturalism and it is strongly favoured for the sake of i) minimizing minority discrimination; ii) creating conditions in which minority cultures survive and flourish. Theorists of multiculturalism argue that the policies of liberal nation-state disadvantage minority communities. They place external pressures upon the members of minority communities to assimilate into the culture of the majority. Policies aimed at promoting diversity are seen as ways of curbing the process of homogenization that is engendered by the nation-state. Eliminating sources of minority discrimination is, however, only one of the reasons for valuing cultural diversity. An equally important concern is that the rich mosaic of plurality that marks our societies should survive. According to Charles Taylor, if we cannot contribute to our inheritance, we must at least ensure that the diversity that exists survives and does not perish (Taylor 1994:73).

Within multiculturalism, this concern for the fate of diversity is supplemented by the belief that the presence of many different cultures enriches our lives and enables critical self-understanding. It is argued that no culture can "ever express the full range of human potentialities" (Parekh 1998:207), and each articulates only an aspect of it. Consequently, the presence of many cultures contributes to the "overall richness of society" (*ibid.*). Different cultures enable us to experience different ways of living and thinking, and this makes us aware that our cultural horizon is only one of the many that have given meaning to lives of countless men and women. This consciousness of the finitude of our existence prompts us to take a critical look at the beliefs and institutional structures of organization that we have inherited and perhaps accepted (Parekh 1998:212 and Taylor 1994:72). Will Kymlicka suggests further that diverse cultures offer concrete alternatives: since diverse cultures present diverse projects and systems of external and internal organization, they provide individuals with substantive options and choices that they may explore as they define what is good and desirable (Kymlicka 1991:165).

For all these reasons, multiculturalists prize cultural diversity and consider it a deeply cherished value that must be protected and promoted in society. What needs perhaps to be underlined here is that the diversity that multiculturalism seeks to promote is that of cultures. While liberalism focuses on diversity of thought, belief and perspective, multiculturalism is concerned about the viability and status of diverse cultures and communities that are associated with them. Further, it is the fate of minority cultures that face external pressures to assimilate or disintegrate that multiculturalism is most concerned about, and by attending to them it aims to protect diversity of cultures. Since the concern all along is for cultural diversity it is the community rather than the individual that has merited greater attention within the framework of multiculturalism.

24.1.3 Multiculturalism, Pluralism and Diversity

While arguing for cultural diversity, multiculturalism operates with the understanding that cultural communities are not voluntary associations. In forming associations people come

together by their own volition to pursue a specific goal or interest. Cultural communities, by comparison, are groups in which people find themselves. That is, most of the time people do not make conscious choices; at least they do not choose cultural membership as we choose goods in the market. Further, and this is extremely important, a cultural community is defined by a shared language, history, economic, political and social institutions. Cultures whose fate multiculturalism is concerned about are communities of this kind. They are characterized by common customs, institutions and practices (Kymlicka 1995:76-78).

Since each culture has its own distinct identity and practices, cultures are seen as incommensurable entities that cannot be judged in terms of the values that mark another culture. They can only be known and understood in their own terms. That is, one culture may value technological advancement while the other may seek harmony with nature. Just because the latter does not value or pursue scientific advance as we know it, it does not imply that it is lagging behind. There is, in other words, no ground for assuming that the same values are either cherished in all cultures or that they must be considered worthwhile by all. Cultures must be seen as being incommensurable or non-comparable.

Informed with this perspective, multiculturalism is more than a statement of value pluralism. It does not merely suggest that different value systems exist in society and individuals may favour or commit themselves to any of them. Instead, multiculturalism argues that each culture incorporates a distinct value, different from that which is expressed in another culture. Further, the life of an individual is shaped to a considerable extent by the value framework of the culture to which he belongs. The customs and institutionalized practices of that culture structure his preferences and judgements. What multiculturalism tries then to protect is the cultural context of experience. Its policies are aimed at ensuring that minority cultures—their language, customs and institutions—survive and are treated as equals in the public domain.

The element that needs to be emphasized here is that the mere presence of different religions, races and languages is not enough for a multicultural democracy.¹ The latter requires that each of these cultural communities flourish and receive equal treatment. It is this concern for equality between diverse cultures and communities that is distinctive of multiculturalism and it is this that sets it apart from the assertions of pluralism. Theorists of multiculturalism argue that a plural society requires a multicultural policy framework of democracy but this is at the level of an imperative. In actuality, plural societies may not always head in that direction. Pluralism at the societal plane may co-exist with a state that is mono-cultural, affirming only the culture of the dominant community. Multiculturalism points to just this predicament and shows that many liberal democracies that tolerate differences in society, nevertheless, discriminate against minority cultures. It is to rectify such patterns of disadvantage and cultural discrimination that multiculturalism advocates policies that promote diversity and heterogeneity in the public domain.

24.2 MULTICULTURALISM AND LIBERALISM

Multiculturalism is not the first theory to address the issue of discrimination. In different ways, both marxism and liberalism have dealt with this issue. Liberalism took note primarily of discrimination based on socially ascribed identities, such as, religion, race, caste and gender. Further, in response to exclusions based on these identities, it suggested that individuals be conceived as citizens, dissociated from their social identities, and in that capacity they must all receive the same rights and be treated alike. In other words, liberalism mooted the principle

of formal equality. On the one hand, it tried to set aside distinctions and privileges based on an ascribed identity by treating all individuals equal in the eyes of the law, and on the other, it made a person's identity as a citizen the only relevant category in the public domain. All other identities were to be effaced or restricted to the private domain. Individuals were to enter into the political and public arena devoid of ascribed identities and personal modes of identification, and participate within it only as citizens of the polity. The category of citizen was, thus, to be religion and colour-blind.

Within liberalism ascribed identities are discredited as they are not chosen by the individual. People are born into them and the circumstances that they are placed in on account of these identities are not of their making. Hence, liberals argue that it is the responsibility of the state to ensure that received identities do not fix roles, positions and opportunities in society. What liberals value then is the autonomy of the individual: the freedom to make choices and the availability of options receives the highest priority in their work. Rights are given to protect that freedom, particularly against opposition from the state as well as oppression from the community. The community, like the majority in society, is perceived to be an authoritarian entity that constraints and restricts the autonomy of the person. Hence, it is suspect and receives no rights. Within liberalism, it is the individual and not the community that is, therefore, designated as the bearer of rights.

Multiculturalism challenges this liberal understanding of the self with the argument that membership of a cultural community is valuable to the individual. It defines, at least in part, their personal identity and forms a "context of experience" (Kymlicka 1995:189). That is, community membership structures individual experience and provides a framework within which things acquire value. One's relationship with other groups in society and their perception of us is also influenced by community membership. Since membership of a cultural community forms an "anchor for self-identification" (Margalit & Raz 1990:447) individuals do not, nor must they be expected to, enter into the public domain as "unencumbered" selves, devoid of social identities and a sense of being situated. Contrary to the liberal perception, theories of multiculturalism argue that community identities are bound to enter into the public domain and people may bring into political life issues that arise from their community membership. According to Will Kymlicka, when we expect individuals to bracket their cultural identity, we in fact deprive them of "something that they are reasonably entitled to" (Kymlicka 1995:86).

While devising political institutions of democracy, we need therefore to acknowledge the existence of cultural community identities and begin with the understanding that individuals are not simply members of a political community or a nation-state. They are also members of a cultural community and this membership is deeply cherished by them. Further, excluding a cultural community from the political and public domain, denying its recognition or misrecognizing it, causes grievous injury to the individual (Taylor 1994:25-28). When the cultural community has a low prestige in the public arena, individuals belonging to them develop a sense of low esteem. They become nervous and diffident and are unable to perform successfully in society (Parekh 1992). Some of them respond to the pressures that come from the external world by distancing themselves from their family. This alienation of the self from its family and friends places a heavy toll both on the individual, his family and the community. It creates inter-generation conflicts and deprives the individual of a secure social environment that is necessary for proper growth and development. Since hostile and adverse representations can in this way harm the individual, we owe to others to give them due recognition in the, public arena.

For the multiculturalists, a secure cultural context is an essential condition for leading a reasonably autonomous existence and exercising choices. When a culture is misrepresented or threatened, its members become closed and resistant to any change and innovation. They oppose change that is imposed from the outside as well as suggestions that come from within the community. Eventually, members loose out as the space that ordinarily exists for the expression of differences within each culture gets closed. Consequently, even for promoting the ideals that liberals favour - namely, autonomy of the self - a secure culture that receives due public recognition is regarded to be absolutely essential.

24.2.1 Critique of Liberal Democracies

Multiculturalism, as we argued earlier, begins with the understanding that liberal democracies have not been able to ensure equal citizenship for all its members. Even though equal civil and political rights have by and large been given to all, yet, persons belonging to minority cultural communities remain disadvantaged in the public arena. They are disadvantaged and discriminated against because the state, through its laws and policies, endorses the culture of the majority community in society. The policies on language, education, declaration of holidays, dress codes, for instance, reflect the culture of the majority. At a more fundamental level, ceremonial rituals and symbols of the state and its departments also express the same cultural orientation. Collectively, actions of the state popularize and sustain the majority culture and encourage, directly and indirectly, assimilation into that dominant culture.³ In brief, multiculturalism argues that national culture is in actuality rooted in the culture of the majority. Consequently, when the liberal democratic state promotes that culture, it privileges the majority cultural community while simultaneously disadvantaging the minority communities.

The idea that privileging the majority culture implies disadvantaging the minority cultures is central to multicultural thought. To explain this further with the help of an example: theorists of multiculturalism argue that when English is made the official language of the state, then French language in Canada and the members of that linguistic group are necessarily disadvantaged. The Francophones have to learn English - a language that is not their mother tongue - and excel in it so that they can compete with other people for whom English is the first language. To do this, they have to put in a greater amount of effort than the Anglophones, and they have also to acquaint themselves with the culture that is associated with the English language. Parents, who want to ensure that their children have an equal opportunity to occupy prestigious positions in society, also try to send their children to English medium schools. As more and more people make this choice, English language and culture get popularized. More and more people learn that language, but at the same time the number of people who can read and write in the French language also declines. Eventually, the culture that is associated with the French speaking community suffers in prestige and support. It becomes increasingly non-viable. Even the children from the community do not associate with it. As they are exposed to another culture in school and other public places, they are alienated from it. Thus, through a variety of processes, the French culture and cultural community are systematically disadvantaged.

Theorists of multiculturalism use examples of this sort to show that seemingly neutral laws and policies of the state have an implicit bias that favours the majority community and disadvantages minority cultural communities. The declaration of Sunday as a holiday when public institutions and businesses are closed implicitly favours the Christian community

members. With Sunday as the declared public holiday, a devout Christian can go to the church for prayers and observe this day as the day of rest in accordance with the dictates of his religion. However, a devout Muslim, who wishes to offer prayers on a Friday afternoon in accordance with his religion, is placed at a disadvantage in this system. Since Friday is a working day lie, unlike the devout Christian, does not get any time off. Practices of the state, even the liberal state, thus marginalize and discriminate against the members of the minority culture. Indeed, they place external pressures upon the latter to assimilate into the dominant culture. Since the option for minority communities is only to assimilate or disintegrate, multiculturalism is critical of liberal democracies. It questions the central principles of liberal democracy, particularly the notion of formal equality and neutrality, and offers in their place an alternate framework based on the idea of group-differentiated rights and differentiated citizenship. Within the latter, special rights are sanctioned for minority cultural communities so that they may survive and be treated as equals in the liberal state.

24.2.2 Multiculturalism as A Liberal 'Theory of Minority Rights'

Multiculturalism rejects the liberal idea of an autonomous, freely choosing, atomized self as well as the belief that the state is, or must be, neutral between different, competing conceptions of good life. It begins instead by locating the individual within a cultural community and argues that no state is, or can be, completely neutral. Even liberal states that claim to be neutral make laws on marriage, divorce, property, inheritance, euthanasia, suicide and a range of other social activities. In each case it endorses and legitimizes one view: for instance, it may uphold and recognize only individual claims to property or only monogamous marriages. Legislation of this kind invariably denies claims of collectively held community property or polygamy as a practice. In fact, all such claims and practices are declared illegal. Here, as in many other cases, the laws of the state reflect a conception of what is good and therefore acceptable. This understanding may conform to the conception of good embodied in some cultures, but may conflict with the practices of other cultural communities. Hence, we need to realize that no state is completely neutral. The liberal principle of neutrality must, therefore, be replaced by the notion of "evenhandedness" (Carens 1999: 46-50). In place of pursuing neutrality as the desired goal, the state must act so as to be evenhanded towards diverse communities.

In presenting the ideal of evenhandedness, multiculturalism challenges the liberal conception of individual, state, community and justice. This must not, however, be taken to imply that multiculturalism is anti-liberal. Most theorists of multiculturalism present these alternatives with a view to making liberal democracies consistent with the liberal ideal of equality for all. They argue that the principles of neutrality and formal equality cannot promote equality for minority cultural communities and their members. A system of special rights is, therefore, advocated to protect minority cultures from discrimination in the polity. Will Kymlicka offers another line of argument in this connection. He states that liberalism does not simply value individual autonomy and the freedom to make choices. It wants individuals to have an opportunity to rethink and revise what they have received from society. Autonomy and freedom is valued only because it enables individuals to reflect upon the beliefs and institutions that they have inherited. It is, therefore, the condition of 'revisability' that is thus cherished within liberalism. However, revising our cultural inheritances is only possible when the culture is secure within the nation-state. When a culture is under threat and struggling to survive, options tend to get closed. Community members living in these conditions have little possibility of

articulating differences and reshaping their cultural context in accordance with their self-understanding.

According to Kymlicka, we need, therefore, as liberals to be concerned about the fate of minority cultures in our society. And in order to further the liberal ethos, or the condition of revisability, we need to supplement the existing framework of individual based rights with special arrangements that allow minority cultures to survive and flourish in society (Kymlicka 1991: 9-19). The multicultural design is here presented to realize the ideal of liberalism, albeit by modalities that found no support in classical liberalism.

24.3 THE IDEA OF DIFFERENTIATED CITIZENSHIP

Liberalism addressed the issue of social discrimination by disregarding ascribed identities and extending the same rights to all persons as citizens. Multiculturalism, in sharp contrast to this, argues that identical rights for all are inadequate for minimizing culture-based discrimination. What we require are special rights for identified minorities. The idea that citizens be differentiated on the basis of their cultural identity and that different communities may receive different rights as citizens of the polity is one of the defining features of multiculturalism, and it is expressed through the concept of differentiated citizenship.

The concept of differentiated citizenship rejects the liberal ideal of universal citizenship. Multiculturalism maintains that universal citizenship assumes that all persons are alike. This assumption of homogeneity eclipses group differences. It calls upon the individual to leave behind their particular identities and see themselves only as citizens of the polity. In a society where some "groups are privileged" and others marginalized, this implies that the latter forsake their identity and take on the outlook and perspective of the dominant group—i.e., the majority community. At the same time, the notion of universal citizenship allows the "privileged group to ignore their group specificity" (Young 1990: 165). By enabling the norms and point of view of the privileged majority to appear neutral and universal, this ideal perpetuates "cultural imperialism" (ibid.).

The idea of group-differentiated citizenship and rights is advocated to halt this process of assimilation by giving minority cultural communities rights that would enable them to protect their culture against pressures of homogenization that come from the state and society. It rests on the belief that society comprises of many different cultural communities, but the state invariably privileges and endorses the culture of one community, which is designated as the majority. Since this marginalizes and disadvantages other cultural communities (the minorities), special rights may be extended to them. A distinction may, therefore, be made between citizens on the basis of cultural identity, and this is justified for ensuring equal treatment for all.

24.3.2 Different Kinds of Special Rights

Within the framework of differentiated citizenship, multiculturalism sanctions three kinds of special rights for minority communities: i) cultural rights; ii) self-government rights; and iii) special representation rights. Beginning with the understanding that the state represents the culture of the majority community, multiculturalists argue that minority communities require special rights so that they have access to their culture in the public domain. In western democracies, special cultural rights have been demanded in the form of exemptions from existing laws, assistance for minority cultural institutions and recognition for minority cultural

practices. To take a few examples: the Sikhs in Canada have demanded, and received, exemption from the law that prescribes helmet wearing for motorcycle riders. Women from the Asian communities have been granted exemption from wearing a dress while serving as nurses in hospitals. In both cases, the argument made by minorities was that the prescribed code did not take note of the culture of the minority communities, and exemptions were given so that members of these cultural communities may live in accordance with their accepted cultural practices.

In addition to seeking exemptions, minority communities have also sought assistance, by way of financial and other infra-structural support, so that their culture can be represented in the public arena. Here, support has usually taken the form of assistance to establish museums, run minority educational institutions and hold public festivals. At times, minority communities have also demanded recognition for their distinct cultural practices. In India, for instance, religious communities wanted, and were given, recognition for their family law. So, today individuals are governed by the personal law of their community. The most significant aspect of claims for recognition are that communities through them seek endorsement of traditional cultural practices and institutional structures. Most often, the acceptance of these claims brings into effect plural structures of jurisdiction and governance. Sometimes, traditional norms receive exclusive jurisdiction over the members; on other occasions, traditional norms are placed alongside the laws formulated by the state. Whatever be the specific form of arrangement, these cultural rights bestow upon the community and its practices a legal status, thereby making it a legitimate actor in the public domain.

The second kind of special right justified within multiculturalism is that of self-government. Like recognition rights, these too take the form of dual structures of jurisdiction. The only significant difference being that self-government rights are linked to territorial claims. Communities that are concentrated in a given region and have lived there for several generations are supposed to receive this right. Self-government rights are thus defended only for a specific sort of minority: namely, communities that are a distinct nation with historically supported claims over that territory and a desire to protect their cultural identity. The purpose of self-government rights is to give communities certain degree of political autonomy to govern themselves in a way that they can protect and promote their distinct cultural identity in a given region.

The third category of minority rights is special representation rights. The assumption behind claims for these rights is that minority communities must have an opportunity to participate in the political process, set agendas and voice their specific point of view. As Iris Marion Young argues, "People in different groups often know about somewhat different institutions, events, practices and social relations, and often have different perceptions of the same institutions, relations and events. For this reason, members of some groups are sometimes in a better position than others to understand and anticipate the probable consequences of implementing particular social policies" (Young 1990:186). Consequently, their participation is bound to enrich public discourse while simultaneously bringing groups that are otherwise marginalized into the mainstream. It is further argued that the deliberate inclusion of various groups, particularly oppressed minorities, can be a powerful tool for defining public norms and creating deliberative consensus.

Special representation is, thus, seen as a way of including and empowering marginalized groups so that they have a sense of participating and contributing to the policy outcomes. At

the same time, it is expected to enrich policy making by bringing in the experiences and perspectives of diverse groups in society. It is this double advantage that justifies claims for special representation for communities. In India, special representation was granted to the Scheduled Castes and Scheduled tribes by the Constitution and this gesture was motivated by the need to include populations that had hitherto been excluded from the public and political domain.

24.3.2 Differentiating Between Minorities

So far, we have only outlined the three different kinds of special rights that are supported within multiculturalism for minority communities within the nation-state. The question that needs to be addressed now is – Should all minorities receive each of these rights? Should all minorities be given the same special rights?

Within multiculturalism, at the general level, special rights are defended for minorities but rarely is it said that all the three kinds of rights must be given to all minorities within the state. Most theorists agree that these rights are intended only for the minorities that have been historically oppressed. Also, which set of rights should be granted to oppressed minorities has to be determined by looking at the specifics of the case. Different contexts demand different remedies, and which would be the appropriate course in a given situation will depend upon the kind of minority it is, its experience of discrimination and the nature of the state. So we cannot have a general theory of minority rights.

Will Kymlicka, in his writings, however differentiates national minorities and immigrant communities who are also minorities. He maintains that self-government rights may only be given to communities who see themselves as nations with a distinct societal culture, and have historical claims over a given territory. Immigrants come to a country with the clear understanding that they will have to live by the norms of that country, so they cannot claim rights to protect and promote their culture. The issue of whether immigrants can ask for public recognition for their culture and practices is a subject on which there are considerable differences within the multicultural camp. Suffice here to say that special rights are not supported unconditionally, for all communities nor all minorities are expected to be given exactly the same rights as other minorities.

24.4 CRITIQUES OF MULTICULTURALISM

The multicultural analysis of culture-based discrimination in liberal democracies has received wide attention in recent times. However, its concept of differentiated citizenship and the accompanying defense of special rights for minorities has come under a great deal of resistance. There are four kinds of issues that the critics of multiculturalism have raised. First, it has been argued that the multicultural framework empowers communities and traditional structures of authority. It gives communities authority over the individual and allows them to continue with existing practices in the name of protecting community culture. This sanction given to communities and their practices can be, and often is, used to quell internal differences and promote conformity with existing practices and the views of traditional leaders. As a consequence, individuals as well as marginalized groups within the community, like women, are placed at a disadvantage. Thus, while multiculturalism addresses the issue of equality between groups it neglects the equally important concern for equality within the group.

Second, while discussing the question of special rights for minorities, multiculturalism assumes that each community is a homogeneous entity with a clearly identifiable membership. This notion of community further assumes that individuals have a specific identity and they can, on that basis, be located as members of a specific cultural community. This tendency to slot the individual in one community, the critics argue, may have been appropriate in the late nineteenth and the early twentieth century. But today, the individual is continuously exposed to so many different cultural and social influences that we cannot envisage bounded cultures and communities. Besides, individuals usually see themselves as members of many different communities. For example, they may, in different contexts, identify themselves as Indians, Hindus, Brahmins and Women. Their concerns as members of each of these communities may indeed be different and at times, even incompatible. We need, therefore, to begin with a more complex picture of the individual and her community membership.

Third, critics also fear that multiculturalism may lead to the weakening of the nation-state. By associating the culture endorsed by the state with the majority community, multiculturalism, they argue, undermines the very possibility of a shared culture of the people in the nation-state. It thus, threatens the national project and calls upon the minorities to distance themselves from the state. Further, the system of special rights brings into effect a framework of dual jurisdiction and dual loyalties. This itself is seen as a source of disintegration of the state.

Fourth, theorists of the marxist persuasion particularly argue that multiculturalism neglects, the issue of redistribution. It conceives minority marginalization narrowly as a cultural phenomenon requiring cultural remedies in the form of recognition and protection of minority cultures. As a consequence, it loses sight of the multiple ways in which discrimination of minorities occurs and manifests itself in society. In fact, its analysis takes attention away from the urgent task of seeking redistribution of resources and opportunities in society.

24.5 MULTICULTURALISM: AN ASSESSMENT

Each of these arguments raises important questions that merit serious consideration. Indeed, theorists of multiculturalism have in the recent past been attentive to these "concerns" (see, Mahajan 2002: 166-195). Although it is not possible to detail the responses that have come from the multicultural camp, nevertheless, there are two points that need to be emphasized as we conclude the discussion on multiculturalism. One, multiculturalism advocates special rights with a view to strengthening, and not weakening, existing states. Based on the understanding that the threat to territorial integrity of the nation-state comes from ethnic conflicts within the polity, it tries to accommodate marginalized communities by giving them a voice in the political and public sphere. Special rights, including the right to self-government, are intended to provide mechanisms by which oppressed groups may participate and develop a sense of commitment to the state. Theorists of multiculturalism maintain that citizenship is not simply a legal status; it has a psychological dimension. Unless people have a sense of "emotional attachment", identification with the state is not likely to occur (Carens 1996-7:113). Special rights are expected to fulfil this task by providing avenues for inclusion and equality among minority communities.

Two, the most serious problem before multiculturalism today is how to protect cultural diversity without negating freedom for the individual and equality for all persons. Advocates of multiculturalism address this issue by suggesting that the community must develop institutions of democratic deliberation so that the voice of marginalized groups within the community can

be lieard and accommodated internally. Others maintain tliat the state could prescribe a framework of minimum rights that cannot be violated. Within that framework, communities might determine how best to govern its members. Even though the suggested alternatives are not entirely adequate for dealing with the complex nature of issues raised by the concern for freedom and equality, yet, these responses indicate and affirm that multiculturalism is not simply a theory of community rights. Even though multiculturalists have most often been concerned with questions of inter-group equality, the concern for intra-group equality is not absent within it. Indeed, having placed the first set of issues on the agenda of liberal democracies, multiculturalism is increasingly addressing the question of equality within the community.

The significance of multicultural political theory is that it has drawn our attention to the processes of cultural discrimination within liberal democracies, and compelled us to re-think the ideals that have been cherished within liberalism. In particular, it has prompted us to consider whether individual rights, indivisible state sovereignty and uniform citizenship can effectively ensure equality for all in a plural society. It is by virtue of setting this agenda that multiculturalism has today become one of the most influential strand of democratic theory.

24.6 SUMMARY

The concept of multiculturalism and the various theories associated with it have become quite important in contemporary lives. Multiculturalism addresses itself to the basic issue of discrimination in society; especially in the context of marginalised cultural communities such as the minorities. Multiculturalism, therefore, emphasizes group specific rights. It lays stress on societal/institutional arrangements for minority cultures to survive and flourish.

24.7 EXERCISES

- 1) Explain the concept of multiculturalism in your own words.
- 2) Critically examine multiculturalism-liberalism interface.
- 3) Write an essay on the idea of differentiated citizenship.
- 4) Discuss the critiques of multiculturalism.
- 5) How will you assess multiculturalism?

UNIT 25 FASCISM

Structure

- 25.1 Introduction
 - 25.2 Fascism - Meaning and an Ideational Profile
 - 25.3 The Fascist Worldview
 - 25.3.1 Core Ideas
 - 25.3.2 The Operational Dynamics
 - 25.4 Fascism and Challenges to Contemporary Life
 - 25.5 Fascism - An Evaluation
 - 25.6 Summary
 - 25.7 Exercises
-

25.1 INTRODUCTION

Fascism has been a significant twentieth century development. Originating from Italy and further maturing as an operational political doctrine in Germany, fascism could apparently be an enduring reality owing to its innate ability in simplifying "the complexities of political life" to the advantage of the proponents of fascism. This was achieved by catering to the exigencies of "us" and "they" where in "they" were not only projected as 'adversaries', but essentially 'inferior' as well. This political dualism, aggressively articulated by fascism, has however come to stay even after the collapse of Italy and Germany after the second world war. It is in this context that the 'Epitaph on Fascism' as presented by Hugh Trevor-Roper that fascism "began in 1922-23.....came of age in the 1930s.....ended in 1945" sounds too premature to easily reconcile with. The post-war political formations in both western and eastern Europe have been significant pointers to this trend. In fact, the ascendancy of unresponsive state authority in the world coupled with hyper socio-cultural polarities of "us" and "they" and all sorts of intolerances in Hitler-personal and communitarian behaviour clearly suggest that fascism is not only relevant today, but it represents more complex and perverse dimensions than it originally displayed and carried out. It, therefore, poses more severe a challenge to mankind today than ever before.

This unit addresses itself to all these enumerated issues. It seeks to present both the 'original' and 'altered' faces of Fascism with a view to familiarising you with the changing ideas, facts and processes of fascism, besides enabling you to creatively dispel these trends with the help of a better understanding of the essence of life and a greater appreciation of the pluralist reality that truly envelopes mankind throughout the world.

25.2 FASCISM - MEANING AND IDEATIONAL PROFILE

The meaning of fascism poses considerable difficulties owing to the fact that the ideas characterising fascism are 'untidy and inchoate' (Percy Wilfors). These are derived from a variety of sources and socio-cultural traditions. So one does not find a classical text like Marx's *Das Capital*, to authoritatively outline and delineate the central ideas of Fascism. Moreover, fascism's 'chemical indifference to intellectual honesty' (George H. Sabine) further contributes to the elusive ideational categories that it portrays.

However, an attempt can still be made to construct a fascist world-view by taking recourse to such core ideas as statism, racialism, imperialism, militarism, elitism along with a foundational core of irrationalism. Some of these ideas could be apprehended by concentrating upon the intellectual heritage of the fascist world-view (Rick Wilford). As a starting point, it can be safely proclaimed that fascism derived much from the mood of revolt that prevailed in Europe during the end of the nineteenth century.

The stated mood of revolt drew heavily from the anti-thesis developed by Social Darwinist (e.g. Spencer) against the prevailing liberal ideas which they essentially perceived as outmoded. Social Darwinists, particularly, articulated a 'muscular philosophy' which helped to foster an intellectual climate within which the myth of racialism began to flourish (Wilford).

This section of the unit seeks to construct the fascist world-view by focussing upon the above enumerated core ideas.

25.3 THE FASCIST WORLD VIEW

25.3.1 Core Ideas

Irrationalism

Irrationalism constitutes the fundamental layer of the fascist world-view. Fascism suggests to repudiate reason and objective science. The complexities of life are such a fascist would argue, that ordinary minds can not grapple with it. Peace and objectivity would not help in conquering the complexities surrounding the human life. Mussolini once proclaimed that reason is "parren intekkactualim" lacking true meaning. The ordinary mind..... "is a wasteland full of mirages that give only an illusion of reality" (Leon P. Baradat). Truth, according to fascism, "is a subjective quality, available only to a few gifted people whose will or spirit or personality is greater than that of the masses." (Baradat)

Fascism drew ideational sustenance from such varied sources as Plato, Rousseau, Hegel and George Sorel to erect the structures of irrationalism. For Mussolini, Hitler etc. stirring the people for action with no provable value or goal sanctity was enough. "Feel, don't think" was their consistent command to their followers. For igniting passions and feelings, they resorted to their rhetorical talents rather than relying on some consistent and coherent ideology of a written text.

Indiscriminate use of myths was also employed by the proponents of fascism. In particular, the myth of volk was most assiduously articulated by fascism. Although, literally signifying "the people", volk also accompanied some abstract connotations such as: 'a system of absolute values, an immutable metaphysical ideal of people-hood' (Wilford). George Mosse, thus, explained volk: "Just as individual men had a soul, so there existed a volk soul which like man's soul, gave the volk into unique and unchanging "character". This made the Germans, in particular, to transform their collective soul as 'wild and dynamic, based on emotions rather than on a tortured intellectualising'. Irrationalism was further developed under the German philosophical tradition. Fichte, Schopenhauer and Nietzsche collectively sought to repudiate the idealist tradition and espoused irrationalism. These sources were frequently used and abused by the fascists for emphasising irrationality and stirring up social passions so that fascism could dwell there and make deeper inroads in the society.

Racialism

Strange though it may be, Hitler based his social theory on the works of a French scholar Arthur de Gobineau, who was sent to Germany by France as a diplomat. His influence will the German led him to develop his theory of racial superiority which ultimately had a great impact on German history.

Placing Aryans as the original superior race in the world responsible for the rise of great civilizations, Gobineau found the Aryans intermarrying with the inferior races, thereby causing both the decline of their civilization as well as their social purity. Against this backdrop, Gobineau referred to the Germans as the purest because they were the least mixed racially. The future of mankind, therefore, depended on the social purity of the Germans.

Gobineau's theory had profound influence among the Germans. Richard Wagner in particular popularized and dramatized the myth of the Germans' racial superiority. Later on, another Germanised English man, Houston Stewart Chamberlain, sought to achieve what Wagner had achieved. Through his musical notes Chamberlain combined teutonic mythology, German philosophical irrationalism and Gobineau's social superiority theories. Chamberlain stressed the need for a strong leader to protect and maintain the German social purity by showing them the way through which this could be done.

Hitler capitalised on these inheritances and condemned the Jews. He applauded the Germans for their racial superiority and particularly, pinpointed the Jews for their villainy in the given scheme of things and peoples. His hatred for the Jews gets amply illustrated in the following passage:

"The Jew.....is a maggot in a rotting corpse ; he is a plague worse than the Black Death of former times; a germ carrier of the worst sort, mankind's eternal germ the spider that slowly sucks peoples' blood out of its poresthe typical parasite ; a sponger who like a harmful bacillus, continues to spread; the eternal blood sucker.....the peoples' vampire" (Quoted by Leon P. Baradat).

Hitler categories the peoples of the world into three racial categories:

- 1) The culture creating race (e.g. Aryans)
- 2) The culture bearing race (e.g. Latins, Slaves, the Orientals)
- 3) The culture destroying races (Gypsies, Negroes, Jews)

The racialist imperatives were so deep-rooted in the scheme that Hitler used to often proclaim that "We think with our blood". So much so that the fascists would claim that "any knowledge dispelling racial superiority would not be knowledge at all". "Science, like every other human product, is racial and conditioned by blood".

Statism - Drives towards a Corporate State

The notion of Volkish spirit guided the course of state formation under fascism. Volk was traced to medieval Germany, which was portrayed as a close-knit rural society where Volk was conceived of as "the organic wholeness of the national community – a community where the German spirit reigned supreme and subordinated all individual interest and priorities".

Besides the myth of volk, the writings of Hegel provided further impetus to fascist statism. According to Hegel, the organist state was the ultimate idea which manifested as 'the power of reason actualising itself as will'. Thus, state was visualised by Hegel as an integrated community wherein individually and collectively, the particular and the universal, coexisted on the basis of reason. Thus portrayed, the state was conceived of as realising spirit or reason in history. State's membership enabled men to move beyond their private interest and embrace the common good.

Moving further from the Hegelian premises and mutilating the mutual dependence of state and civil society, Mussolini proclaimed 'Everything for the state and nothing outside the state.' Thus, the Hegelian prescription of the state as an end in itself was interpreted by Mussolini for furthering the fascist cause. Hitler did not even require a distortion of Hegel's ideas for legitimising his state. To him, the state was a means for furthering German racial superiority.

The fascist statism drew heavily from totalitarianism, a term used by Mussolini himself. He raised the stature of the state as the "Will of Wills", the "Good of Goods" and the "Soul of Souls". As such, the state can make any demand, give any order, require any sacrifice and the people must obey and comply with. State, argued Mussolini, happens to be the "Creator of Rights" and the 'Good of Goods'. As such, it cannot tolerate any resistance from any quarter. It is, therefore, natural that each individual has to perform the maximum service to the state, no more and no less.

Hitler, even while according a somewhat secondary status to the state, maximised the totalitarian ethos under his regime. He successfully converted every possible medium as a political tool and decisively ensured that it catered to the priorities set forth by his regime.

The fascist conception of state authority laid the foundation of a corporate state structure. This and other such trends will be taken up in the next section dealing with the operational dynamics of fascism.

Elitism

Fascism drew legitimacy from the notion of elitism as well. Both Hitler and Mussolini argued that people are essentially uneven in their mental make-up, physical strength and spiritual endowments. As such, they cannot contribute evenly to civic and state affairs. Since their contribution is uneven, they cannot expect equal rewards for their dissimilar contributions to the society and the state.

25.3.2 The Operational Dynamics

In operational terms, Fascism of Italy and Nazism of Germany is regarded as "totalitarianism of the right" because fascism organised itself on behalf of many vested interests and against the left-wing parties and trade unions. However, in many of their ideological and political manifestation like a single party political ideology and mobilization, fascism does resemble the communist: totalitarian regimes. Centralization and concentration of political power are other trends, which show fascism analogous to the communist regimes (Roy C. Macridis).

Centralization and Concentration of Power

The top government's organs centralized political power in both Italy and Germany.

Accordingly, all sorts of provincial administrative mechanisms were systematically dismantled under the fascist regimes of Italy and Germany. Thus, fascism neither provided for federalism of any variety nor was there any type of separation of power. The legislative organs were there to only endorse and ratify governmental enactments. The Italian parliament had the unique distinction in history to unanimously vote for its own abolition. Thus, all power safely rested in the hands of either the Fuehrer (Germany) or Duce (Italy). The entire electoral process was decisively controlled and steered by the single party rule. No wonder, the party cadres overwhelmingly elected the party sponsored candidates who often got over 99% of the votes cast during the elections. The centralized government conclusively frustrated all local press, political activities and opponents, etc and rendered them utterly deficient. Even all potential rising was efficiently nipped in the bud by the fascists.

Single Party

The fascist party in Italy and NSDAP in Germany had highly centralized leaderships. These parties organized consent through intensive mobilization. The hierarchical levels of these parties were firmly controlled by the Duce and the Fuehrer respectively. Annual party congresses were festive gatherings for applauding the leader and confirming his policy guidelines.

Despite the co-existence of the government and the party, the real center of power was always the party. The party steered the state and the state, in turn, invariably catered to the party priorities virtually as a subordinate organization.

Absolute Leadership

It was the envisaged role of the leader to amalgamate the people, the party and the state into one viable entity. The leader owed his authority through the built up charisma and personal traits. Nazi Germany invented such slogans as "Leader is the party; the party is the leader" and "The leader...knows the goals and the direction." The position of the leader was so invincible that Germany came to be known as the "Fuehrer-State", "the Leader-State". This was the highest mark of political absolutism.

The Duce in Italy claimed the same qualities. He represented both the state and the party and embodied the interests, goals and ambitions of the nation and the people. He "never sleeps". "With closed eyes, he reads our innermost thoughts. He knows everything; he is the pride and honor of the nations."

This discussion on the operational dynamics of fascism can be concluded by highlighting one or two additional operational trends. First, the fascists in Italy and Germany did not "make" a revolution as the communists did. They were on the contrary, facilitated to power by the traditional ruling elite, namely the King in Italy and the President of the republic of Germany. Consequently, they took over the state rather 'legally'. Accordingly, the fascists did not smash the state into pieces, but retained many of its formal institutions. Thus, Mussolini did not temper with the kingship and the army. At least till the outbreak of World War-II, he retained their traditional character. The industrial and business communities too continued to exercise a considerable functional freedom in Germany. Second, fascism appealed overwhelmingly to the youth. Both countries assiduously catered to the establishment of youth organizations. Mass-scale induction and recruitment to the fascist parties were made from the trained youth. Mobilization and organization of consent was thus engineered and worked out.

25.4 FASCISM AND CHALLENGES TO CONTEMPORARY LIFE

As pointed out in the very beginning of this unit, fascism did not 'die' with Mussolini and Hitler. Infact, the success of fascism is perceivable in the neo-fascist formations in Britain itself, the mother of liberal democracy. British National Party under the leadership of John Tyndall, is re-legitimising the fascist agenda for Britain and Europe at large. The recession in Europe during the 1980's and 90's has atleast latently, provided a fertile ground to neo-fascism. The remedial measures advocated by such groups reek of old fascist prescriptions: autarky, corporation elitism, racialism, primacy of the state and subordination of the individuals to the state. More dangerously, this neo-fascism legitimates the traditional fascist views on women, "forcefully assigning the homefront" to her: "The mission of women is to be beautiful and to bring children into the world.... the female prettifies herself for her mate and hatches the eggs for him." (Joseph Goebble's view, quoted by Wilford, p. 205). This and similar other views frustrate the newer female identity being internalised by women in both western and non-western societies.

Fascism promises to raise its head whenever democracy, either by accident or design, mismatches development, thereby frustrating the cause of stability and contentment among the people. The binary oppositions of "us" and "they" resurface and breed intolerance and contempt within a society. The "us" and "they" resentment among the ex-colonizers and the ex-colonies still haunts the world. The "developed" – "developing" dualism further accentuates the dualistic indignities of world communities. Racial disharmony has been compounded by religious fundamentalism, which devastatingly aided by terrorism, breeds on unprecedented fascist temper in the world today. Non-appreciation of the pluralist categories of life seems to rob the very life of its intrinsic beauty and harmony. If these trends are allowed to breed further and escalate unabatingly, a new genre of fascism shall come to stay in the world and distort all that has so far withstood the test of time.

25.5 FASCISM: AN EVALUATION

Fascism as the ideology of war and national expansion, to quote Sabine, was.... "an adventurer's philosophy. By no rational calculation either of individual happiness or of tangible national benefit could such a purpose be made plausible. It propagated a "transvaluation" of values as a political phase for moral cynicism";(Sabine, p. 811)

The foundational thought of Nietzsche fascism, originating from the writings of Sorel, Schopenhauer and Hegel, was often found to be a discomforting puzzle. Select pieces of their writings were picked up to provide a respectful authenticity and expedient solutions required by fascism from time to time. For example, Mussolini, having no time himself assigned the task of building up a theory of state to Giovanni Gentile who belonged to the Italian School of Hegelian Philosophy. Gentile had at hand the Hegelian theory of the state and not having much time lie used it. Mussolini "took what Gentile offered him..." (Sabine p. 818). The result was adoption of the Hegelian language to camouflage the real intention rather than signifying the substance of Hegel's thought. Noteworthy is the fact that Mussolini, as late as 1920, regarded the state as a 'curse to mankind'. While in power, he had to glorify all things that the state was associated with (narrated by Sabine, p.p. 818-19).

In actual governmental performance, Fascism did not bring about any significant structural changes in Italy and Germany. Economic social stagnation persisted under fascism.

Consequently, fascism "strengthened the anarchism of individual and acted directly contrary to the needs of the country, preventing the modernization of its ancient, quasi-feudal structures"; (International Encyclopedia of the Social Sciences, p. 341).

Despite the enumerated drawbacks, Fascism still holds promise of mass appeal. Whenever 'anemic' conditions prevail, the expedient organizational machinations of fascism could be adopted by societies, atleast as a temporary contemporary 'face-lift' both in European and non-European settings.

To conclude, fascism does not cater to the entirety of the life processes despite its misleading spiritual vocabulary and soul-gratifying phrases. The fullness of life depends on the planks of pluralism and tolerance of other life-style and thought processes. Life always blossoms in variety. So it warrants a multimedia of flowerbeds spreading delicate fragrances and requiring a delicate handling so that "hundreds of flowers" may bloom and beautify the universe. The sharp and severely cutting edges of fascism can not nurture such sensitivity and sensibility in any conceivable way.

25.6 SUMMARY

This unit on fascism enabled us to discern the meaning of fascism, the factors which led to its growth and development, the categories that characterized the fascist world view, the historical development of fascism and its operational dynamics: We learnt that the revolt against rationalism provided to fascism its desired back drop. We also noticed that racialism, elitism, corporation (statism), imperialism and militarism formed the various aspects of fascist ideology. In historical terms, fascism emerged against the depressing ethos of the post-first world war developments, the traditional ruling elite initially facilitated it. Thereafter, it set out its own independent, course of action where the processes of totalitarianism handsomely aided it. At first attracting the socialist and nationalist forces to its fold, fascism catered to political absolutism by singling out its actual and potential enemies and coercing them to a subject status. Once consolidated, it set out on an imperialistic pursuit and joined hands with Nazism on the strength of its military process, which ended with the Second World War. The operational context of fascism saw the rise of a single party, centralization and concentration of power and mass induction of youth in party affairs.

Even after 1945, as you have read in this unit, fascism has not vanished . In fact, neo-fascist outfits, particularly in Britain, alarmingly knock at the doors of society and threaten the civilized inheritances there as elsewhere. So long the anemic conditions re-surface and developmental processes get abused, the possibilities offascist uprisings can not be discounted, Fascism, after all, thrives on the sharp edges of socio-cultural exclusivism.

25.7 EXERCISES

- 1) Write an easy on 'the Fascist World-View'.
- 2) What are the core ideational categories of fascism?
- 3) What are the major historical stages of fascism? How have they affected the course of European politics? Describe.
- 4) Discuss the operational dynamics of fascism.
- 5) Apply the fascist world-view to India and find out whether India contains the possibility of a fascist growth.

UNIT 26 FEMINISM

Structure

- 26.1 Introduction
- 26.2 Types of Feminism
- 26.3 Patriarchy
 - 26.3.1 Views of Kate Millet
 - 26.3.2 Gerda Lerner's Views
 - 26.3.3 Control over Women's Sexuality and Labour Power
 - 26.3.4 Different Forms
- 26.4 The Sex/Gender Distinction
 - 26.4.1 Sex is to Nature as Gender is to Culture
 - 26.4.2 Masculinity, Femininity and Cultural Differences
 - 26.4.3 Sexual Division of Labour and Work place
 - 26.4.4 Ideological Assumptions behind Sexual Division of Labour
- 26.5 Developments in the Sex/Gender Distinction in Feminist Theory
 - 26.5.1 Views of Scholars like Alison Jaggar
 - 26.5.2 Radical Feminists
 - 26.5.3 Post-Modernist View
 - 26.5.4 Gender Identity Interface
 - 26.5.5 Naturalness of Heterosexuality Questioned
- 26.6 Feminist Critique of the Public/Private Dichotomy
 - 26.6.1 Feminist Criticism
 - 26.6.2 Lack of Consensus Among Feminists
- 26.7 Summary
- 26.8 Exercises

26.1 INTRODUCTION

The origins of the term feminism are not clear. There are several opinions, but the generally accepted version is that it was first used by the Utopian Socialist Charles Fourier in the 19th century, to refer to the question of equal rights for women. In the West, women emerged in the early 19th century as a distinct interest group, partly because by that time it was clear that the promise of equality made by the bourgeois democratic revolutions of the 17th and 18th centuries excluded women, and partly because the Industrial Revolution had led to the increasingly visible presence of women in public employment. The Woman Question emerged at about this time, articulating the questions arising from the exclusion of women from the fruits of Enlightenment Thought.

In other parts of the world, the emergence of this question in the public arena was in the context of anti-imperialist movements and struggles against feudal oppression. Thus, feminist

interventions in post-colonial societies had to engage with both the old oppression of tradition as well as the new oppression of colonialism.

Feminist theory and politics is marked by intense internal debates, and it is generally recognized by now that it would be more accurate to talk about “feminisms” in the plural, rather than one single feminism. Nevertheless, what all feminist positions share is a recognition that women are placed in an inferior position in society and that this hierarchy is based on gender. Further, although this hierarchy is justified on grounds of natural differences between men and women, feminists hold that it is in fact based on socio-cultural and economic power structures which have little to do with the biological difference between the sexes.

26.2 TYPES OF FEMINISM

Over a century of feminist thought and politics in different parts of the world has produced a rich body of work. The conventional analysis of feminist thought has tended to group it into three streams - liberal, socialist and radical feminism. *Liberal feminism* is understood to work within the framework of the liberal state, theorising equality, freedom and justice in the context of liberal philosophy, pointing out that these concepts are inadequate until the gender dimension is taken into account. *Socialist feminism* links women's oppression to class society, and their critique draws from the marxist categories of analysis, while simultaneously being critical of gender-blindness in marxist theory. *Radical feminism* theorises patriarchy as a system of male dominance independent of and prior to all other systems of domination - that is, in the radical feminist understanding, all other forms of exploitation and oppression are in a sense shaped by oppression based on sex, since that is historically the oldest form of oppression.

However, this outline does not capture the complexities of the debates within feminism, although it is a useful entry point into feminist theory, as long as these distinctions are not understood to be watertight compartments. In this chapter we will provide an introduction to some of the key issues in feminist thought, through an examination of three specific themes - a) patriarchy, b) the sex-gender distinction and c) critique of the public/private dichotomy - and different feminist positions on these issues,

26.3 PATRIARCHY

This term is central to feminist analysis, and refers to an overarching system of male dominance.

26.3.1 Views of Kate Millet

Kate Millet, one of the earliest radical feminists to use the term in the 1970s, developed on sociologist Max Weber's conception of domination to argue that throughout history the relationship between the sexes has been one of domination and subordination, in which men have exercised domination in two forms - through *social authority* and *economic force*. The emphasis is on patriarchy as a *system*, to establish that men's power over women is not an individual phenomenon, but is part of a structure.

26.3.2 Gerda Lerner's Views

The historian Gerda Lerner defines patriarchy thus: "the manifestation and institutionalisation of male dominance over women and children in the family and the extension of male dominance

over women in society in general.. It implies that men hold power in all the important institutions 'in society and that women are deprived of access to such power.' This does not mean that every individual man is always in a dominant position and that every individual woman is always in a subordinate position. What it does mean is that under patriarchy there is an ideology that men are superior to women, that women are the property of men and that women should be under the control of men.

26.3.3 Control over Women's Sexuality and Labour Power

Apart from the control of women's sexuality under patriarchy through the strictly policed institution of monogamous marriage, women's labour power is also controlled by men. Women's productivity within the household and outside is controlled by men who will determine whether women will work outside the household or not. To maintain this *control over women's sexuality and labour*, they are deprived of access to and ownership of productive resources, which makes them entirely dependent on men. Further, their mobility is limited through rules and norms that confine women within strictly defined spaces.

26.3.4 Different Forms

Patriarchy takes different forms in different geographical regions and different historical periods. For instance, as the historian Uma Chakravarty has pointed out, the experience of patriarchy is not the same among tribal women as among women in highly stratified caste society. It is not the same today as it was in the 19th century, and it is not the same in India as it is in the industrialised countries of the West. The term "patriarchies" is therefore found useful by feminist scholars to refer to this fluidity. By using this approach, the linkages of patriarchal structures with other institutions are made visible - with, for instance, class, caste, race, nation, and religion. For example, the socialist feminist Zillah Eisenstein uses the term "capitalist patriarchy" to emphasise the mutually reinforcing dialectical relationship between capitalist class structure and hierarchical sexual structures. Another such term is "brahminical patriarchy", which Uma Chakravarty uses to draw attention to the intersection of caste and gender oppression.

26.4 THE SEX/GENDER DISTINCTION

26.4.1 Sex is to Nature as Gender is to Culture

One of the key contributions of feminist theory is the making of a distinction between "sex" and "gender". *Sex* as referring to the *biological* differences between men and women and *gender* as indicating the vast range of *cultural* meanings attached to that basic difference. This distinction is important for feminism to make because the subordination of women has been fundamentally justified on the grounds of the biological differences between men and women. This kind of biological determinism has been one of the most important legitimising mechanisms of women's oppression over the centuries. The challenge to biological determinism is therefore, crucial for feminist politics.

26.4.2 Masculinity, Femininity and Cultural Differences

Feminist anthropologists, pre-eminent among whom is Margaret Mead, have demonstrated that what is understood as masculinity and femininity varies across cultures. In other words,

not only do different societies identify a certain set of characteristics as feminine and another set as masculine, but also, these characteristics are not the same across different cultures. Thus, feminists have argued that there is no necessary co-relation between the biology of men and women and the qualities that are thought to be masculine and feminine. Rather, it is child-rearing practices which try to establish and perpetuate certain differences between the sexes. That is, from childhood, boys and girls are trained in appropriate, gender-specific forms of behaviour, play, dress and so on. This training is continuous and most of the time subtle, but when necessary, can involve punishments to bring about conformity. So feminists argue that sex-specific qualities (for example, bravery and confidence as "masculine" and sensitivity and shyness as "feminine") and the value that society attributes to them, are produced by a range of institutions and beliefs that socialize boys and girls differently. As Simone de Beauvoir put it, "One is not born, but becomes, a woman."

In addition, societies generally value "masculine" characteristics more highly than "feminine" ones, while at the same time ensuring that men and women who do not conform to these characteristics are continuously disciplined into the "appropriate" behaviour.

So there is nothing "natural" about the sexual division of labour. The fact that men and women perform different kinds of work both within the family and outside has little to do with biology. Only the actual process of pregnancy is biological, all the other work within the home that women must do - cooking, cleaning, looking after children and so on (in other words, the whole range of work we may call "domestic labour") - can equally be done by men. But this work is considered to be "women's work."

26.4.3 Sexual Division of Labour and Work Place

This sexual division of labour is not limited to the home, it extends even to the "public" arena of paid work, and again, this has nothing to do with "sex" (biology) and everything to do with "gender" (culture). Certain kinds of work are considered to be "women's work", and other kinds, men's, but more important is the fact that whatever work that women do, gets lower wages and is less valued. For example, nursing and teaching (particularly at lower levels) are predominantly female professions and are also comparatively ill-paid in relation to other white-collar jobs which the middle classes take up. Feminists point out that this "feminization" of teaching and nursing is because such work is seen as an extension of the nurturing work that women do within the home.

26.4.4 Ideological Assumptions behind Sexual Division of Labour

The fact is that it is not a "natural" biological difference that lies behind the sexual division of labour, but certain ideological assumptions. So on the one hand, women are supposed to be physically weak and unfit for heavy manual labour, but both in the home and outside, they do the heaviest of work - carrying heavy loads of water and firewood, grinding corn, transplanting paddy, carrying head-loads in mining and construction work. But at the same time, when the manual work that women do is mechanized, making it both lighter and better-paid, then it is *men* who receive training to use the new machinery, and *women* are edged out. This happens not only in factories, but even with work that was traditionally done by women within the community; for example, when electrically operated flour mills replace hand-pounding of grain, or machine-made nylon fishing nets replace the nets traditionally hand-made by women, it is men who are trained to take over these jobs, and women are forced to move into even lower-paid and more arduous manual work.

In other words, the present subordination of women arises, not from unchangeable biological differences, but from social and cultural values, ideologies and institutions that ensure the material and ideological subordination of women. Thus feminists view questions of sex-differentiated work, the sexual division of labour, and more fundamentally, questions of sexuality and reproduction, as issues to be extricated from the realm of "biology", which is understood to be natural and unchangeable. The feminist agenda is to relocate these issues in the realm of the "political", which suggests that they can and must be transformed.

26.5 DEVELOPMENTS IN THE SEX/GENDER DISTINCTION IN FEMINIST THEORY

This particular manner of making the distinction between "sex" and "gender" has been made more complex by feminist scholars over the years. Although the distinction continues to be broadly accepted by all feminists, the initial understanding that "sex" is related to nature while "gender" is related to culture has been reworked considerably. Broadly, we can discern four main ways in which the sex/gender distinction has been further developed in feminist theory.

26.5.1 Views of Scholars like Alison Jaggar

Scholars like Alison Jaggar argue that "sex" and "gender" are dialectically and inseparably related, and that the conceptual distinction that the earlier feminists established between the two is not sustainable beyond a point. In this understanding, human biology is constituted by a complex interaction between the human body, the physical environment and the state of development of technology and society. Thus, as Jaggar puts it, "the hand is as much the product of labour as the tool of labour." What is meant here is that two processes are involved: human intervention changes the external environment and simultaneously, changes in the external environment shape and change the human body. This is true in two senses. One, in a long-term evolutionary sense, over the millennia. That is, human bodies have evolved differently in different parts of the globe, due to differences in diet, climate and the nature of work performed.

Two, in a more short-term sense, in one lifetime that is, it is now recognised that neurophysiology and hormonal balances are affected by social factors like anxiety, physical labour, and the level and kind of social interaction, just as much as social interaction is affected by people's neurophysiology and hormonal balances. For instance, certain chemical changes in the body may produce certain symptoms of stress that can be treated by drugs. But equally, high stress levels can, in fact, be the reason for higher chemical imbalances, and it may be possible to restore the body's balance only by changing the conditions in which it lives,

When we apply this understanding, that biology and culture are interrelated, to the sex/gender distinction, the relevant implication is that women's bodies have been shaped by social restrictions and by norms of beauty. That is, the "body" has been formed as much by "culture" as by "nature". For instance, the rapid improvements in women's athletic records over the past two decades is an indication that social norms had shaped biology and restricted women's physical development. Feminist anthropologists have also pointed out that in some ethnic groups there is little physical differentiation between men and women. In short, we must consider that there are two equally powerful factors at work - one, there is a range of interrelated ways in which society produces sex differences and two, sex differences structure society in particular ways.

26.5.2 Radical Feminists

A second kind of rethinking of sex/gender has come from radical feminism which argues that feminists must not underplay the biological difference between the sexes and attribute all difference to "culture" alone. To do so is to accept the male civilization's devaluing of the female reproductive role. This is a criticism of the liberal feminist understanding that in an ideal world, men and women would be more or less alike. Radical feminists claim that on the contrary, patriarchal social values have denigrated "feminine" qualities and that it is the task of feminism to recover these qualities, and this difference between men and women, as valuable. The radical feminist position on the sex/gender distinction is that there are certain differences between men and women that arise from their different biological reproductive roles, and that therefore, women are more sensitive, instinctive and closer to nature. Radical feminists such as Susan Griffin and Andrea Dworkin, for example, believe that women's reproductive biology, the process of gestation and the experience of mothering, fundamentally affects their relationship to the external world. Women are, therefore, in this understanding, closer to nature and share in the nature's qualities of fecundity, nurturing and instinct. These qualities have been rejected by patriarchal society but feminists should accept and revalue these qualities. Ecofeminists like Vandana Shiva draw upon this understanding, arguing that the feminine world-view is more respectful of nature, and that women are better attuned towards ecologically sustainable development practices.

Carol Gilligan's book, *In a Different Voice* is a significant example of this viewpoint. Using a psychoanalytical point of view, she argues that because the primary care-giver in childhood - given the sexual division of labour - is invariably a woman (the mother), the process by which men and women come to adulthood is different. Boys come into adulthood learning to differentiate from the mother, while girls do so by identifying with the mother. That is, in a sex-differentiated society, while all infants identify with the mother, gradually boys learn that they are "different" while girls learn that they are the "same" as their mother. This results, Gilligan argues, in women having a more subjective, relational way of engaging with the world, while men have a more objective mode. Women relate to others, while men learn to separate themselves. This explains, for example, the difference in the nature of male and female friendships.

Gilligan's focus in this work is the difference in the ways men and women take moral decisions, and she comes to the conclusion that women are less influenced by normative notions of what is right and wrong, and more by other factors like empathy, concern and sensitivity to another's predicament. Men, on the other hand, tend to take moral decisions based on well-accepted notions of what society thinks is right and wrong. Thus, Gilligan concludes that the basic categories of western moral philosophy - rationality, autonomy and justice - are drawn from and reflect the male experience of the world. The female experience is invisible here. To deny difference is, therefore, to agree with the patriarchal negation of femininity as worthless.

In this context, it is interesting to note that some scholars are of the opinion that the strictly bipolar model of masculinity/femininity and the devaluing of the feminine are characteristic of only the modern western civilization. Pre-modern Indian cultures had greater space for a variety of sexual identities - eunuchs, for example, had a socially acknowledged status in Indian society that they have lost in contemporary times. Again, the Sufi and Bhakti traditions drew upon notions of androgyny and often rejected the two-sex model. Take, for instance, this poem by a 12th century Shaivite poet, Basavanna, who wrote in Kannada:

Look here, dear fellow,
I wear these men's clothes only for you.
Sometimes I am man,
Sometimes I am woman..

Another Shivabhakta, Devara Dasimayya, writing two centuries earlier, wrote:

If they see breasts and long hair coming,
They call it woman,
If beard and whiskers
They call it man.
But look, the sell' that hovers in between
Is neither man nor woman...?

A thought provoking argument is made by Ashis Nandy, that precolonial Indian cultures accorded greater value to femininity. It was with the coming of colonialism that the western valorization of masculinity became the norm. Nationalists too, then played into this understanding, and tried to resist the deriding of Indian culture as "effeminate" by claiming to be as "masculine" as the colonial masters - the ideology of revolutionaries for example, was very masculinist. According to Nandy, Gandhi was unique in attempting to focus on "feminine" rather than "masculine" qualities as having the power to resist colonialism - that is, he emphasized spiritual and moral courage over aggression and violence.

26.5.3 Post-Modernist View

A more recent feminist position takes the opposite view from that of radical feminists. While radical feminists argue that the sex/gender distinction underplays sex differences, a school of postmodern feminist thought holds that it over-emphasizes the biological body. Judith Butler, for instance, argues that if "gender" is the cultural meanings that the sexed body takes on, then gender cannot be said to follow from "sex" in any one way. What she says is that "gender" is not the cultural inscription of meaning on to a pre-given "sex"; rather, gender as a way of thinking and as a concept, produces the category of biological sex. In this understanding, "sex" does not precede "gender" but "gender" precedes "sex." Butler thus suggests a "radical discontinuity" between sexed bodies and culturally constructed genders.

What is characteristic of this position is that it holds that the category of "woman" does not exist prior to the thinking about it. Gender is something that is constructed through relations of power, and through a series of norms and constraints that regulate what will be recognised as a "male" body and a "female" body. Through such norms, a wide range of bodies are rendered invisible and/or illegitimate. For instance, infants born with no clear determining sexual characteristics, or eunuchs, or men and women who choose not to follow the dress norms prescribed for their gender. All these are either marginalised, criminalised or forced to fit into the existing two-sex model in some way or the other. Most modern languages have no way of speaking of a human who does not fit into either sex. What this means is that language forces "reality" into certain pre-given patterns and prevents certain possibilities from being realised.

Alison Jaggar discusses a study in the USA of children whose sex had been incorrectly assigned at birth due to such ambiguity - when the "real" sex of the child emerged at a later stage, both parents and medical practitioners generally decided on surgery to confirm the sex attributed at birth. This was invariably preferred to simply accepting that the child's sex was different from that attributed at birth. In other words, surgical intervention to change "sex" was thought to be easier than eradicating years of cultural "gender" conditioning. Think about it - if you had a three-year old son whom you took to the doctor for some problems, and discovered that the child was more female than male. Would you prefer to now come to terms with the fact that you have a daughter, inform everybody, change the way you dress and think of your child, or would you prefer surgical intervention to retain your "son" as a son? The fact is that the latter option is what any of us would prefer. What does this tell us about the supposedly unchangeable "natural" category of biology and conversely, about the supposedly changeable category of "culture"? Does it not seem that culture is more concrete sometimes than biology?

Feminist scientists such as Ruth Bleier and Evelyn Fox Keller have argued that a rigid sex/gender distinction restricts "biological sex" - that is, sex defined as anatomical, hormonal or chromosomal - as something to be studied by the bio-medical sciences, "gender" being studied by the social sciences. Such an understanding, they argue, mistakenly assumes that while cultural notions of gender may change, the body remains as an unchanging biological reality that needs no further explanation. These feminist scientists argue that on the contrary, our perceptions and interpretations of the body are mediated through language, and the bio-medical sciences function as a major provider of this language.

Such a feminist position rejects the idea that scientific facts about the body simply exist to be discovered. Rather, scientific "facts" are deeply embedded in society and culture. Thus "sex" is constructed **by** human practices.,

26.5.4 Gender Identity Interface

A fourth kind of rethinking of the sex/gender distinction comes from locating "gender" in a grid of identities - caste, class, race, religion. This would mean that the biological category of "women" does not necessarily have shared interests, life-situations, or goals. This kind of understanding has arisen from the political practice of women's movements all over the world, which has increasingly shown up the fact that "women" do not exist as a pre-existing subject which can simply be mobilized by the women's movement. That is, women identify themselves not only, and not even necessarily primarily, in terms of their gender, but as black, or muslim, or dalit, or peasant. So in many cases, women may be easier mobilized in terms of their religion, for example, than by the women's movement.

In the case of India, a good example of this is the debate over the Uniform Civil Code. All religious communities have their own personal laws which discriminate against women on matters of marriage, divorce, inheritance and guardianship of children. The demand for a uniform civil code which would give all women equal rights as citizens has therefore been a demand of the women's movement since 1937. However, in the growing atmosphere of communalism since the 80's, and the insecurity felt by religious minorities, most sections of the women's movement have gradually shifted to the opinion that the position of women should be improved by reforms within personal laws, rather than by forcing communities to obey legislation passed by the state. The state no longer has the legitimacy it had in the immediate post-independence years, its role in communal violence is increasingly suspect,

and it cannot be seen simply as an agent of progressive social change. Thus what was a simple feminist demand that all *women* should have equal rights has been considerably transformed by the politics of *religious* identity.

Further, all politically active women do not necessarily act as feminists - they may well be representing interests and structures of power which feminist politics in India has sought to struggle against. Thus, we find women active in Hindu right-wing politics and in anti-lower caste movements like the agitation against the Mandal Commission report. In other words, in this understanding, the feminist sex/gender distinction must take into account other modes of constituting identity. Depending on the context, even as feminists, we may have to privilege caste or class identity over gender in some cases, just as we expect marxists or dalit activists to privilege gender over class and caste in some contexts.

26.5.5 Naturalness of Heterosexuality Questioned

A further significant implication of the sex/gender distinction suggested by feminist theory is that the supposed naturalness of heterosexuality is called into question. Adrienne Rich uses the term "compulsory heterosexuality" to refer to the way in which heterosexual marriage is set up as the unquestionable norm. If "male" and "female" as natural categories are challenged by feminist theory, then it offers simultaneously, a challenge to the whole range of institutionalised practices (marriage and family) through which patriarchal property and power relations are maintained. Thus, sexual identity and sexual orientation are important issues for contemporary feminist theory.

26.6 FEMINIST CRITIQUE OF THE PUBLIC/PRIVATE DICHOTOMY

In liberal theory the distinction between "public" and "private" answers the question of the legitimate extent of the authority of the law. The public realm is understood in this context to be open to government regulation while the private realm is to be protected from such action - sexuality and the family being understood to be private. In Marxist theory too, this distinction is central, although from a different point of view. Engels argued that women's oppression begins with the transformation of housework from a public to a private service. The "private" in this sense, is the arena of oppression and only when women emerge into the "public" sphere of production will they become truly emancipated. Since for Engels the motor force of history is provided by changes in the relations of production (defined, in the context of capitalism, as the relations between capital and labour), housework is not "work", Women participate in history only to the extent that they emerge from the "private" and enter the industrial workforce.

26.6.1 Feminist Criticism

Feminist scholarship emerging from both liberal and Marxist traditions have contested this distinction as being conceptually flawed and politically oppressive. From within the liberal tradition comes the argument that the dichotomy assumed between "public" (non-domestic) and "private" (domestic) has enabled the family to be excluded from the values of "justice" and "equality" which have animated liberal thought since the seventeenth century-beginnings of liberalism. The "individual" was the adult male head of the household, and thus his right to be free from interference by the state or church included his rights over those in his control in the private realm - women, children, servants. Thus, oppression within the family was rendered invisible to political theory.

In addition to sharing this view, socialist-feminists critique the public/private distinction in Marxist theory produced by the model of political economy based on "production", defined as economic production for the capitalist market. This model, they argue, ignores the "private" sphere of "reproduction", where women are responsible for reproducing both humans (through child-bearing) and labour power (through housework.) For traditional marxists, this work is seen to be part of the non-economic or superstructural realm, and is not even defined as "work". Socialist feminists therefore, contest the public/private distinction by showing that sexuality, procreation, and housework, understood to be "private", in fact hold up the "public" sphere of production. Their argument is that housework is a commodity - it is unpaid labour that helps to reproduce labour power. This is so in two senses - a) when male labour comes home, it is the housework done by women that ensures that they can go back to work the next day b) the bearing of children reproduces actual people who will work in factories etc.

However, this work is not paid for, and this unpaid labour in the "private" sphere underlies and ensures capitalist production in the "public" sphere.

Thus, feminists across the political spectrum are agreed that the public and the private are not two distinct and separate spheres and that the assumption that they are, is uniformly detrimental to women's interests.

26.6.2 Lack of Consensus Among Feminists

However, there is no consensus on the consequences of this understanding for feminist practice. From one kind of feminist position, characteristic of US feminism, it is possible then to argue that many claims important to feminists, from reproductive rights to protection against sexual harassment, are most effectively grounded on the claims to privacy. In fact, the rhetoric of the individual's right to privacy has been used in the USA to secure some rights for women against the patriarchal family. For example, the landmark judgement on abortion in Roe v. Wade (1972) is based on the belief in the individual woman's right to privacy. So was the judgement in 1965 that the right of married couples to use contraceptives is part of "a right to privacy older than the Bill of Rights." Feminists who support privacy as a ground for securing rights for women, while challenging the traditional public/private dichotomy, make the argument that the virtues of privacy have not been available to women since they did not have the status of individuals in the public sphere. In this view therefore, the task of feminist practice is to transform the institutions and practices of gender so that a genuine sphere of privacy, free of governmental and legal intrusion, can be ensured for both men and women. This is not a position taken within the Indian women's movement.

More common here is the diametrically opposite stand arising from the radical feminist slogan "the personal is political" which has brought into the public arena issues such as domestic violence against women, child abuse and rape. Feminist pressure for legislation on these issues has meant the recognition that violence of various kinds against women in the "private" realm of the family and sexuality is in principle as actionable as violence in the "public" arena. The logical extension of this line of thinking is that privacy and the family are areas of "judicial void" or "judicial weakness" to the extent that they are outside the application of the law. Thus issues arising from sexuality and family take on legal significance. Although adherents of this position do hold that the state is paternalistic and masculine, they are confident that if a law is designed by feminists from the standpoint of women, it can be of advantage to women. They denounce the right to privacy, therefore, as a means to protect the existing

structures of power and access to resources in the private sphere. For example, it is argued that by sanctioning abortion as a right of privacy, the state has ensured that the control women won out of this legislation has gone to men within the family - husbands and fathers. Further, when abortion is framed as a right of privacy, the state has no obligation to provide public funding for abortion.

Thus, the feminist reconceptualisation of the public/private dichotomy and the critique of the family as an oppressive institution opens up several new areas of debate.

26.7 SUMMARY

In this unit, you have learnt the basic meaning of feminism. The origin of the term has been traced and the three broad strands of feminism – liberal, socialist and radical have been explained. Feminism and patriarchy are inextricably linked and thus, the latter has been analysed in detail. You also now know that 'one of the key contributions of feminist theory is the making of a distinction between "sex" and "gender".' The unit also tells us in detail about the developments in the sex/gender distinction in feminist theory. It should be realised that the sex/gender distinction is not as simple and straight as it may first appear.

Through this overview, we have seen how feminist theory has developed over a century of political practice, generating new debates within itself, and offering new challenges to key concepts of mainstream political theory.

26.8 EXERCISES

- 1) Trace the origin of the term feminism.
- 2) Enumerate the different types of feminism. What is common to different feminist positions?
- 3) Explain the meaning of patriarchy with reference to the views of some feminist scholars.
- 4) Describe some forms of patriarchy.
- 5) What distinction do feminists make between sex and gender?
- 6) What do you understand by sexual division of labour? What are the ideological assumptions behind it?
- 7) What are the views of scholars like Alison Jaggar on the sex-gender interface?
- 8) Briefly examine the radical feminist perspective on sex-gender inter-relationship or the post-modernist perspective.
- 9) Discuss the gender-identity framework with a suitable example from India.
- 10) What is the public-private dichotomy in political discourse?
- 11) Briefly discuss the feminist critique of the public-private dichotomy.

UNIT 27 GANDHISM AND PACIFISM

Structure

- 27.1 Introduction
- 27.2 Gandhism
- 27.3 Pacifism
 - 27.3.1 Non-violence and Power
 - 27.3.2 Believers vs. Pacifists
 - 27.3.3 The Non-Violent Society
 - 27.3.4 The Government
 - 27.3.5 The Power of Non-Violence
 - 27.3.6 The Technique of Non-violent Action
- 27.4 The Relevance of Pacifism
- 27.5 Summary
- 27.6 Exercises

27.1 INTRODUCTION

This century has witnessed two world wars and several wars between countries, which brought in untold miseries. Science and technology have produced solutions to some of the dreaded diseases, but they have also developed a nuclear arsenal with deadly ramifications. The world is shrunk in size and is fast emerging as a global village. However, the world is swept by the winds of violence. Inspite of modernity and advancement towards material gain and economic gains, peace and happiness have eluded mankind.

How can conflict be resolved and order established if the authorities protecting interests of all are themselves prisoners of 'self-interest'? This was the dilemma faced by Mahatma Gandhi. He introduced ethics in politics and made self-realization the purpose of life disapproving of the pursuit of 'self-interest' for worldly riches and pleasures. The Gandhian message of Truth and Non-violence seems to be the only hope and light in these dark days. The 'soul-force' when awakened is capable of burning all impurities, whether political, economic or social. Pacifism is the only solution for the survival of humanity.

27.2 GANDHISM

Mahatma Gandhi is a religious humanist. For the attainment of Swaraj, he has worked out certain principles that are woven into political philosophy by others. These principles of Gandhi are known as Gandhism. Gandhi had neither the time nor the patience to formulate any 'theory' with the result what we have today is a collection of speeches, articles and other writings, which are not 'theory', but, at best, the background for a sound theory. Here are three different paragraphs from Gandhi's writings which give us an insight into his thought:

I am not a visionary. I claim to be practical idealist. The religion of non-violence is not meant merely for the rishis and saints. It is meant for the common people as well. Non-violence is the

law of our species is violence is the law of the brute. The spirit lies dormant in the brute and he knows no law but that of physical might. The dignity of man requires obedience to a higher law-to the strength of the spirit.

I have, therefore, ventured to place before India the ancient law of self-sacrifice. For Satyagraha and its offshoots, non-co operation and civil resistance, are nothing but new names for the law of suffering. The rishis, who discovered the law of non-violence in the midst of violence, were greater geniuses than Newton. They were themselves greater warriors than Wellington. Having themselves known the use of arms, they realized their uselessness and taught a weary world that its salvation lay not through violence, but through non-violence.

My marriage to non-violence is such an absolute thing that I would rather commit suicide than be deflected from my position. Devotion to truth has led me to arrive at certain ethical principles to guide human behavior, individual as well as in collective life. A seeker of truth must lead life according to these ethical principles in order to prepare him for the path of truth. These principles must also serve as the bedrock for the social, political and economic structures to create a society based on truth. All our actions are to be judged in the light of these principles. The world provides us an opportunity to apply these principles of truth, test ourselves and our understanding of truth. A religious practice of these ethical principles leads us to the purification of the 'self' day by day and finally results in the realization of absolute truth. Ethics is thus a way to God.

Humanity is passing through a phase of crisis. Gandhi has denied using any 'ism'. but his principles have the solutions of world problems being faced by humanity. Gandhi has an alternative to the Liberal as well as the Marxist ideology. The development of the ideas of Gandhi after him and their application become important as a solution oriented mechanism to save humanity. There is an enormous task before us.

27.3 PACIFISM

The dictionary meaning of the term 'pacifism' means a belief that all war is morally wrong and that disputes should be settled by peaceful means. The ethical principles of Gandhi adhere to this concept. Politics, in the hands of greedy and power-hungry people, has become an instrument of crime, corruption and terrorization. Criminalisation of politics has made a sham of democracy. The world is quite disillusioned by the working of the structures of violence, both capitalism and communism. Human society must abolish war if it is to survive. We are in a new era. The old methods and solutions are no longer enough. We must have new thoughts, new ideas, and new concepts. We should now proclaim our readiness to abolish war. The result would be magical. The only alternative is peace-power or non-violent resistance.

Gandhi also considers modern science and technology to be responsible for mindless violence in today's world. Whether it is in the form of arms and ammunitions or subordination of human beings to technology, in fact it is modern science that is responsible for a rise in this phenomenon. And the end-result of all these is the creation of a violent social order,

27.3.1 Non-violence and Power

Gandhi has arrived at the principles of pure love as a means to realize God, the absolute truth. Observance of the law of love is non-violence in relationships. Non-violence is the means and

truth is the end. Non-violent methods are considered as instruments of power, to be used to control the opponent's power. Non-violent actions cut off the sources of the opponent's power. Where non-violent coercion operates, changes are achieved against the opponent's will and without his agreement, the sources of his power having been so undercut by non-violent means that he no longer has control. This decrease in the power of the opponent gives the non-violent coercionists the momentum and strength they need to continue their campaign.

Non-violence is a mighty weapon to overcome evil, even as infinite fraction of which is capable of doing wonders. It is the greatest force at the disposal of mankind. It is mightier than the mightiest weapon of destruction devised by man. It awakens the soul-force in man through self-purification and discipline that is capable of overcoming any kind of brute force. Non-violence is not simply a passive state; it is an active engagement in every field of life due to the dynamic and creative force of love. It is a ceaseless occupation with constructive work in every field of individual and collective life whether religious, social, economic and political. It is action that is non-violent. This view of non-violent action as a technique of active combat is diametrically opposed to the popular assumption that, at its strongest, non-violent action relies on rational presumption of the opponents, and that more commonly it consists simply of passive submission. Therefore, non-violence means power, as non-violent action is just what it says: action, which is not violent, but not inaction. Thus, although lion-violence may be used as a weapon, it is not a sign of submission or weakness.

27.3.2 Believers vs. Pacifists

The believer in non-violence shares with many others the goal of a decent, just and equitable society. He wants to see an end to injustice, tyranny, corruption, and the exploitation of men by men. With others, he is deeply concerned to establish peace in the world, but not a peace purchased at any price. He knows that the only peace that can endure and be worthy of the name is based on justice.

Among those who think of themselves as believers in non-violence, there are diverse points of view. Some use non-violence only as a technique which might be discarded under other circumstances; some hold to non-violence as a matter of principle, and for some it is an essential part of their religious faith.

- i) **Passive resistance:** Passive resistance is likely to be defensive in both its tactics and its strategy, and to involve forms of non-co-operation that embarrass rather than coerce. It means directly altering one's own behaviour, but not directly impeding that of the opponent. If non-resistance "goes along with" the opponent, absorbing the latter's aggression and offering no counteraction, passive resistance is a way that refuses to go along with the opponent, but chooses routes of action which tactically disengage the resister from the direct point of conflict. It may overtly acquiesce to the opponent's terms, but its strategic effect is to so change the terms of conflict that the opponent, for his own reasons and not because of any overt impediment, is led to initiate change. The boycott or withdrawal of patronage, the walkout aspect of a strike-these are types of passive resistance. In these actions, the resister simply removes himself from engagement with his opponent at the point where the opponent relies upon the resister's reciprocal action to complete his own action. A factory cannot produce goods without the action of its workers. If they cease their productive action, the management of the factory is deprived of an indispensable element in the process of production. If bus riders passively refuse to ride buses, the

buses will go empty and the bus company's revenues will be curtailed in proportion to the effectiveness of the boycott. The next step is up to the factory or the bus company, which must either, come to terms with the resisters or replace them or force them to come back. But it must do something to regain control of the situation.

- ii) **Satyagraha:** The objective of satyagraha is the constructive transforming of relationships in a manner which not only effect a change of policy, but also assures the restructuring of the situation which led to conflict. This calls for a modification of attitudes and requires fulfillment of the significant needs of all parties originally in conflict. The fulfilling of needs is both an objective and a means for effecting fundamental change.

27.3.3 The Non-Violent Society

Gandhi says that non-violence is not merely a personal virtue. It is also a social virtue to be cultivated like the other virtues. Surely, society is largely regulated by the expression of non-violence in its mutual dealings. What I ask for is an extension of it on a larger, national and international scale. All society is held together by non-violence, even as the earth is held in her position by gravitation. But when the law of gravitation was discovered, the discovery yielded results of which our ancestors had no knowledge. Even so, when society is deliberately constructed in accordance with the law of non-violence, its structure will be different in material particulars from what it is today. But I cannot say in advance what the government based on non-violence will be like.

What is happening today is disregard of the law of non-violence and enthronement of violence as if it were an eternal law. A society based on non-violence can only consist of groups settled in villages in which voluntary co-operation is the condition of dignified and peaceful existence.

27.3.4 The Government

Gandhi presents the nature of government as such:

The Government cannot succeed in becoming entirely non-violent, because it represents all the people. I do not today conceive of such a golden age. But I do believe in the possibility of a predominantly non-violent society. And I am working for it. There remains the question as to whether in an ideal society there should be any or no government. I do not think we need worry ourselves about this at the moment. If we continue to work for such a society, it will slowly come into being to an extent, such that the people can benefit by it. Euclid's line is one without breadth, but no one has so far been able to draw it and never will. All the same, it is only by keeping the ideal line in mind that we have made progress in geometry. What is true here is true of every ideal.

In the absence of an ideal *Ramrajya*, which Gandhi sets out to achieve, he encourages us to realize that the second best form of government would be such, that is based on the principles of non-violence.

27.3.5 The Power of Non-Violence

Non-violence in its dynamic condition means conscious suffering. It does not mean meek submission to the will of the evildoer, but it means the pitting of one's whole against the will of the tyrant. Working under this law of our being, it is possible for a single individual to defy

the whole might of an unjust empire to save his honour, his religion, his soul and lay the foundation for that empire's fall or its regeneration.

Active Force

The non-violence of Gandhi's conception is a more active and more of a real fighting against wickedness than retaliation whose very nature is to increase wickedness. He contemplates a mental and, therefore, a moral opposition to immoralities. He seeks entirely to blunt the edge of the tyrant's sword, not by putting up against it a sharper-edged weapon, but by disappointing his expectation that he would be facing physical resistance. It would at first dazzle him, and at last compel recognition from him, which recognition would not humiliate him but would uplift him. It may be urged that this again is an ideal state. And so it is.

Gandhi says that he admits that the strong will rob the weak and that it is a sin to be weak. But this is said of the soul in man, not of the body. If it were said of the body, we could never be free from the sin of weakness. But the strength of the soul can defy a whole world in arms against it. This strength is open to the weakest in body.

Non-violence is the greatest force at the disposal of mankind. It is mightier than the mightiest weapon of destruction devised by the ingenuity of man. Destruction is not the law of the humans. Man lives freely by his readiness to die, if need be, at the hands of his brother, never by killing him. Every murder or other injury, no matter for what causes, committed or inflicted on another is a crime against humanity.

Non-violence is like radium in its action. An infinitesimal quantity of it embedded in a malignant growth which acts continuously, silently and ceaselessly till it has transformed the whole mass of the diseased tissue into a healthy one. Similarly, even a little of true non-violence acts in a silent, subtle, unseen way and uplifts the whole society.

Matchless Bravery

An armed soldier relies on his weapons for his strength. Take away from him his weapons—his gun or his sword, and he generally becomes helpless. But a person who has truly realized the principle of non-violence has the God-given strength for his weapon and the world has not known anything that can match it. A small body of determined spirits fired by an unquenchable faith in their mission can alter the course of history. Non-violence of the strong is any day stronger than that of the bravest soldier fully armed.

Exercise in Faith

The hardest metal yields to sufficient heat. So, even the hardest heart must melt before the heat of non-violence. And there is no limit to the capacity of non-violence to generate heat. Every action is a resultant of a multitude of forces, even of a contrary nature. There is no waste of energy. So we learn in the books on mechanics. This is equally true of human actions. The difference is that in one case, we generally know the forces at work, and when we do, we can mathematically foretell the resultant. In the case of human actions, they result from a concurrence of forces, most of which we have no knowledge of. But our ignorance must not be made to serve the cause of disbelief in the power of these forces. And non-violence being the mightiest force in the world and also the most elusive in its working, it demands the

greatest exercise of faith. Even as we believe in God out of faith, so we have to believe in non-violence as a matter of faith.

Violence like water, when it has an outlet, rushes forward furiously with an overwhelming force. Non-violence cannot act madly. It is the essence of discipline. But, when it is set going, no amount of violence can crush it. For its full play, it requires unsullied purity and an unquenchable faith.

A Science

Ahimsa is a science. The word 'failure' has no place in the vocabulary of science. Failure to obtain the expected result is often the precursor to further discoveries. If the function of *himsa* is to devour all it comes across, the function of *ahimsa* is to rush into the mouth of *himsa*. In an atmosphere of *ahimsa*, one has no scope to put his *ahimsa* to the test. It can be tested only in the face of *himsa*.

Violence can only be effectively met by non-violence. This is an old, established truth that the weapon of violence, even if it was the atom bomb, became useless when matched against non-violence. That very few understand how to wield this mighty weapon is true. It requires a lot of understanding and strength of mind. It is unlike what is needed in military schools and colleges. The difficulty one experiences in meeting *himsa* with *ahimsa* arises from the weakness of mind.

The Deed, not Doer

'Hate the sin and not the sinner' is a precept which, though easy enough to understand, is rarely practiced, and that is why the poison of hatred spreads in the world. This *ahimsa* is the basis of the search for truth. I am realizing every day that the search is vain, unless it is founded on *ahimsa* as the basis. It is quite proper to resist and attack a system, but to resist and attack its author is tantamount to resisting and attacking oneself. For we are all tarred with the same brush, and are children of one and the same creator, and as such, the divine powers within us are infinite. To slight a single human being is to slight those divine powers, and thus to harm not only that being, but with him the whole world.

Man and his deed are two distinct things. Whereas a good deed should call forth approbation and a wicked deed disapprobation, the doer of the deed, whether good or wicked, always deserves respect or pity as the case may be.

Those who seek to destroy men rather than manners adopt the latter, and become worse than those whom they destroy in the mistaken belief that manners will die with the men. They do not know the root of the evil.

It is the acid test of non-violence that in a non-violent conflict, there is no rancour left behind, and in the end the enemies are converted into friends. That was my experience in South Africa, with General Smuts. He started with being my bitterest opponent and critic. Today, he is my waggiest friend.

The principal/implication of *ahimsa* is that the *ahimsa* in us ought to soften and not to stiffen our opponent's attitude to us; it ought to melt him; it ought to strike a responsive chord in his heart.

As *ahimsa*-ites, can you say that you practice genuine *ahimsa*? Can you say that you receive the arrows of the opponent on your bare breasts without returning them? Can you say that you are not angry, that you are not perturbed by his criticism?

By reason of a life-long practice of *ahimsa*, Gandhi claims to be an expert in it, though very imperfect. Speaking in absolute terms, he says, "the more I practice it, the clearer I see how far I am from the full expression of *ahimsa* in my life." Apart from the philosophical justification for *ahimsa* in terms of the relativity of truth, there is also an ethical and moral basis for it, which Gandhi puts in terms of ends-means relationship. In his words, fruits of a tree will depend on what type of seed has been sown.

27.3.6 The Technique of Non-violent Action

Non-violent action is a technique of conducting protest, resistance, and interventions without physical violence by: (a) acts of omissions—that is the participants' refusal to perform acts which they usually perform, are expected by custom to perform, or are required by law and regulation to perform; or (b) acts of commission—that is, the participants perform acts which they usually do not perform, are not expected by custom to perform; or (c) a combination of both.

The technique includes a multitude of specific methods which are grouped into three main classes: non-violent protest and persuasion (symbolic actions communicating opinions, such as parades and leafleting); non-cooperation (withholding of social, economic or political cooperation, as by social boycotts, economic boycotts, labour strikes, or political non-cooperation and disobedience); and non-violent intervention (physical, psychological, social, economic and political actions that disrupt the operation of the system being opposed).

Although Gandhi is not the originator of non-violent struggle, he is a major historical player in its refinement and development. Gandhi also recognizes the importance of strategy-skillfulness in the choice and use of means and methods to increase the possibilities of success in non-violent struggle. He has contributed significantly to the refinement of strategy and the practice of careful strategic planning for this type of conflict. He has brought greatly increased strategic sophistication to the technique.

He charted ways in which people—both intellectuals and the masses—who did not share his full beliefs could join in non-violent struggles and could become empowered. He challenged the most powerful and vast empire the world had ever seen and won.

As per Gandhi's lessons for us to overcome multiple conflicts, the following ideas are important:

- Justice and freedom require empowering oppressed people and redistributing power in society.
- Peace is not achieved by stifling conflicts in which important issues are at stake, but by using non-violent struggle to fight those conflicts to the point of resolution.
- Mass non-violent struggle in politics is possible as a substitute for both passivity and violence.

- Masses of people who will never accept non-violence as a moral principal will at times practice pragmatic non-violent struggle.
- The key to widespread adoption of non-violent means lies in formulating and implementing strategies of non-violent struggle to serve as substitute for violence for specific purposes.
- Non-violent struggles can be made significantly more effective if wise strategies with implementing tactics are developed and applied.
- Non-violent struggles can be developed, refined, adapted in a series of specific replacements to be a substitute for violence as a final means of applying pressure and power in society and politics.

27.4 THE RELEVANCE OF PACIFISM

Gandhi, who is much more realistic than some would give him credit for, knows that such a reversal would not and cannot bring into being some kind of instant utopia. Unlike some revolutionary programmers, non-violence is not a program for ending every human limitation and every human imperfection. In contrast to some revolutionary creeds, non-violence does not justify crime today for the sake of a perfect tomorrow. At one level, non-violence is a transcendent ideal, that is, a higher order goal that we may approach asymptotically, but never completely attain. At another level, non-violence is a process, a way of life, an alternative approach to dealing with conflict. As such, it recognizes the inevitability of conflict, even in the best of all possible worlds, and the inevitability of human error, human egoism, and human shortsightedness. Non-violence is a means for limiting the damage those imperfect human beings will otherwise inflict on each other and on the world we inhabit. In sum, non-violence is both an ideal vision, which can guide us in the transformation of human life and a means by which human beings can live together inspite of deep-rooted limitations. Non-violence is a pursuit. Gandhi calls it a pursuit of truth. It reaches towards what is most sublime, but its roots are in a sober recognition of human vulnerability, human ignorance, and human self-centeredness.

27.5 SUMMARY

In short, to adopt non-violence is to adopt a new way of coming to terms with our vulnerability, a new way of dealing with the fear to which we are subject and the fear, which we can inspire in others. To enter this way is not to become 'defenseless'. It is to reconceive what we mean by defense, what we consider it most urgent to defend, and all means by which we will engage in defense. When pacifism becomes a primary value, we are compelled to seek new ways to carry on and to solve conflicts, new ways to protect what is most important, and new ways to struggle for the recognition of our rights.

Pacifism, non-violence, non-injury, or ahimsa- as Gandhi terms it- are all words indicating what we must avoid in our social and political relationships, if we are to build a global community. The avoidance of the infliction of injury, however, is not merely a negative achievement in spite of the negative prefix. The way of pacifism is a new way of being which

imparts a new strength to those who enter it. Pacifism offers a new way of dealing with fear, anxiety, and danger.

27.6 EXERCISES

- 1) For whom is the religion of non-violence meant?
- 2) How can the purification of 'self' be achieved?
- 3) What is the meaning of 'passive resistance'?
- 4) What is the objective of 'satyagraha'?

UNIT 28 COMMUNITARIANISM AND CIVIC REPUBLICANISM

Structure

- 28.1 Introduction
 - 28.2 Communitarianism: An Introduction
 - 28.3 The Value of Community Membership
 - 28.4 The Communitarian Position on State Neutrality
 - 28.5 Civic Republicanism: An Introduction
 - 28.6 The Idea of Republican Freedom
 - 28.7 The Idea of Republican Government
 - 28.8 Summary
 - 28.9 Exercises
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28.1 INTRODUCTION

The major concern of this unit is to introduce, understand and compare the communitarian and civic republican perspectives in political theory. These perspectives have gained considerable importance and acceptance in contemporary political theory. Such importance and acceptance may be explained on two grounds: firstly, both these perspectives contain different forceful and somewhat valid critiques of the political tradition of liberal individualism – a tradition that has occupied a dominant position in modern political thinking and political practice; and secondly, through their critiques, these perspectives develop meaningful and seemingly relevant alternative conceptualizations of such political ideas as freedom, justice and the relationship between the citizen and the state.

Since communitarianism and civic republicanism are essentially critiques of, and present themselves as alternatives to, liberal individualism, it would be helpful to begin with an interpretive summary of the liberal individualist perspective in political theory. It may be mentioned that an elaborate and thorough treatment of this perspective is given in other units of this course. In this unit, our attempt would be limited to an understanding of some of its main arguments, which would in turn facilitate our understanding of communitarianism as well as civic republicanism.

Liberal individualism is essentially one of the many theories of the nature of self, the relationship between the citizen and the state and the proper scope of state activities. Some of its main advocates include Thomas Hobbes, John Locke, Adam Smith, Jeremy Bentham, J.S. Mill, David Ricardo, Herbert Spencer and more recently, John Rawls, F.A. Hayek and Robert Nozick. These political thinkers have offered ideas and arguments, which though different and sometimes conflicting, combine to constitute what is labeled as the liberal individualist perspective.

Some of the main principles of liberal individualism are universalism, egalitarianism, secularism and the separation between the public and the private. However, what distinguishes this perspective from many others is its support and advocacy of the principle of individualism. Individualism is a principle that recognizes and respects the individual as the primary unit of social and political theory.

and explanation. An individual is one who is free, rational and capable of self-determination. People are rational in that they are the best judges of their interest; they are capable of self-determination in that they are capable of determining their own conception of the good; and are free in that they possess the ability as well as the right to question their participation in existing social practices and opt out of them, should these practices seem no longer worth pursuing. On this account, individuals possess the ability to detach themselves or step back from any particular social practice and choose whether they want to continue pursuing it or not. The individual, in other words, is prior to and stands at a distance from his/her cultural and community identities and values. Rawls expresses this argument in the following phrase: 'the self is prior to the ends, which are affirmed by it'.

Since people are free, rational and capable of self-determination, their interests are better promoted by letting them choose for themselves what sort of life they want to lead. Individual interests are harmed by any attempt on the part of the state to enforce a particular view of the good life. The primary value in a liberal political order, in other words, is the neutrality of the state. A neutral state may be defined as a state, which does not favour, protect, promote or contrarily discriminate against or penalize any particular individual conception of the good. Rather, such a state provides a neutral framework within which different and potentially conflicting conceptions of the good can be pursued. In fact, from the liberal individualist standpoint, a free and just state is one which remains neutral and equally tolerant of the different conceptions of the good life held by its individual citizens, without promoting or penalizing any of such conceptions.

What then, according to liberal **individualism**, are the legitimate functions of the state? In the liberal individualistic view, people possess natural or pre-political freedom: state is not a natural entity; rather it is an artificial, but a necessary construct; a necessary evil. Since freedom is natural to the individual, the function of the state should mainly be that of guaranteeing and protecting individual freedom. The state, in other words, is a mechanism for safeguarding the personal security and political rights of citizens, who enter into political life and place themselves under external authority for the limited end of protection against unwarranted interference by others. This idea of **freedom** as the absence of interference by others, otherwise known as the negative conception of freedom, has dominated much of the liberal individualist tradition.

The individualist conception of the self, the idea of state neutrality and the idea of freedom as non-interference form an important, if not the basic core of the political theory of liberal individualism. While much of modern political theory and political practice has been influenced and dominated by these ideas, they have been met with strong criticism from a number of theoretical perspectives, some of which are fascism, sarvodaya, communism and feminism. Two profound critiques of the liberal individualist perspective are found in the communitarian and civic republican perspectives. As mentioned above, these perspectives not only criticize the basic premise of liberal individualism, they also put forward different compelling alternative conceptualizations of the nature of the self, the relationship between the state and the citizen and the idea of freedom.

28.2 COMMUNITARIANISM: AN INTRODUCTION

The **communitarian** perspective developed and became central to political theory during the 1980s with the publication of Michael Sandel's *Liberalism and the Limits of Justice* (1982). In this book, Sandel develops one of the most forceful critiques of Rawlsian liberalism, the statement of which is found in John Rawls's *A Theory of Justice* (1971). Other political thinkers who have contributed to the development of **communitarianism**, although in different ways are Alasdair MacIntyre, Michael

Walzer, Charles Taylor and Will Kymlicka. It is worthy of mention that communitarian political thinkers are deeply inspired by the ideas of Aristotle, Hegel and Rousseau. With the development of communitarianism, the theory of liberal individualism has found its most distinctive and rigorous challenge and critique. In fact, this critique has allowed for the development of what is now known as the 'liberal-communitarian debate' - a debate which has continued in one way or the other to inform a great deal of the study of political theory.

The debate between individualism and communitarianism centers around the question: is political reality shaped by the decisions and actions of individuals, defined as persons standing at a distance (or separate) from community bonds or is it shaped by social beings whose identity and behaviour is defined by the social groups/communities to which they belong? Should the just state be constructed from the standpoint of how to foster the well being of individuals or should it be constructed from the standpoint of how to realize an ideal community? In other words, is the basic unit of political analysis the individual or the community? In responding to this question, liberals and communitarians hold different and apparently conflicting positions. While the liberal individualists, as mentioned in the brief introduction given above, sees political reality to be shaped by the decisions and actions of free and rights-bearing individuals, communitarians emphasize the relationship between the person and the community and see this relationship to be the bedrock of political theory and practice. The liberal-communitarian debate is, therefore, essentially a debate between those who favour individual rights and autonomy and those who emphasize the bonds of community in political life.

Communitarians are first and foremost concerned with community. Two or more people may be understood to constitute a community when they share a common conception of the good and see this good as partly constitutive of their identity or selves. Such a "constitutive community" may be a close friendship, family relationship, neighbourhood or even a comprehensive political community. Communitarians insist that each of us as individuals develop our identity, talents and pursuits in life mainly in and through the context of a community. We are by nature social and cultural beings. Since the community determines and shapes individual nature, political life must start with a concern for the community, and not the individual. In other words, the locus of philosophical reflection on the ideal and just state ought to be the community and not the individual.

Communitarians criticize liberal political theory mainly for being mistakenly and irreparably individualistic. The liberal conceptions of the self and the relationship between the individual and the state are, they argue, inherently flawed, unduly limited as well as misrepresentative of the true nature of society. In the communitarian view, it is not enough to think in terms of a two-level relationship with the individual at one level and the state at the other. Groups and communities occupy an important intermediate position between the individual and the state and should be included among the kinds of rights and duty bearing units whose inter-relationships are explored. By prioritizing the rights and freedom of individuals and by neglecting the importance and contribution of community membership to social and political life, liberal individualism ignores the extent to which it is the community/culture in which people live that shape who they are and the values they have. In the sections below, we examine the communitarian understanding of the value of community membership as well as its position on the idea of state neutrality.

28.3 THE VALUE OF COMMUNITY MEMBERSHIP

A great deal of communitarian thought has presented itself in terms of an espousal of the value and importance of community membership to both peoples' lives in general, and to the decisions they

make in the political sphere in particular. Such an espousal is made with an explicit reference to and a whole rejection of the individualistic conception of the self. The essence of the communitarian claim is that in defining us as individuals, liberal individualism places us at a distance, in fact detaches us from our social ends and conceptions of the good in a way that simply fails to correspond to the way in which we actually relate to these ends. Such a conception of the self, as detached and separate from social ends, is according to communitarians, disputable on two grounds: first, that it devalues, discounts and downgrades the importance of community membership; and second, that it presents a flawed understanding of the relation between the self and its ends.

On the first criticism, communitarianism challenges liberal individualism for downgrading and discounting the importance of community. More specifically, they criticize individualism for ignoring the extent to which it is the society or community which people live in that shape who they are and the values they have. For communitarianism, the community is a fundamental and an irreplaceable ingredient in the good life of the person. However resilient and independent people may be, human existence outside social and community life is unthinkable as well as undesirable. People, according to communitarians, are not Robinson Crusoes able to live in complete and permanent isolation: rather they are constituted and shaped through their membership of particular communities. As human beings we are essentially members of a family, religion, tribe, race and nation. As such, rather than being distant from social and community ends and values, we have a history and are placed/positioned in specific social circumstances. The attachments and the moral engagements that derive from such community membership determine "who we are" and shape "the values we have". By ignoring the importance and contributions of community membership, liberal individualism constructs a conception of the self, which is divorced from the social reality that constitutes it.

On the second criticism, communitarianism attacks individualism for holding a mistaken or false understanding of the relationship between the self and its ends - one that sees individual ends and conceptions of the good to be formed independently and prior to society. As briefly discussed above, liberal individualism regards 'the self to be prior to its ends' in the sense that individuals reserve the right to question, revise and reject their most deeply held convictions about the nature of the good life, if these are found to be no longer worth pursuing.

Criticizing the liberal individualist conception of the relationship between the self and its ends, communitarians ask whether we can really step back from particular values that we have and change them for new ones, or are we rather made the very people that we are by the values that we endorse so that detachment is impossible? Human beings, they argue, are essentially social beings. As such, we neither choose nor reject our social and community ends and attachments; rather we discover them. We are neither free nor standing at a distance from our social and community ends; instead, we find ourselves located/situated in them. For instance, we do not choose our family, caste or nation; we find ourselves located in them. We then determine our conception of the good and ends given our place, position and situation in a family, religion and nation. According to communitarianism we are never free from all social roles and community identities. Our membership of social groups and communities determine and constitute our identity and understanding of the good life. We cannot always stand back and opt out of social relations and community membership. Our social relations and roles, or at least some must be taken as given. As Sandel notes 'I can interpret the meaning of the roles I find myself in, but I cannot reject the roles themselves, or the goals internal to them as worthless. Since these goals are constitutive of me as a person, they have to be taken as given in deciding what to do with my life; the question of good in my life can only be a question of how best to interpret their meaning. It makes no sense to say that

they have no value for me, since there is no 'me' standing behind them, no self prior to their ends or constitutive attachments. The self is constituted by and not prior to its ends'.

In this way communitarians denounce the ahistorical, asocial and disembodied conception of the individual self. According to them, this conception overlooks the ways in which it is the kind of society in which people live that affect their understanding, both of themselves and of how they should lead their lives. A valuable life, they argue, is one that is filled with commitments and relations: and what makes them commit is precisely that they are not the sort of things that people can or ought to question every day.

In the communitarian perspective then, to accept the individualistic conception of the self is to see oneself as disembodied, detached and sharing a voluntary relationship with one's social ends and attachments. They oppose this voluntaristic picture of the relationship between the self and its ends for ignoring the extent to which we are embedded or situated and partially constituted by social roles and community membership. Sandel criticizes this conception of the self for being "unencumbered". Alternatively, he advances the notion of the "situated self", the self or subject who is invariably a member of a community and whose well-being rests on the good of his/her community. For Sandel, as for other communitarians, the common good of the community is prior to the rights of the individuals

28.4 THE COMMUNITARIAN POSITION ON STATE NEUTRALITY

An equally important concern of the communitarian perspective has been to discern the nature and legitimate scope of the state. In addressing this concern, communitarians develop an understanding which is different, and in conflict with the dominant liberal idea of the state. As briefly mentioned above, liberal individualists identify a just state as a minimal and neutral political authority, the functions of which are limited to the protection of individual rights and the maintenance of law and order. The state, rather than interfering in the determination of the good, ought to be equally tolerant of different conceptions of the good, without promoting and/or penalizing any of such conceptions.

In furnishing their understanding of the nature of the state, communitarians offer a strong critique of the idea of state neutrality. According to them, the view that the state should be value-neutral, whereby individuals are left free to make their own choices stems from an atomistic belief that autonomy is protected only when judgements about the good life are taken out of the political realm and made on an individual (private) basis. Rejecting such "atomism", communitarians argue that, in reality, individual judgements require the sharing of experiences, the give and take of collective deliberation and the collective evaluation of shared practices. In other words, peoples' choices about the good life can only be exercised in a particular sort of community and not a cultural marketplace guided by freedom and neutrality, of the type guaranteed by liberal individualism.

In advancing an alternative account of the nature of the state, communitarians argue for the abandonment of liberal neutrality in favour of the politics of the common good. The common good is conceived as a substantive conception of the good life, which defines the community way of life as well as provides standards from which individual preferences and values are evaluated. In other words, the common good forms the basis on which different conceptions of the good are ranked. The weight given to an individual's conception then depends on how much it corresponds to or deviates from the common good.

The common good, communitarians believe, is required not only for guiding people's decisions about the good life, but also for establishing a just and legitimate political community. According to Taylor, the common good is required to vindicate and make legitimate the justice-demands of a welfare state. At the heart of the theory of justice in a welfare state is the claim that those privileged ought to sacrifice a portion of their rights and rewards for the sake of others (the underprivileged). For instance, in a liberal capitalist society, the propertied are required to sacrifice some of their property (derived in the form of taxes) for the benefit of the non-propertied and for sustaining a just society. According to Taylor, claims for such a sacrifice in an individualistic society would seem improper; if not unjust, as we would be required to sacrifice our rights/property for the sake of those with whom we share no community identity or common way of life. If we are distanced from a community or shared way of life, we would necessarily be unwilling to shoulder such justice-demands of a welfare state. Justice, communitarians argue, is rooted in a community whose primary bond is the shared understanding of the good. A just state then, is not one that remains neutral towards all individual conceptions of the good: rather it is one which encourages its citizens to adopt conceptions of the good that agree with the common good, while discouraging conceptions of the good that conflict with it.

In the communitarian view then, the guarantee of a free and just state is deeply intertwined with the well being of the community. The ideal state is one that employs its power and authority to encourage the continuation and health of those cultural traditions and values that serve to determine the common good. Communitarianism, thus, endows the state with a positive function of promoting the common good, rather than merely with a negative function of ensuring an absence of interference in the realm of individual rights. It is worthy of mention that a number of political theorists in India are influenced by and draw from the arguments of the communitarian perspective.

So far we have concentrated on the communitarian perspective in political theory. In the following sections, we examine the main ideas and arguments of the civic republican tradition and attempt to compare this tradition with the communitarian perspective.

28.5 CIVIC REPUBLICANISM: AN INTRODUCTION

Civic republican political theory takes its starting point from a long established tradition of thinking about politics – a tradition that is understood to have contributed significantly to the development of democracy. This tradition is associated with such political thinkers as Aristotle, Cicero, Guicciardini, Machiavelli, James Harrington and Rousseau as well as with the many commonwealth theorists of the 18th century. In recent times this tradition has been defended and developed by Hannah Arendt, John Pocock, Quentin Skinner and Philip Pettit, among others.

The term republicanism is defined and understood in contrast with monarchy or the personal rule of kings and emperors. Whereas a monarch enjoys personal authority over his subjects and rules his realm as his personal possession and more or less to realize his personal interests, government in a republic is, in principle, the common business of the citizens conducted by them for realizing the common good. The idea of republicanism, thus, develops from a desire and the attempt to replace 'the empire of men with the empire of law'.

The civic republican perspective begins by adopting some of the important ideas of Greek political thought. In fact, civic republicanism begins, as does Greek political thinking, from the premise that man is by nature a social-political animal. Men, however, are also moral beings as they embody certain moral purposes. Naturally therefore, and in order to realize their interests and develop their

true selves, men must live together in a political association, more specifically in a self-governing political community. A self-governing political community is one in which citizens participate to realize the good of both the individual as well as the collective. In a republic then, citizens are essentially virtuous as they place the common good above their particular individual goods. To put in a nutshell, a good polity is an association of good citizens, good citizens being those who possess the quality of civic virtue or the predisposition to seek the good of all in public matters. To use Aristotle's words, the end of a political community "is the good life and the good in politics is the common interest".

Underlying and contributing to the civic republican ideal of a good polity are somewhat distinct ideas of freedom and government – ideas, which republicans conclude, go beyond and are deeper than the dominant liberal notions of freedom and government. It is this distinctiveness which, they believe, makes civic republicanism a compelling theory of political order and freedom. Below, we examine the civic republican ideas of freedom and government.

28.6 THE IDEA OF REPUBLICAN FREEDOM

At the heart of civic republicanism is a distinct and supposedly rich idea of freedom. According to republican theorists, this idea of freedom contributes to the discourse on freedom by going beyond the traditional dominant liberal conception of freedom. To understand the distinctness and contributions of this idea, it would be helpful to give a summarized account of the traditional conceptions of freedom.

In an important work titled *Two Concepts of Liberty* (1958), Isaiah Berlin drew a distinction between what he understood to be two different conceptions of liberty, namely negative and positive liberty. The idea of liberty has since been understood with reference to this distinction. According to Berlin, the negative conception of liberty required the absence of interference by others, where interference be understood broadly to mean any intentional form of obstruction or coercion. The positive conception of liberty, alternatively, required a presence rather than an absence – the presence of self-mastery, where self-mastery is interpreted as the ability of an individual to master his passions with his reason. In 1988, Benjamin Constant, in a famous lecture titled, "The Liberty of the Ancients and the Liberty of the Moderns" developed the distinction between negative and positive liberty: while the 'liberty of the moderns' was identified with the negative conception of liberty, defined as the absence of interference, the 'liberty of the ancients' was defined differently, yet positively as the right of the individual to participate in the process of democratic self-determination. It is worthy of mention that the liberal political tradition has been dominated by the negative conception of freedom as non-interference.

According to the civic republican tradition, the distinction between negative and positive freedom, between the liberty of the ancients and the liberty of the moderns, fails to capture the true essence and value of freedom. As an alternative, republican theorists develop and advocate the idea of republican freedom. Republican freedom, they argue, although akin to the traditional distinction, transcends it to deliver a richer and more valid account of freedom. As noted by Pettit, "the republican conception of liberty is akin to the negative one in maintaining that what liberty requires is the absence of something, not necessarily the presence. It is akin to the positive conception in holding that that which must be absent has to do with mastery rather than with interference. Freedom consists, not in the presence of self-mastery, and not in the absence of interference by others, but rather in the absence of mastery by others: in the absence ... of domination. Freedom just is non-domination".

Underlying the republican notion of freedom as non-domination is an understanding of the meaning of domination as well as its relationship with interference. Domination, as understood by the republicans, is the ability and capacity of one agent to exercise power over the other, particularly the power of arbitrary interference. In other words, a person is dominated by an other, and thereby unfree, to the extent that the other has the capacity to interfere on an arbitrary basis in his/her affairs. Such a relationship of domination is exemplified in the relationship between master and slave/servant, employer and employee and even husband and wife, where the dominant agent interferes arbitrarily in the affairs of the other, thereby restricting the freedom of the other. According to civic republicans, the distinction between negative and positive liberty fails to address the denial of freedom as domination. It is such indifference to the notion of domination as denial of freedom that allowed liberals to remain for long tolerant of relationships of dominance at home and in workplaces.

The relationship between domination and interference, according to republicans, is deeper as well as more problematic than is apparent. Domination, as they argue, can be experienced and exercised without actual interference, such as experienced by the lucky slave. Contrarily, interference can be practiced without real domination such as in the case of a good polity, which interferes in the lives of the citizens to promote their welfare and well being. It is, therefore, possible to have domination without interference just as it is possible to have interference without domination. What we need to protect ourselves from is not all forms of interference, but only those forms of interference, which are of an arbitrary dominating nature.

On this ground, the negative conception of freedom as non-interference appears insufficient as it fails to distinguish between desirable and arbitrary forms of interference. It ignores the extent to which interference may in some cases contribute to the sustenance and promotion of individual freedom and welfare. The Indian State, for instance, interferes in the freedom of its citizens, in different ways, such as to ban certain evil practices sanctioned by religious custom, like untouchability and sati, as well as to provide certain specific rights and welfare in the form of affirmative action to the underprivileged sections of society. In fact most states, if not all, interfere in the economic life of their citizens through policies of taxation, which is then employed for the distribution of welfare goods such as health, education and housing, among many others. By defining freedom simply as non-interference, political theory would indeed be insufficiently placed in justifying such necessary acts of interference by the state. The idea of republican freedom as non-domination gives space for such laws, which although do interfere, do not enslave or dominate but rather free one from domination and subjugation by others.

As mentioned above, the negative conception of freedom as non-interference follows from the liberal understanding of freedom as natural and the state as a necessary evil. For the republicans, in contrast, the cause of freedom rests squarely with the law and the state. The laws of a good state – a republic, create the freedom enjoyed by citizens; they do not offend against that freedom. The state, in this view, is not antagonistic to civic Freedom: rather it is "freedom-friendly". To use Harrington's words, *"liberty, in the proper sense, is liberty by the laws, not liberty from the laws".

It may be noted that with the idea of freedom as non-domination, civic republicanism tends to agree with the conception of people as situated in certain communities and cultures rather than with the individualistic conception of the self as detached and disembodied. Domination is often associated with certain cultural markers such as gender, race, religion and class among others. A person facing domination is more likely to belong to a vulnerable class. Freedom as non-domination can be enjoyed and guaranteed only in so far as the salient groups to which these people belong enjoy it.

Upholding the republican idea of freedom, Pettit argues, that it is only when the idea of freedom as non-interference is replaced with that of freedom as non-domination would the political theory and practice of such struggles as feminism, multiculturalism and environmentalism gain recognition and response. In fact, it is argued that the republican notion of freedom went out of fashion in the 18th century, when citizenship was extended beyond the realm of propertied males, and when it was no longer possible to think of making all citizens, particularly women and servants, free in the republican sense. Freedom, if guaranteed to all, had to be less demanding.

It may not be incorrect to argue that underlying the republican idea of freedom as non-domination is a value of equality, whereby no one is dominated by, and thus unequal to the other. Freedom requires the capacity of each individual to stand as equal with fellow citizens in a shared awareness that no one has the power of arbitrary interference over the other. The idea of republican freedom appears to be somewhat more compatible with and well-disposed to the ideas of democracy, welfare and empowerment – ideas that have gained currency and importance in contemporary political theory and practice.

28.7 THE IDEA OF REPUBLICAN GOVERNMENT

Based on the republican idea of freedom as non-domination is the idea of republican government. Freedom as non-domination, as republicans believe, would be achieved only when each citizen feels that he/she is not being ruled or dominated by the power of others, but by his/her own interests. As such, republican freedom is the desire not to rule but rather not to be ruled. This, republicans believe, necessitates a different and a more inclusive idea of government. Below, we examine the idea of a republican government.

Underlying the idea of the republican government are the principle of civic virtue, the idea of common good and the notion of active civic participation. The republican idea of civic virtue may be understood as the willingness to set the common good above one's own or family's interests. In fact, the idea of citizens being virtuous is an integral part of the tradition of civic republicanism. Civic republicanism, in a similar vein with communitarians, requires that we as citizens place the common good above our particular individual interests. For it is only by placing the common good – the good of all – above our private interests that we would guarantee and realize the value of freedom as non-domination. Republicans emphatically claim that without civic virtue, the republic will degenerate into a battlefield of rival interests.

While the republican doctrine lays great stress on the fundamental importance of civic virtue, it lays equal stress on the fragility of virtue - the danger that a people or its leaders would become corrupt, thereby threatening the republic. Civic republicans are cautious of the state officials exercising power in an arbitrary way, thereby denying republican freedom. How then can the state and its officials be prevented from exercising power in an arbitrary way? Republicans also recognize that people do not make up a perfectly harmonious or homogenous body with identical interests; rather they are divided on the basis of interests. Such division of interests could translate into a major threat to both civic virtue and the republic. How then should a republic be organized so as to reconcile the different conflicting interests in society?

It is to guard against such threats to the republic that civic republicanism advocates a number of measures, the most important of which is active civic participation. Active civic participation, republicans argue, is essentially 'the price of liberty' – the tool with which citizens can place an eternal vigilance on the government and its officials. Active participation ensures that a powerful

group or citizen does not dominate or violate the freedom of others by taking control of the government. In fact, active civic participation is understood to be a prerequisite and a condition for the guarantee of republican freedom.

The republican idea of citizenship, however, ought to be contrasted with the liberal idea of citizenship: while the latter regards citizenship as a right passively enjoyed by citizens who desire freedom from external restraints, the former identifies citizenship with those rights which empower citizens with the freedom to actively engage with other citizens under conditions and in pursuance of freedom and equality. Citizenship, in the republican view, is an office and a responsibility that is proudly assumed by citizens. To be a citizen in a republic is to be a self-governing member of a self-governing community.

In addition to civic participation, civic republicanism argues in favour of constitutionalism as a measure to guard against threats to republican virtue. The task of civic republicanism is to design a constitution that would reflect and balance the diverse interests in society. The British Constitution is often cited as an example of such a balance wherein the interests of one—the monarch, the few—the aristocracy, and the many—the common people, are balanced in the mixed government of the Crown, the House of Lords and the House of Commons. The idea of a separation of powers among the legislature, the executive and the judiciary is also identified as an equally important guard. According to republican theorists, the concentration of powers in the hands of one person or group is the most potent source of domination and subjugation of others.

The advocacy of the ideas of civic virtue, common good, active civic citizenship, mixed constitutions and separation of powers make up an important, if not the core of the idea of republican government. Understandably then, civic republicanism is seen to be complementary if not in support of the idea of democracy. It is with these ideas of government as well as with the idea of freedom as non-domination that republicans aim at replacing ‘the empire of men with the empire of laws’.

28.8 SUMMARY

In the sections above, we have examined, separately though, two important perspectives in contemporary political theory, namely communitarianism and civic republicanism. In this section and by way of concluding this unit, we make a comparative assessment of these perspectives by highlighting the ideas on which they complement and differ from each other. We also attempt to bring out some of the strengths and weaknesses of these two perspectives.

To begin with, we look at the points of complementarity between these two perspectives. As mentioned above, both communitarianism and civic republicanism contain forceful critiques and compelling alternatives to the ideas of liberal individualism. Firstly, they both begin by characterizing humans as social and political animals who in order to realize their interests and lead good lives ought to live in association with one another. Secondly, both perspectives criticize the liberal individualist conception of the self as a self-detached and disembodied from its ends: while for the communitarians this conception is unreal, the republicans see it to be undesirable for the establishment of a good and free polity. Thirdly, both endow the state with a positive rather than a negative role. In fact a just state, according to both perspectives, rather than being neutral, is one that protects and promotes the common good. Finally, both communitarianism and civic republicanism see the community and cultural membership as playing an important role in determining the choices that we make in the public sphere: while communitarians are more candid about the centrality of community membership to individual choices,

civic republicans make a more subtle statement when they advocate the idea of freedom as non-domination.

An important difference between these perspectives is that while the communitarians reject the possibility of a neutral state, civic republicanism advocates the possibility of a state, which transcends religious and other related divides,

Indeed, both communitarianism and civic republicanism make equally, although somewhat different important and compelling contributions to political theory. Some of such contributions are the communitarian understanding of the relationship between the person and the community, the importance of community membership and values in the determination of peoples' choices, the critique of the idea of state neutrality, the republican idea of freedom as non-domination, the nuanced understanding of the relationship between domination and interference and the emphasis on civic virtue and participation.

While the communitarian and civic republican perspectives are recognized for the contributions they make to contemporary political theory, they have been criticized by some political theorists, particularly liberal individualists. According to these political theorists, by prioritizing community membership, communitarians undervalue the importance of individual rights and autonomy. In fact they leave the individual a hostage to the will and good of the community, which could, and often does reduce the space of individual freedom and choice. The idea of a common good is criticized on the grounds that such a good is difficult to determine in societies that are characterized by deep pluralism. In fact if determined, the idea of the common good can have conservative and repressive connotations, mainly because it would provide a standard from which individual conceptions of the good would be judged and thereby, advanced or eliminated. Both these perspectives, therefore, fail to see and guard against the possibility of the common good becoming a perpetrator of domination and injustice.

To conclude it may be appropriate to say that for us in India, an understanding of the communitarian and civic republican perspectives is relevant in terms of both political theory and political practice. On one hand, we need to understand and assess the different contributions made by these perspectives in their critique of liberal individualism as well as of the alternative principles they advocate. On the other hand, we need to relate these contributions and alternative principles to our present political practice.

28.9 EXERCISES

- 1) What do you understand by communitarianism? Explain in your own words,
- 2) Discuss the value of community membership.
- 3) Examine the communitarian position on state neutrality.
- 4) Write an essay on civic republicanism.
- 5) Discuss the ideas of republican freedom and government.

UNIT 29 POLITICAL THEORY IN A GLOBALISING WORLD

Structure

- 29.1 Introduction
 - 29.2 How does Political Theory Evolve?
 - 29.3 Binaries in Political Theory: Liberalism and Marxism
 - 29.4 Modernism and Post-Modernism
 - 29.5 Epistemological Shift
 - 29.6 Globalization and Identity Politics
 - 29.7 Synthesis in Political Theory
 - 29.8 Welfare State vs. Minimal State
 - 29.9 The Blurring of State Sovereignty
 - 29.10 Role of WTO, Multi-nationals and the NGOs
 - 29.11 State vs. Civil Society
 - 29.12 Ethnic Cleavages
 - 29.13 New Dimensions in the Theory of Federalism
 - 29.14 Summary
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29.1 INTRODUCTION

The disintegration of socialist states in European Europe culminating in the break-up of the mighty Soviet Union marks the triumph of liberalism over socialism, democracy over one-party rule and *laissez faire* economies over centralized economy. The bipolar world has given way to a unipolar world. In the wake of these developments, the world is witnessing fundamental changes in the form of liberalization, privatization and globalization. The trade barriers among the states are getting blurred and a globalized market is emerging. In centralized and mixed economies, the process of disinvestment and structural adjustments is leading to the shrinking of the public sector. How will these epochal changes manifest themselves in the form of newer concerns in Political Theory is an important question that needs to be considered.

29.2 HOW DOES POLITICAL THEORY EVOLVE?

At the very outset, we must understand as to how political theory emerges in any historical phase. For example, why did Plato advocate the idea of an Ideal State and the rôle of the Philosopher-King? Why did he propound his Theory of Education? Why did Thomas Hobbes give his theory about the State of Nature and the Social Contract? Why did he favour the idea of an absolute sovereign? Similarly, one may ask the question as to why Marx criticized capitalism? Why did he plead for socialism and communism? Why did Gandhi condemn the Western industrial society and consumerism that it promoted?

If we carefully consider all these questions, we will find that a political thinker does not write in a vacuum. He addresses himself to the basic concerns of his times. Every political theorist begins to feel agitated about certain maladies in the society in which he lives and wants to find out remedies for these maladies. Thus, Plato's Ideal State is his response to the rotten state of Athens in which he lived. He came to the conclusion that all rulers in the Greek city states were corrupt and incompetent. Therefore, he suggested the rule of the Philosopher king who would have reason dominant in him. He gave his theory of education to ensure that the future generations of Athens would have sound mind and sound body. Thomas Hobbes was worried at the violent and law-less conditions prevailing in sixteenth century England. He also saw the irrelevance of the theory of Divine Rights of Kings. Hence, he advocated the theory of social contract and favoured the idea of an absolute sovereign who could defend people's life, liberty and property. Similarly, Karl Marx was full of anguish at the miserable conditions of the working class in nineteenth century Europe. This class was suffering intense exploitation under capitalism. Therefore, he urged this class to rise in revolt and overthrow the capitalist system. He believed that in the socialist society, this exploitation would come to an end. Likewise, Gandhi saw the de-humanizing impact of industrialization which, he thought, was also causing immense harm to physical nature. He also realized the ill-effects of greed and consumerism that materialism promoted. Therefore, he advocated an humane political order based on truth and non-violence, a social order rooted in spiritualism and communitarianism and an economic order whose cardinal principles were bread-labour and trusteeship.

The above illustrations make it clear that every political theorist addresses himself to certain key issues and problems that the society of his times is facing. In short, *political theory in every epoch of history has been the response of the political thinker to the prevailing political and social conditions*. In fact, one can go to the extent of saying that all major political theories have emerged in situations when societies were standing at the cross-roads of history and had to make hard-choices. The era of globalization is undoubtedly a moment in history when societies have chosen (or have been forced to choose) a certain course for themselves whose consequences will be far-reaching. The question that must be considered and answered is: What will be the nature of political theory that will evolve in the era of globalization? How will political theorists respond to the phenomenon of globalization? What questions and concerns will be central to them? What impact will globalization have on state, society and the individual? What sort of local, national and international order (or disorder) will emerge as a consequence of liberalization, privatization and globalization?

29.3 BINARIES IN POLITICAL THEORY: LIBERALISM AND MARXISM

Before we spell out the nature of political theory in the era of globalization, it is necessary for us to understand the binary nature of *modern* and *contemporary* political theory out of which it will emerge. There are mainly two grand ideological designs in modern political theory: Liberalism and Marxism. The liberal political theory emphasizes democratic governance where the people can articulate their problems and choices. It stands for universal human rights. It is wedded to the promotion of common good and it holds two human values—Liberty and Equality—as primary; although liberty often gets priority over equality. Marxism, on the other hand, highlights the fact that all human societies are class-based societies consisting of the exploiters and the exploited. These two classes are constantly at war with each other and this war will consummate in a revolution leading to the final victory of the exploited class which will pave the way for the emergence of a class-less and stateless society. In short, modern political theory is concerned with universal goals

like Justice, Liberty and Equality. It attempts to identify the institutional structures of domination and tries to evolve strategies to demolish them.

It is, however, evident that these goals of liberal and Marxist theory were never realized, at least not fully. In liberal democracies, the participation of people remained only marginal and ruling power got concentrated in the hands of the political elite. This phenomenon has been aptly described as the "iron law of oligarchy". The socialist societies, on the other hand, witnessed excessive centralization of power in the hands of the communist party leadership. The exploitation of the workers not only continued, but in some cases it became more intense. The inequalities within liberal as well as socialist societies became more acute. Human rights did not reach the disadvantaged stratas of society in full measure. Thus, the grand utopian and normative vision of Liberal and Marxist theory aiming at liberty, equality and harmony remained unfulfilled. The inequalities among different countries also increased. These failures of Liberal and Marxist theory alike gave rise to the *New Right* and the *New Left* movements on the one hand and generated a sense of cynicism and nihilism, on the other.

29.4 MODERNISM AND POST-MODERNISM

In recent years, an alternative to both these strands of modern political theory has appeared in the form of Post-Modernism. The post-modernists challenge liberalism for its *abstract* categories – categories like the universal rights of all people and emphasize the rights of *specific groups* – women, tribals, blacks and the colonial people etc. This has led to the emergence of *New Social Movements* which challenge specific forms of social domination based on gender, caste, colour and race. *Identity politics* has become the most crucial element in these movements. It also marks a shift from macro abstract political, social and economic issues to *culture*. The basic argument of identity politics is that individuals define themselves mainly as belonging to a given cultural group which perceives itself as disadvantaged and oppressed at the hands of groups which are privileged and dominant – males, upper castes, white races and the imperialist countries. The relevant binary categories in identity policies become "we" and "they". It is important to note that in practical terms, this new political theory of identity politics tantamounts to rejecting the Marxian category of "class" as a major tool of analysis. It, equally vehemently, negates liberalism's universal categories like "universal rights", "civil liberties" and "equality". Instead of the mega "class war" of Marxian variety, it emphasizes "local struggles". Instead of advocating power to the working class, it advocates empowerment of the local communities and specific cultural groups.

29.5 EPISTEMOLOGICAL SHIFT

In epistemological terms, this new political theory of the "post-modernist" variety negates three basic methodological tenets of modern political theory: *holism/universalism*, *essentialism* and *reductionism*. It is difficult to explain the full import of these terms. Briefly, we may say that *holism* or *universalism* privileges the understanding of the *whole* rather than the understanding of the *parts* that constitute the whole. Thus, it talks in terms of macro instead of micro phenomena. *Essentialism* underscores the importance of comprehending the general essence of the phenomenon rather than the mere *appearance* of it. *Reductionism* in modern political theory refers to the tendency of reducing all analyses and explanations of a phenomenon to a *single* element or a single factor. For example, in classical Marxism all economic divisions and all social and political hierarchies are reduced to "class" and the "economic factor" is considered as the only factor that determines the course of history. Thereby, the role of "ideas" and "cultural identities" gets totally ignored or

considerably under-played in modern political theory. The post-modernist political thinking, on the other hand, not only highlights "particularism", but also emphasizes the relevance of *several* factors in comprehending a phenomenon. Instead of "elite" history (of Carlylian variety), it stands for "mass" history and subaltern studies. Instead of 'history from above', it is wedded to the idea of 'history from below'. Post-modernism also has its own specific emancipatory agenda. Rejecting modern political theory's thrust for a systemic change, post-modernism stands for the emancipation of specific groups. Likewise, instead of universal rights, it addresses itself to the rights of specific groups – women, gays, lesbians, tribals, aborigines, blacks and other disadvantaged groups. In fact, one can notice similar modernist and post-modernist streaks in the process of globalization. On the one hand, its thrust is on globalization of capital and primacy of the market and on the other, it stands for localization of labour.

29.6 GLOBALIZATION AND IDENTITY POLITICS

Having discussed the Liberal and Marxist strands of modern political theory and having indicated how both of them have been challenged by post-modernism, it is now time to try to conjure up some of the contours of political theory in the era of globalization. Identity politics is emerging as one of the most central aspects of Political Theory. Two important dimensions of this question of identity politics are important. First, that identities are multiple: a woman has a gender identity, but she also belongs to a *caste*, a *religion*, a *community*, an *occupational group*, a *region* and a *linguistic group* etc. In fact, she has all these identities. What post-modernism tries to do is to privilege her gender identity over her other identities. While identity politics will remain relevant in the era of globalization, the issue as to which particular identity would become primary and which ones will become secondary will be contingent on the way globalization and market Forces affect different segments of human society in different countries. Secondly, all identities are socially constituted and the way these get constituted in the era of globalization will determine the broad nature of political theory that will emerge.

There is another dimension of globalization. It will undoubtedly multiply the material desires and wants of the individual, but it will find it difficult to satisfy them fully. But even if we assume for the sake of argument that globalization will be able to satisfy all the material wants and desires of all the individuals, the question still remains whether it will be able to bring about the "good life". Here, Aristotelian emphasis on nicomachean ethics becomes crucial. Will globalization create good citizens; citizens who are virtuous, citizens who are moral beings. After all, it is only good citizens who would make a good state and it is only a good state which will make good citizens. As Aristotle has pointed out (in a different context) the state came into being for the sake of *life*, but continues for the sake of *good life*. This question has become extremely relevant in political theory in the era of globalization. How will globalization affect the virtues and values of *Justice, Freedom and Equality* which all human societies have cherished in all ages? Will it intensify Social Darwinism (survival of the fittest)? Will the degeneration of the environment lead to greater happiness or more miseries? These are some of the questions which will become increasingly relevant in political theory in the era of globalization.

29.7 SYNTHESIS IN POLITICAL THEORY

It is not possible to neatly state the exact nature of political theory in the era of globalization. However, if one were to rely on the logic of *dialectics* in *history*, then one can say with some degree of certainty that political theory in the era of globalization will exhibit at one level, a

synthesis of Liberalism and Marxism. At another level, it will exhibit a synthesis of modern political theory and post-modernist trends and tendencies. While the nature of political theory in the era of globalization will be contingent on the emerging *local*, national and global conditions, it will demonstrate some sort of amalgam of the *universal* and the *particular*, the *global* and the *local*, the *macro* and the *micro*, *unity* and *difference*, order and disorder and *community* and chaos. The issue of social justice might occupy the center stage in the midst of growing inequality and poverty that globalization necessarily entails. Democracy may become more participatory. The state may become weaker in some respects and stronger in other respects.

29.8 WELFARE STATE vs. MINIMAL STATE

We are aware that in the course of about last one hundred and fifty years, the earlier theory of state whose concern was only to maintain law and order (the police state) has yielded place slowly, but surely to a welfare state which has taken up wide ranging functions like health, education and well-being of the citizens. The critical question in political theory in the era of globalization is, whether or not the liberal and democratic state will continue to follow public policies aimed at the welfare of those who are suffering social and economic deprivation.

The present day welfare state has become what may be called a *maximal* state. It seems that in the wake of liberalization, privatization and globalization, some of the welfare functions of the modern welfare state may shrink. While the future state will continue to perform regulatory functions, its *distributive* functions, are likely to become less and less. In fact, the state might become (to use Robert Nozick's term) a *minimal state*. The philosophy of utilitarianism with its focus on the greatest happiness of the greatest number, which has been the linch-pin of the modern welfare state will no more remain the guiding principle of the future state. Given the individualist (Lockean) majoritarian underpinning of liberal democracy, the state will have to buy legitimacy for itself at periodic elections and, therefore, it will find it very difficult to altogether give up the welfare functions. Thus, we can say that political theory in the era of globalization will reflect the *structural ambivalence of modern state* and the tensions and paradoxes, pulls and pushes inherent in politics as it operates under the sway of market forces.

29.9 THE BLURRING OF STATE SOVEREIGNTY

We know that one of the key elements of state, as it is understood in Political Theory, is sovereignty which implies that the state is internally *supreme* and externally *independent*. The state in the era of liberalisation will be one in which sovereignty will no more remain as sacrosanct as earlier. The world will increasingly become a global village and a global market. In this scenario, the external aspect of state sovereignty will get compromised at best and will become a myth at worst. In several respects, the state will not remain externally independent. It will have to tailor its behaviour according to the norms decided globally for all the states either by world organizations like the IMF, the World Bank or the United Nations or by the various global coalitions and regional groups – *a la* European Union. The way UN weapon inspectors have been sent to carry out inspection in Iraq to make sure that it does not possess any weapons of mass destruction is a case in point. The way global peace-keeping forces are controlling the belligerence of states in different parts of the world or the way some ramshackle global coalitions are trying to tame the behaviour of certain states illustrates the diminishing external sovereignty of the state.

Another dimension of sovereignty relates to the internal supremacy of the state over all individuals and groups. This Austinian theory of sovereignty, which is a monist theory has already come under attack at the hands of pluralists. In the era of globalization, this attack will increasingly manifest in the form of denial to the national majority, the claim to be the sole legitimate expression of sovereignty of the people. The internal sovereignty of the modern state will be replaced by more diffuse sovereign power of the state, on the one hand and of its constituent entities on the other, in the form of rights of different social groups and the rights of the federating units.

29.10 ROLE OF WTO, MULTI-NATIONALS AND NGOS

The role of the state, its internal supremacy and its monopoly of power to take decisions on political, economic and social issues is being jeopardized by the ever expanding role of the multinationals. The structural adjustment that states all over the world are being compelled to make under the aegis of the WTO regime and the World Bank has led to a situation where no state can claim to be internally supreme today as it was earlier. Political Theory in the era of globalization, will have to address itself to these shifts. The modern state is also being compelled increasingly to follow the dictates of non-governmental organizations (NGOs). This is, particularly, so in matters relating to collective security, human security and human rights. In addition to the environmental issues, the questions of ecological balance and sustainable development have become extremely relevant. Even the use of violence by the modern state against its own citizens is becoming increasingly open to outside and inside scrutiny by agencies like the *Amnesty International*, *Asia Watch*, UN Commission on Human Rights and People's Union for Civil Liberties. Right to Information and Right to Development will acquire the status of fundamental rights.

29.11 STATE VS. CIVIL SOCIETY

Civil society is a civil association. Here, society or community is viewed as a service organization which enjoys autonomy, both from the polity and the economy. In its extreme form, the theory of civil society is becoming a non-state or even an anti-state variety of liberalism. The role of civil society is becoming important in the wake of participatory democratic theory. Some groups in the civil society are demanding increasing public access to justice and greater transparency in decisions taken by the various organs of government. Here, the issues of the rule of law and good governance entailing citizens' right to information also become important. All this has brought the community and civil society to the center stage displacing the state in some conventional spheres of its activity. Political Theory in the era of globalization will have to address itself to the phenomenon of autonomous market, shrinking state and assertive civil society. Increasing Public Interest Litigation (PIL) has driven various organs of government to the wall in many respects. For example, *Narmada Bachao Andolan* being spearheaded by Medha Patkar and Arundhati Roy, *Chipko Movement* of Sunder Lal Bahuguna, the People's Union for Civil Liberties, Lok Satta, Association for Democratic Reform and Transparency International are all directed at keeping the various organs of government in reasonable limits. NGOs are emerging as a countervailing power vis-à-vis the state. The seriousness of the problem of global warming, green house gases, ozone hole are today matters of concern of all governments – democratic and authoritarian. The indiscriminate deforestation and increasing noise and air pollution has brought the basic questions of relation between man and nature, the limits to industrialization and economic growth to the fore. Political theory cannot avoid addressing itself adequately to all these questions. No state, today, can ignore or underplay the question of gender justice, the demands for empowerment of women, the rights of the child and the unborn and the issues of positive discrimination.

Political theory in the era of globalization will have to address itself to the question: how political institutions and structures condition and get conditioned by social power?

29.12 ETHNIC CLEAVAGES

In recent years, particularly after the disintegration of the world socialist bloc, the world has witnessed a series of ethnic and religious conflicts. There has been an upsurge in social strife, fundamentalism and intolerance. In the era of globalization, political theory will have to address itself to this phenomenon. The class conflict which Marx had so ably highlighted is on the back burner. It has given way to ethnic conflicts bordering on genocide in the developing world and racial hatred and hate speech in the developed world. In the unipolar world, there is an attempt by the United States which is the sole super power today to impose western culture and values on the rest of the world. Within nations, the minorities are getting marginalized. In this scenario, new empirical images of democracy highlighting *diversities* are likely to emerge in political theory. In several societies secularism as a value and as an ideal is being discounted. There is a spurt in communalization, criminalization and lumpenization of democratic processes and practices. The moral residue in politics is receding to a diminishing point. Even the image of the individual which was characterized by Aristotle as political and social animal is giving way to the individual as a consumer, as an economic animal. In the midst of this perspective of possessive individualism, political theory cannot afford to overlook the expanded notion of freedom where freedom is taken to imply absence of all forms of domination and simultaneous increase in opportunities for self-realization. In other words, the focus in political theory will be on maximizing individual's counter-extractive and developmental powers.

29.13 NEW DIMENSIONS IN THE THEORY OF FEDERALISM

The prevailing theories of cooperative and competitive federalism are likely to see new dimensions which will lead to newer models of federalism. Federalism is an institutional arrangement as a constitutionally established power balance between *self-rule* and *shared rule*. The crucial question is how will globalization affect the theory of federalism? Will globalization strengthen or weaken federalism? What will be the new dimensions in the theory of federalism? How will the globalization of markets affect the federal states? In multi-cultural and multi-national polities, there are demands for the recognition and legitimization of internal diversities. Regional and sub-regional identities are getting sharply reflected in the theory of federalism. It has already given rise to *ethnic federalism*. In other words, the nation-state federalism has to cope today with multi-ethnic challenges. With the pluralist societies being viewed as polities of identities, there will be a concomitant decline of the nation-state. The *ethno-centric concept* of nation in political theory is gaining currency at the expense of the political concept of nation.

The nineteenth century constitutionalism has to cope with the challenge of globalization. Globalization will affect the conventional notion of federalism in the light of newer relations between federal states and their federating units with the WTO and other global institutions like the World Bank. Lidija Basta Fleiner, a renowned Swiss scholar of federalism, has aptly termed it as "*democratic control of federalized power and the federalized control of democracy*". As a consequence of globalization political culture will reflect greater *decentralized loyalty* on one hand, and greater *supra-state loyalty* on the other; thus, the crucial issue before the theory of federalism will be to build a federal contractual equilibrium within a majoritarian democratic setting and to bring different groups together by transcending particularistic loyalties. The structural tensions which globalization

will generate will impinge on majoritarian democracy and anti-majoritarian federalism. Libertarian democracy (of Robert Nozick's type) will not itself be able to cope with the politics of group differences in the process of nation-building. It will, therefore, be structurally incapable of meeting the challenge of multi-culturalism on the centrality of diversities and collective rights.

In the established liberal democracies, there will be growth of judicial power in the wake of globalization and this, in turn, will trigger greater concern about judicial independence. The judiciary will get more directly inter-meshed with democratic politics. This judicial transformation will have two major dimensions: strengthening the power of judicial review and adoption of political pluralism in the appointment process of judges. There is another implication of globalization for the theory of federal democratic states. Liberal welfare state is wedded to the notion of equal representation of all individuals, which is a procedural commitment to inhospitable differences. Multi-culturalism based on diversities and collective rights of different communities is likely to be anti-thetical to globalization which will invariably intensify inequalities among and within states. Hence, the mere constitutional guarantee of equal rights alone will not be enough to ensure equality, unless it is accompanied by right to be equal irrespective of differences. This question will become increasingly crucial.

Indeed, it may boil down to reconciling *equality, liberty and fraternity* as cardinal principles of the modern state with an alternative emerging paradigm which emphasizes *security, diversity and solidarity*. In short, the 19th century liberalism will have to model itself to be in tune with multi-culturalism. As Will Kymlicka argues, the fundamental challenges which the theory of liberal state will face in the wake of globalization is to identify some new sources of unity in a democratic multi-cultural state.

29.14 SUMMARY

In the foregoing part of this unit, we have highlighted five main points in an attempt to spell out the contours of political theory in the era of globalization.

First, that both Liberalism and Marxism have lost their pre-eminence as explanatory ideologies. The interface of state, society and market is evolving in a way where there is hegemony of the market. The challenge of post-modernism has questioned some of the basic tenets of modern political theory like "the meta narrative" and broad categories like "class". Given this scenario, it seems that political theory in the era of globalization is going to be some sort of a synthesis of Liberalism, Marxism and Post-Modernism.

Secondly, in the wake of globalization, the whole notion of state sovereignty is getting compromised. The external aspect of state sovereignty is being hampered due to the increasing role of IMF, World Bank and the multi-nationals. The internal aspect of state sovereignty is also under threat due to the increasing role of non-governmental organizations, rising protest movements and increasing consciousness of masses, demands for greater transparency in government functioning and the right of information.

Thirdly, the emergence of identity politics is attracting greater and greater attention of political theorists. The phenomenon of globalization and the rise of identity politics will lead to individual's decentralized loyalty. On the one hand, identity politics will lead sub-state loyalty and on the other hand, globalization will lead to individuals' greater supra-state loyalty. As a consequence of this twin phenomenon, the loyalty to the nation state will get compromised.

Fourthly, in the era of globalization, political theory will have to address itself to the phenomenon of growing ethnic conflicts, rising fundamentalism, increasing intolerance and dominance of majorities leading to the marginalisation of minorities.

Finally, the traditional notion of federalism as a mix of *self-rule and shared-rule* will have to be seen in a new light in the wake of globalization. The notion of 'ethnic federalism' will become central in political theory due to the challenge of multi-culturalism. In fact, due to these emerging challenges of multi-culturalism to the liberal state, it will have to look for some new sources of unity and new bases for buying legitimacy. Political Theory has today to address itself to these developments.

29.15 EXERCISES

- 1) What is Identity Politics?
- 2) What will be the impact of globalization on state sovereignty?
- 3) How will globalization affect the prevalent conceptions of federalism?
- 4) Identify the major contours of Political Theory in the era of globalization.

UNIT 1 WHAT IS POLITICAL THEORY AND WHY STUDY IT?

Structure

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- 1.2 What is Political Theory?
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1.1 INTRODUCTION

Political theory is not only a *theory* of/about politics, it is also the *science* of politics, the *philosophy* of politics at that. As a theory, Bluhm explains, political theory “stands for an abstract model of the political order... a guide to the systematic collection and analysis of political data” (*Theories of Political System*, 1981). Andrew Hacker, enlarging the point of view, says that political theory as a “theory, in ideal terms, is dispassionate and disinterested. As science, it will describe political reality without trying to pass judgement on what is being depicted, either implicitly or explicitly. As philosophy, it will describe rules of conduct which will secure good life for all of society...” (*Political Theory: Philosophy, Ideology, Science*, 1961).

Political theory is not fantasy, though it may contain an element of political vision. It is not politicking, though it does take into account political realities for its study and analysis. It is not all scientism, though it seeks to reach the roots of all political activity analytically and systematically. It is not ideology, though it attempts to justify a political system and condemns another. It is theoretical, scientific, philosophical and at the same time dynamic with a clear objective of attaining a better social order. It thus, has in varying degrees, elements of ‘theory’, ‘science’, ‘philosophy’ and ‘ideology’.

1.2 WHAT IS POLITICAL THEORY?

Political theory is a theory about what is “political”, the science and philosophy of what is political. George Sabine says, “It is anything about politics or relevant to politics”. This being the broader meaning, he refers to its narrow meaning, saying that it is “the disciplined investigation of political problems” (*A History of Political Theory*, 1973). David Held defines political theory as “a network of concepts and generalizations about political life involving ideas, assumptions and statements about the nature, purpose and key features of government, state and society and about the political capabilities of human beings”. (*Political Theory Today*, 1991) A very elaborate definition of political theory has been given in *Political Science Dictionary*, describing it as “a body of thought that seeks to evaluate, explain and predict political phenomena. As a sub-field of Political Science, it is concerned with political ideas, values and concepts, and the explanation of prediction of political behaviour. In its broad sense, it has two main branches: one is political philosophy or normative theory, with its value, analytic, historical and speculative concerns. The other is empirical theory, with its efforts to explain, predict, guide, research and organize knowledge through the formulation of abstract models, and scientifically testable propositions.”

Political theory is all about politics. It is an overview of what the political order is about. It is a symbolic representation of what is “political”. In its *nature*, it is a formal, logical and systematic analysis of processes and consequences of political activity. It is, in its *method*, analytical, expository, and explanatory. It is, in its *objective*, an attempt to give order, coherence and meaning to what may be referred to as “political”.

1.2.1 What is Theory?

The meaning of political theory necessitates the meaning of theory: to know what political theory really is to know, first, what is theory? Originating from the Greek word “*theoria*”, theory means or at least, may mean a well-focussed mental look taken at something in a state of contemplation with the intention to grasp or understand it. Arnold Brecht (“*What is Theory?*”) refers to both the broad and the narrow meaning of the word “theory”. In the broader sense, he says, theory means “A thinker’s entire teaching on a subject”, including the description of facts, his explanation, his conception of history, his value-judgements, and the proposals of goals, policies and principles. In the narrow sense, he says, theory means “explanatory” thought only or at least primarily. In his book, *Political Theory*, Brecht uses theory in the narrow sense, saying, “... explaining is the function of theory.” Thus, for him, theory means a proposition or a set of propositions designed to explain something with reference to data or inter-relations not directly observed or not otherwise manifest. Theory has to be scientific, without the quantum of science, it is unthinkable. But theory, without theory or say philosophy, is as meaningless as it is, without science. Theory is a combination of elements characteristic of both science and philosophy. Theory is not practice, because doing too needs thinking. Theory involves a theoretical frame which practice really lacks. Theory is not merely ‘description’ because “describing” is only a part of “thinking”, its other parts, for example, include “discovering”, “determining”, “augmenting”, “explaining” and “framing” a phenomenon. Theory is not hypothesis, for hypothesis denotes a tentative assumption of facts, and, therefore, lacks what theory really has, “definiteness”. Theory is not philosophy because while theory is about “something”, philosophy is about “everything”. Theory is not thought because it is a thought about thought, and not an entire thought itself. There is, indeed, much that is common between theory and reason, for both have a claim on being scientific, yet theory looks beyond reason, beyond science.

Theory, we may sum up with Karl Deutsch (*The Nerves of Government*, 1963), attempts to

explain, order and relate disjointed data, identifies what is relevant and, therefore, points out what is missing in any phenomenon; predicts on the basis of observable facts. Theory is a guide to practice, adds much to what is merely description, clarifies hypothesis, and as a part of philosophy, explains an issue which meets the requirements of both reason and vision.

1.2.2 Political Theory: Implications

Theory implies both science as well as philosophy. It is, against this background, that one may say that a theorist is both a scientist and a philosopher; a theorist is more than a scientist; he is more than a philosopher. To understand theory when applied to politics would mean understanding politics as a theory, as a science and also as a philosophy. Bluhen would, thus, explain political theory as “an explanation of what politics is all about, a general understanding of the political world, a frame of reference. Without one we should be unable to recognize an event as political, decide anything about why it happened, judge whether it was good or bad, or decide what was likely to happen next. A theory helps us identify what is happening in a particular case of politics... It helps us to explain why an event occurred and to predict future events ... Theory also is a tool for evaluating what is happening and for guiding our political choices....”. The job of the political theorist is really important. Brecht makes a note of it saying, “It is the function of the political theorist to see, sooner than others, and to analyze, more profoundly than others, the immediate and the potential problems of the political life of society; to supply the practical politicians, well in advance, with alternative courses of action, the foreseeable consequences of which have been fully thought through; and to supply him not only with brilliant ideas, but with a solid block of knowledge on which to build.” When political theory performs its function well, he continues, “it is one of the most important weapons in our struggle for the advance of humanity.”

The discussion on what a theory is or what political theory is would help us identify the characteristic implications or the major aspects of political theory. Some of these can be stated as under:

- i) The area in which political theory works extends to the realms of politics only – political life of the citizen, his political behaviour, his political ideas, the government that he seeks to establish, and the tasks expected from such a government.
- ii) The methods, which political theory adopts, include description, explanation and investigation of the political phenomenon.
- iii) Though political theory is all about what is ‘political’, yet it attempts to understand ‘political’ in relation to ‘social’, ‘economic’, ‘psychological’, ‘ecological’, ‘moral’, and the like.
- iv) The objective which political theory seeks to achieve is to build a good state in a good society, and in the process, create processes, procedures, institutions and structures historically tested and rationally attained.
- v) As a body of thought, political theory attempts to explain, evaluate and predict political phenomena, and in the process builds not only scientifically testable models, but suggests values as rules of human conduct.
- vi) Political theory is both prescriptive and explanatory.

1.2.3 Political Theory: Contents

Politics, as a political activity, is usually associated with cynicism, and skepticism, demonstrating self-seeking behaviour, hypocrisy, and manipulation of attitudes. This negative connotation hardly holds any ground. Political theory is neither a theory of politicking, nor a theory of political intrigues. It is a disciplined investigation of what constitutes the ‘political’. Its contents have varied from time to time. From the early Greeks, in the Western political tradition, to the end of the eighteenth century, political theory concerned itself mostly with what politics ‘ought to be’. Almost during the whole nineteenth century and the first half of the twentieth century, political theory dealt, largely, with the nature and structure of government as a decision-making body. Then came a period when some of the American political scientists, under the influence of scientism, declared the demise of political theory as against those, mostly the British, the traditionalists, who advocated the value of political theory as a guide to political action. With the fast changing complexion of the world, political theory, has happily, survived the onslaughts of ‘the end of ideology’, and ‘the end of history’ debates. The concern of political theory, today, has been both the nature and proper ends of the government.

Political theory, as a disciplined investigation of political phenomena, is closely related to *why* and *what* of the institutions of the government, and the whole political system in which the government operates. To study political theory is to study the context in which it exists. We need to understand political theory within the realm of the political system, the political system within the realm of the social system, the social system within the realm of the period it exists, and in the environment it breeds.

The contents of political theory include understanding of what is really ‘political’, to link ‘political’ with what is ‘non-political’, and to integrate and coordinate the results of the numerous social sciences for knowing its own nature. Its scope is not limited to what it constitutes, but to what exists in the periphery and beyond.

Suggesting that the task of defining what is political is a continual one, Sheldon Wolin (*Politics and Vision* 1960) includes the following in the contents of political theory:

- (i) a form of activity centering around the quest for competitive advantage between groups, individuals, or societies;
- (ii) a form of activity conditioned by the fact that it occurs within a situation of change and relative scarcity;
- (iii) a form of activity in which the pursuits of advantage produce consequences of such magnitude that they affect in a significant way the whole society or a substantial portion of it.

1.3 NATURE OF POLITICAL THEORY

To know clearly as to what political theory really is, is to know its nature. Political theory is said to be political thought, and that is why there are some who describe political theory as denoting the works of numerous thinkers. But it is not what political thought is. There are others who equate political theory with political philosophy. It is true that political theory constitutes a part of political philosophy, but it is only a part; a part can never be a whole, and as a part, it remains only a part, a part of the whole. There are still others who after incorporating science in politics, prefer to call it Political Science. But those who insist on a science of politics, refuse to admit

if there ever had been a history of politics, or a culture of politics. Brecht, therefore, would say, "... political philosophy, political theory, and political science are no longer interchangeable terms...., with the emphasis placed on science and a distinction from political philosophy, political science now refers to efforts limited by the use of scientific methods, in contrast to political philosophy, which is free to transcend these limits. Likewise political 'theory' when opposed to political 'philosophy' now is usually meant to refer *scientific* theory only in distinction from political philosophy. Any speculative thesis that is proposed by political philosophy can be part of (scientific) political theory only as a "working hypothesis", an auxiliary in the scientific kit, and not ... or not yet.... as a piece of scientific knowledge."

Political theory is not all history, but it is history in the limited sense; it is not all philosophy, but it is philosophy in some degree; it is not all science, but it is science in so far as it responds to reason. A political theorist has to be a part historian, a part philosopher, and a part scientist.

1.3.1 Political Theory as History

That political theory is history has been emphatically advocated by scholars like George Sabine, but all history is not political theory just as all political theory is not history. Political theory without history is a structure without a base. In studying and analysing politics, what we learn to understand is a political tradition, and a concrete way of behaviour. It is, therefore, proper that the study of politics should essentially be a historical study. History, we should know, is more than the tale of the dead and the buried; it is a storehouse of experience and wisdom; successes and failures, of what has been achieved, and what has been lost. It is the sum-total and simultaneously the formation-head of a new development, something, as Professor L.S. Rathore says, "eternally significant and instructive, inseparably linked with contemporaneity in the perpetual progress of mankind." "Ignore history", he warns, "and the delight of political theory is never to be retrieved."

Political theory as history defies what has lost its value. No one cries now that the state has been a divine creation or the result of a contract in the state of nature. As history, political theory conserves what has significance and helps posterity to cherish it for a long time to come. Concepts such as justice, liberty, equality, obligation, as evolved through the annals of time, are being held high by political theory today and shall continue to be so in future. Indeed, history never repeats, but it can hardly be ignored. In the attempt to divorce itself from history, political theory loses its own significance, for there can be no fruits without roots as Seeley had said long ago. It is through history that political theory explains what is what. One can never understand a text without its context. Plato's communism was significantly different from what is claimed to be Marx's communism, and one can understand communism of each by understanding the history of their respective times. It is one's age that prompts and propels one's political theory: history shapes and reshapes political theory. How can, then, political theory ignore its one aspect, the historical aspect? Sabine writes that great political theory excels both in "an analysis of a present situation and in suggestiveness for other situations". As such, "a good political theory", Professor S.P. Varma (*Modern Political Theory*, 1987) writes, "even though it is the outcome of a peculiar set of historical circumstances, has a significance for all times to come. It is exactly this universal character of political theory which makes it respectable". (See George H. Sabine, "What is Political Theory?" *Journal of Politics*, Vol. I, No. 1, February 1939).

Political theory is history in the sense that it seeks to understand the time, the place and the circumstances in which it evolves. If it ignores its historical context, it loses its strength, its focus and its message. Any political theory has to have facts as the basis (the factual-historical factor

as Sabine would say), circumstances in which it develops (the causal factor as Sabine describes it), and the message, i.e., political theory (the valuational factor, as Sabine would insist). Political theory is not merely or only history (the statement of facts on which it works and has worked in the past, i.e., history), it is a science in so far as it is not understood in isolation, and also a philosophy in so far as it motivates.

1.3.2 Political Theory as Philosophy

That political theory is a philosophy has been very well enunciated by scholars like Leo Strauss, ("What is Political Philosophy?" *Journal of Politics*, XIX, August 1967), but all philosophy is not political theory as all political theory is not philosophy. Philosophy, as an abstract study encompassing the whole universe in general, and morals, norms, and values in particular, is the sum-total of general laws governing the whole world. It has served political theory well through the ages as its valuational factor, as Sabine has said. Philosophy, as Kant says, has answered three questions: "What can I know?" "What must I do?" and "What can I hope for?" and this is what makes philosophy a lodestar of life. Without philosophy, no political theory can ever hope to exist; without an eye on future, no present can ever afford to stay as no present stands without its past.

Political theory is a philosophy, for it not only seeks to know the nature of things but also attempts to explain as to why things really exist. One understands an action or a thought only by evaluating it. Evaluation is a part of understanding. Philosophy as distinct from theory is a 'quest for wisdom' or as Strauss holds the view, "quest for universal knowledge, for knowledge of the whole". Political theory as philosophy is "the attempt truly to know both the nature of political things and the right, or the good, political order" (Strauss). Politics is not what one assumes or opines. In fact, a political theorist is expected to possess more than an assumption or an opinion; he has to have knowledge. Philosophy emerges when opinion/assumption attains the heights of knowledge, and that is what exactly is the task of political theory. Political theory as philosophy is an "attempt to replace opinion/assumption about the nature of political things by knowledge of the nature of political things" (Strauss).

Values, Strauss believes, are an indispensable part of political theory as they are, of philosophy. Every political philosopher has to be a teacher in his own right: he must profess; he must teach; he must persuade. Professor Varma, therefore, writes that the object of persuasion is always there before the political theorist. "What some of the modern writers have described as "the folk-lore of political philosophy", or mere 'ideology', is vital for the understanding of political theory." Political theory not only explains, but also affects, favourably or adversely. Evaluational aspects of a political activity are as important as its factual aspects. It is, in this sense, that *values* and *facts* form an integral part of any political theory.

1.3.3 Political Theory as Science

That political theory is a science has been forcefully emphasised by scholars from Arthur Bentley (*The Process of Government*, 1908) to George Catlin (*The Science and Method of Politics*, 1927); David Easton (*The Political System*, 1953) and Robert Dahl (*Modern Political Analysis*, 1963); but all science is not political theory, just as all political theory is not science. Political theory is not science in the sense Chemistry or Physics or Mathematics is a science. It is not as exact a science as these natural or physical sciences are, because there are no universally recognised principles, no clear cause-effect relationships, no laboratories and no predictions are made in political theory the way these are found in natural and exact sciences.

It is a science in so far as it admits concepts and norms which are both observable and testable, and in so far as it responds to the requirements of reason and rationalism. The American social science researchers in general, and the Behaviouralists in particular, sought to create a science of politics and in the process, indulged in what may be called ‘reductionism’. Political theory is a science in so far as it can, and in fact, is applied to a social gathering and the definitive rules of the exact sciences are applicable within the limitations as in any social science. Political theory as a science is only a social science. It is a science in its methodology, in its approach and in its analysis. To that extent, it is a science, a prime science as Aristotle had described it. It is a science in so far as its conclusions are drawn after ‘study’, ‘observation’, ‘experiments’, features which go along with any normal definition of science. There is no need to go a long way to make a ‘science’ of politics, and to find ‘techniques’, and ‘tools’ to make politics an exact science, no matter whether there remains, in the process, any political theory or not. The role of science in political theory should be limited to the extent that it helps understand a political phenomenon, and to that extent, science should have an entry in the realms of political theory. Political theory admits objectivity in association with subjectivity, facts in relation to values, research together with theory. Political theory as science generates neutral, dispassionate and objective knowledge (See, Colin Hay, *Political Analysis*, 2002).

There are limits of social sciences. In contrast, the rules of the game (that of the exact sciences) do not change with time. The laws of physics, for instance, can be assumed to pertain to all situations at all times – past, present and future. But this is not true of the social sciences. “The nature of the ‘economic’ and the ‘political’ is,” Colin Hay says, “different after Keynes and Marx in a way that the ‘physical’ and the ‘natural’ is not after Newton and Einstein”. We must remember that (i) “Social structures, unlike natural structures, do not exist independently of the activities they govern”, (ii) “social structures, unlike the natural structures, do not exist independently of the agent’s conceptions of what they are doing in their activity.” (iii) “social structures, unlike natural structures, may be only relatively enduring.” (See R. Bhaskar, *The Limits of Naturalism*, 1979). This is where the social sciences are different from the natural sciences. The limits of political theory are worked out within the ethics of political analysis.

1.4 POLITICAL THEORY: GROWTH AND EVOLUTION

Political theory has, in the West, passed through different stages. There was a time when, during the ancient Greek and the medieval period, political theory would concern itself with identifying the ethical goals of the state, i.e., the objectives which the state would cherish to achieve. Both Plato and Aristotle would insist on the functions of the state to establish justice or give the individual, a good life. The medieval political theory associated as it was with religion, demanded of the state to prepare and train the individual to seek a place with god. The early modern age political theory sought to discuss theories of the origin of the state, followed by philosophers with whom the organisation and functions of the state were major concerns of the state. The mid-twentieth century political theory dealt largely with the institutions of the state, making the concept of power to be the basic theme of the state.

The growth and evolution of political theory can be elaborated in three major streams. These are: (i) classical political theory, (ii) modern political theory, and (iii) contemporary political theory. The classification of political theory into classical, modern and contemporary is, indeed, thematic. What divides the classical or the traditional from the modern is the element of *science* in the latter and its absence in the former. Philosophy dominates the classical tradition of political theory whereas science and its methodology dominate the modernist. As an exception, there may be an Aristotle and a Thomas in the ancient and the medieval periods of the West who

might have emphasised the science element while discovering the laws of public life, and there may be a Strauss in our times who might see the utility of philosophy in the study of politics. Likewise, modern political theory and contemporary political theory are somewhat different, at least in their essence. Modern political theory is empirical and scientific, whereas contemporary political theory is philosophical and historical. Contemporary political theory attempts to synthesise the essence of both the classical and modern political theory.

1.4.1 Classical Political Theory

Classical political theory emerged in the ancient Greek culture, in the writings of Socrates, Plato and Aristotle, and continued until the beginning of the nineteenth century. The classical paradigm, according to Sheldon Wolin, relating to political theory, consisted of the following:

- (i) Classical political theory aimed at acquiring reliable knowledge about matters concerning the people, a philosophical pursuit to establish a rational basis for belief; a politically inspired pursuit to establish a rational basis for action.
- (ii) It sought to identify the political with the public, the common: the Greek *polis*, the Roman *res publica*, and the medieval age usage of *commonweal* – all denoted a sharing of what was common among the people as partners.
- (iii) Its basic unit of analysis was always the political whole, the body-politic, the inter-related structure denoting activity, relationship, and belief: *activity* relating to ruling, warfare, education, religious practices; *relationships* involving those between social classes, between the rulers and the ruled, between the superiors and the inferiors; *belief*, such as justice, equality, natural law and the like.
- (iv) Relating itself to the political whole, the classical political theory laid emphasis on order, balance, equilibrium, stability and harmony. That is why, it, in the process, dwelt on terms such as conflicts, anarchy, instability and revolution.
- (v) Classical political theory laid stress on comparative studies for supplying a more comprehensive explanation of political phenomena and a wider range of alternatives. That was the reason that classical political theory developed a classification of political forms (e.g., monarchy, aristocracy, democracy, and their variants) and a set of concepts such as law, citizenship, justice and participation so as to explain differences and similarities between them.
- (vi) Classical political theory had been, largely, ethical in perspective. Its response was rooted in a moral outlook: Plato advocated the ideal state; Aristotle, a state that can achieve the best possible; St. Augustine, the city of god. Classical political theory undertook to appraise the various constitutional forms, to determine the form most suitable for a particular set of circumstances, and to decide, if any, absolutely the best form possible.
- (vii) Classical political theory, by projecting the best form of polity as the ideal, revealed the boldness and radicalism of classical theorising, though some dismissed such an attempt as merely utopian and visionary.

1.4.2 Modern Political Theory

Modern political theory encompasses in itself a host of diverse trends such as the institutional-structural, scientific, positivistic, empirical, behavioural, post-behavioural and the Marxist. These

trends dominated the greater part of the twentieth century. Classical political theory was, by and large, philosophical, normative, idealistic, and to an extent, historical; modern political theory, on the other hand, can be classified into two opposing divisions: the liberal including the individualistic, the elitist and the pluralist on one hand, and the Marxist, including the dialectical-materialist on the other.

Modern political theory, beginning with the liberal stance from the 15th-16th centuries and later expressing itself in the institutional-positivist, empirical-behavioural and post-behavioural trends, dubbed the whole classical tradition as dull. Their advocates, from Merriam and Key to Dahl, Casswell and Easton, sought to lay stress on the ‘present’ rather than on the ‘past’; the ‘living’ rather than the ‘dull’; the ‘immediate’ rather than the ‘remote’; the ‘objective’ rather than the ‘subjective’; the ‘analytic’ rather than the ‘philosophic’; the ‘explanatory’ rather than the ‘descriptive’; the ‘process-oriented’ rather than the ‘purpose-oriented’; the ‘scientific’ rather than the ‘theoretical’. Modern political theory with its western liberal-democratic shade attempted to build a science of politics; objective, empirical, observational, measurable, operational and value-free. Its features can be summed up as under:

- (i) Facts and data constitute the bases of study. These are accumulated, explained and then used for testing hypothesis.
- (ii) Human behaviour can be studied, and regularities of human behaviour can be expressed in generalisations.
- (iii) Subjectivity gives way to objectivity; philosophical interpretation to analytical explanation; purpose to procedure; descriptive to observational; normative to scientific.
- (iv) Facts and values are separated; values are so arranged that the facts become relevant.
- (v) Methodology has to be self-conscious, explicit and quantitative.
- (vi) Inter-disciplinary synthesis is to be achieved.
- (vii) “What it is” is regarded as more important than either “what it was” or “what it ought to be or could be”.
- (viii) Values are to support facts, substance to form, and theory to research, and status quo to social change.

At the other end of modern political theory stands the Marxist political theory, also called the ‘dialectical-materialist’ or the ‘scientific-socialist’ theory. It describes the general laws of motion in the development of all phenomena. Its importance lies in change through the struggle between opposites; between relations of production and productive forces with a view to have a better mode of production; development from the lower stage to the higher one; from, say, capitalistic to socialistic and from socialistic to communistic. It is a theory which provides a systematic and scientific framework of analysing and explaining social and political change. It is a method of interpreting the past, understanding the present, and projecting the future.

1.4.3 Contemporary Political Theory

Highlighting the characteristic features of contemporary political theory, David Held refers to the following:

- (i) Contemporary political theory has been viewed as the history of political thought, involving an attempt to examine the significance of text in their historical context.
- (ii) It has sought to revitalise the discipline as a form of conceptual analysis, and in the process, finding political theory as a systematic reflection upon, and classification of, the meanings of the key forms and concepts such as sovereignty, democracy, justice and the like.
- (iii) It has been developed as the systematic elaboration of the underlying structure of our moral and political activities; the disclosure, examination and reconstruction of the foundations of political value.
- (vi) It has been revitalised as a form of argument concerned with abstract theoretical questions and particular political issues.
- (v) It has been championed as a critique of all forms of foundationalism, either the post-modernists or the liberal defenders. It, accordingly, presents itself as a stimulant to dialogue and to conversation among human beings.
- (vi) It has been elaborated as a form of systematic model building influenced by theoretical economics, rational choice theory and game theory; it aims to construct formal models of political processes.
- (vii) It has developed as the theoretical enterprise of the discipline of Political Science. As such it attempts to construct theory on the basis of observation and modest empirical generalisations.

Contemporary political theory is mainly concerned with the explanation, investigation and ultimately, with the comprehension of what relates to politics: concepts, principles and institutions. Brian Barry (*Political Argument*, 1965) says that political theory attempts to “study the relation between principles and institutions”. John Rawls (*A Theory of Justice*, 1971) thinks that political theory can seek truth alongside the scientific-empirical methods. Robert Nozick (*Anarchy, State and Utopia*, 1974) believes that contemporary political theory can solve many political problems by combining the classical ends with empirical means. The consensus, for example, (John Plamenatz, *Democracy and Illusion*, 1973) is that empirical analysis and reflections of a logical and moral character can co-exist in political theory.

David Held sums up by saying that contemporary political theory is: “first, the *philosophical* concerned, above all, with the *conceptual* and *normative*; second, the *empirical-analytic* concerned, above all, with the problems of *understanding* and *explanation*; third, the *strategic*-concerned, above all with an assessment of the feasibility of *moving from where we are to where we might like to be*. To these, one must add, the historical, the examination of the changing meaning of political discourse – its key concepts, theories, and concerns – over time.”

1.5 WHY STUDY POLITICAL THEORY?

Political Theory is no easy and simple enterprise. It is an elaborate and a consistent exercise, aiming to achieve a better world of politics. Philosophy and science have no privileged cognitive status in political theory. All political philosophy makes claims about the operation of the political world – claims which require detailed examinations within the model of enquiry which go beyond those available to philosophy alone. All political science raises normative questions which a dedication to the normative-explanatory does not eliminate. Political theory requires the philosophical analysis of concepts and principles, and the empirical understanding of political

processes and structures,. Neither philosophy nor science, in their individual capacity, can easily replace the other in the projection of political theory. This is so because systematic political knowledge embodying generalisations about patterns of political life is possible, and the efforts to achieve it are, rather should be, the major tasks of political theory.

Political theory is more than a discipline; it is an intellectual exercise as also an activity. It is needed as a philosophy just as it is needed as a science. Germino very aptly writes: “Turning his back to distortions, over-simplifications, sloganeering and demagoguery, the political theorist speaks out with honesty on the perpetual problems confronting man and his existence in society. Political theory as a philosophy will always attempt to find out the truth in every situation, and as a science, will always reach the truth.” Plamenatz holds the view that political theory is not fantasy or the parading of prejudices, nor an intellectual game. Still less it “is a linguistic analysis”, but, “is an elaborate, rigorous, difficult and useful understanding”, and “as much needed as any of science”.

1.5.1 Tasks Before Political Theory

There are definitive tasks before political theory. As a science, it has, as David Held explains, the following functions:

- (i) “To identify the significant political variables and describe their mutual relations. To ensure this, an analytic scheme is essential. This would render research meaningful and arrange facts leading to generalisations.
- (ii) The existence, and wide acceptance of and consensus by workers in the field, on a theoretical framework, would enable the results of the various researches to be compared. It would help in the verification of conclusions, drawn up by the earlier researches and may also reveal the areas of research which require empirical work.
- (iii) Finally, the existence of a theoretical framework, or at least, a relatively consistent body of concepts, making research more reliable.”

As a philosophy, political theory has to go beyond science. It has to *study*, as a science, a phenomenon, but as a philosophy it has to *understand* the phenomena. It has to study a *part* together with the *whole*. Its study is not confined to knowing clearly the present, but it has to extend its area to know as for what the present exists. Accordingly, political theory has to rise above the study of *status quo*; it has to go beyond the present, deep into the realms of future.

The tasks before political theory are enormous and differential. Some of these are:

- (i) With Rawls, political theory, as a branch of moral philosophy, has been described as essentially normative. Accordingly, the task of political theory is not only to develop general principles for evaluating the social structure, but also to design appropriate institutions, procedures, and policies (See Ackerman, *Social Justice in the Liberal State*, 1980; Barry, *A Treatise on Social Justice*, 1989; and Beitz, *Political Theory and International Relations*, 1979).
- (ii) Political theory is primarily contemplative and a reflective enquiry concerned to understand human existence in general.

So understood, political theory is neither a branch of moral philosophy nor normative in its orientation (See Taylor, *Philosophical Papers*, 1985; MacIntyre, *After Virtue*, 1981; Connolly,

Political Theory and Modernity, 1988)

- (iii) Political theory is primarily concerned with articulating the self-understanding of a particular community, and that it is necessarily municipal in its scope and interpretive in its orientation (See Walzer, *Sphere of Justice*, 1983).
- (iv) Political theory needs to be tentative, exploratory, conversational, open-minded, ironic and sensitive (See Rosty, *Contingency, Irony and Solidarity*, 1989).

1.5.2 Significance of Political Theory

The significance of political theory has been under a cloud by scholars, mostly of the behaviouralist school. John Plamenatz, in his essay entitled “*The Ease of Political Theory*” does not agree. As he puts it: “Political philosophy (meaning here political theory) is dead, I have heard man say, killed by the logical positivists and their successors who have shown that many of the problems which exercises the great political thinkers of the past were spurious, resting in confusions of the sight and the misuse of the language.” According to him, political theory has its uses which may be stated as under:

- (i) Political theory is a serious and difficult intellectual activity and the need for this kind of exercise, in modern times, is indeed much greater.
- (ii) It is a study of values, norms and goals, though it does not produce the same kind of knowledge as empirical political theory does.
- (iii) It is a study of theories which have, historically, powerfully influenced men’s images of themselves, and of society, and profoundly determined their social and political behaviour.
- (iv) It has an element of socially conditioned ideology. This ideology may be an illusion, and yet, unless man had these illusions, the course of social development would not have been what it is and
- (v) It produces a coherent system of political principles which can guide us to an appropriate political action. Its political theorists, as Plamentaz says, “do not, like honest shopkeepers, display a large variety of goods, describing them all accurately and leaving it to the customer to choose what pleases him most. They produce a hierarchy of principles, and try to explain how men should use them to make their choices... They are not mere purveyors of ideas; they are the preachers and the propagandists.”

C. Wright Mills (*The Marxists*, 1962) writes, “Political philosophies are intellectual and moral creations. They contain high ideals, easy slogans, dubious facts, crude propaganda, and sophisticated theories.” He describes the significance of political theory, saying:

- (i) “Firstly, it is itself a social reality; it is an ideology in terms of which certain institutions and practices are justified and others attacked; it provides the phrases in which demands are raised, criticisms made, exhortations delivered, proclamations formulated, and at times, policies determined.
- (ii) Second, it is an ethic, an articulation of ideal, which, at various levels of generality and sophistication, is used in judging man, events and movements and as goals and guidelines for aspirations and policies.

- (iii) Third, it designates agencies of action, of the means of reform, revolution and conservation. It contains strategies and programmes that embody both ends and means. It designates, in short, the historical levels by which ideals are to be won or maintained after they have been won.
- (iv) Fourth, it contains theories of man, society, and history, or at least assumptions about how society is made up of, and how it works. It tells us how to find out where we stand, and where we may be going.”

Political theory aims at comprehending the world in which it comes into being. It tries to identify its salient character, to understand its crisis and it assesses its capacity to resolve that crisis. Political theory contributes to the capacity of man to understand himself and after himself, his polity and his history. It exhorts man to take command of his own common affairs. In short, it explains, illuminates, understands, evaluates, enlightens and alters.

By way of conclusion, one may say that political theory builds a model of the highest political order, serves as a guide to the systematic collection and provides an analysis of political data. As a science, political theory describes political reality without trying to pass judgement on what is being depicted. As a philosophy, it describes rules of conduct which help secure good life for all.

1.6 SUMMARY

Political theory is a theory that is related to what is ‘political’, the philosophy and science of something that is ‘political’. Sabine defines political theory, broadly, as anything about politics or relevant to politics. A more comprehensive definition of political theory has been given by Bluhm. He says, “... political theory is an explanation of what politics is all about, general understanding of the political world, a frame of reference. Without one, we should not be able to recognize an event as political, decide anything about why it happened, judge whether it was good or bad, or decide what was likely to happen next....”.

Political theory is history in so far as it is based on facts; it is philosophy in so far as it evaluates phenomenon; it is science in so far as it explains things scientifically.

Political theory has grown from its normative past to its scientific present. It looks forward to being a synthesis of history, philosophy and science, and of normativism and empiricism.

Political theory is not merely an illusion; it is not dead. Its relevance lies in its being a practical activity. It not only gives us a theory of man, society or history, but also gives us a theory of action – reform, revolution or conservation.

1.7 EXERCISES

1. What is meant by the word ‘theory’?
2. What is political theory?
3. What, in your opinion, should be the subject-matter of political theory?
4. Distinguish between political theory, political philosophy and political science.

5. Can we understand political theory without history?
6. How does political theory process the contents of Philosophy and Science?
7. Mention the important characteristics of classical political theory.
8. Explain the major features of modern political theory.
9. State briefly the broad themes with which contemporary political theory is concerned.
10. What, in your opinion, are the major tasks before political theory?
11. Describe briefly the significance of political theory.

UNIT 2 DEMOCRACY

Structure

- 2.1 Introduction: The Origins of the Democratic Ideal
- 2.2 Historical Background
- 2.3 The Conceptual Family of Democracy: Autonomy, Equality, and Liberty
- 2.4 Justifications for Democracy: Intrinsic and Instrumental
- 2.5 Democracy: Procedural and Substantive
- 2.6 Types of Democracy: Representative Democracy and its Critics, Participatory Democracy, Deliberative Democracy, Social Democracy and Cosmopolitan Democracy
- 2.7 Summary
- 2.8 Exercises

2.1 INTRODUCTION: THE ORIGINS OF THE DEMOCRATIC IDEAL

In 1992, 2500 years of democracy were enthusiastically celebrated all over the world. This was an unusual celebration because, while anniversaries of statesmen, revolutions and the founding of nations are quite commonly celebrated, no other political ideal has ever been celebrated in this way. Also, democracy in the modern world is quite different from democracy as it was practised in ancient Greece 2500 years ago. The democratic ideas and practices with which we are here concerned belong to the modern world, but it would be useful to briefly note the chief features of democracy in the city-state of Athens - widely considered to be the most stable, enduring and model form of democracy in Greece - in ancient times.

The word democracy itself is of Greek origin. The Greek word *demokratia* is a combination of the words *demos* (meaning the people) and *kratos* (meaning rule). This gives democracy its meaning as a form of government in which the people rule, whether directly - through personal participation - or indirectly, through elected representatives. The main difference between ancient and modern democracies, of course, is in the way in which 'the people' were defined. In the ancient Greek polity, the 'demos' was rather restrictively defined, and notably excluded three main categories of persons: the slaves, women, and *metics* (the foreigners who lived and worked in the city-state). This meant that barely a quarter of the total population were members of the citizen body. Nevertheless, the direct participation of a 40,000 strong citizen body was no mean achievement.

The actual career of Athenian democracy was fairly troubled, as aristocrats, generals and demagogues made periodic attempts to control power. Their contempt for the poor - described as 'the mob' or 'the rabble' - finds echoes in the modern world, where democracy was achieved through struggle, and against considerable odds. Indeed, the struggle for democracy everywhere and throughout history, has been simultaneously a struggle against political inequality based on, and justified by, inequalities of birth and wealth.

At its best, however, Athenian democracy conveys an impressive picture of direct participation

by citizens in the assembly which deliberated and took decisions on all policy matters, and met on as many as 300 days in the year. Citizens also participated directly in the government, as they were chosen by lot to serve in official administrative and judicial positions.

2.2 HISTORICAL BACKGROUND

Democracy has been described as one of the “characteristic institutions of modernity”, and as such it was the result of a complex and intertwined processes of ideological, social and economic change. In Britain, this change was signalled by the Industrial Revolution that began in the middle of the eighteenth century, while in France and America it was launched by the political revolutions in the last quarter of the same century.

Britain is regarded as the first modern democracy because, in the aftermath of the Civil War in the seventeenth century, royal absolutism was brought to an end, and powers were transferred from the crown to the two houses of parliament, of which one, the House of Commons, was an elected chamber. Though the franchise continued to be highly restricted - based on ownership of property - control of the executive had effectively passed to a loose coalition of the aristocracy and the bourgeoisie, such that political conflict was, henceforth, peacefully conducted between the competing elites. It was only in the nineteenth century that the expansion of suffrage took place, beginning with the enfranchisement of the upper middle classes in the Reform Act of 1832. This was followed by the gradual extension of the franchise to the working classes, largely as a response to the pressure of political struggles by the working-class and radical movements like Chartism. By the last quarter of the nineteenth century, and three Reform Acts later, about two-thirds of the male population stood enfranchised. It was, however, not until 1929 that women secured the right to vote, and universal adult suffrage was fully achieved only in 1948, when plural voting was abolished in favour of the principle of one-person one-vote.

In France, the more radical tradition of democracy was inaugurated by the Revolution of 1789, with its stirring call of Liberty-Equality-Fraternity, and its emphasis on the principle of popular sovereignty. The Declaration of the Rights of Man and Citizen proclaimed the rights of personal liberty, freedom of thought and religion, security of property and political equality as the natural and imprescriptible entitlements not merely of French citizens, but of ‘mankind’ at large. Initially, the revolutionary constitution of 1791 established something akin to universal male suffrage, and even the property requirement for the right to vote was low enough to exclude only domestic servants, vagrants and beggars. Thus, four million male citizens won the right to vote in 1791, but four years later, more restrictive property requirements were introduced, bringing down the number of voters to just 100,000 prosperous taxpayers. Universal male suffrage was reintroduced only after the revolution of 1848, and universal adult franchise only a century later in 1946, when women won the right to vote.

In the United States of America too, the advance of democracy in the aftermath of the Civil War was restricted to white men, and the enfranchisement of women, as also of indigenous and black people was not achieved until the twentieth century. Nevertheless, the Declaration of Independence (1776) was the document that simultaneously effected the legal creation of the United States of America, and that of democracy in that country. Though slavery continued to be practised until the mid-nineteenth century, the American Revolution did give the modern world its first democratic government and society. Hereditary power – of monarchy and aristocracy alike – were overthrown as a republican government, in which all citizens were at least notionally equal, was put in place. An important institutional mechanism of the separation of powers between the three branches of government - the executive, the legislature and the

judiciary - was also effected, making it difficult for any one branch to exercise arbitrary or untrammelled power.

The political ideas of the Levellers, John Locke and Tom Paine, and documents like the 'French Declaration of the Rights of Man (1789)', and the 'American Declaration of Independence (1776)', expressed the important ideas and principles that have underpinned democracy in the modern world. These writings and documents are also often seen as charters of liberalism, and liberalism was indeed an important handmaiden of democracy at this time. This is why it is not surprising that the beginnings of democratic theory are distinguished by a strong emphasis on the concept of liberty, rather than the concept of equality with which it later came to be identified. As their name indicates, the Levellers in seventeenth century England advanced a radical conception of popular sovereignty and civil liberties. Interrogating property ownership as the basis for political rights, they advocated a nearly universal male suffrage, though - echoing ancient Athens - servants and criminals, apart from women, were to be excluded.

John Locke's *Second Treatise on Government* (1681) is an important source book of classical liberal ideas. In this work, Locke presents an account of a hypothetical state of nature, governed by a Law of Nature, which mandates that no individual ought to harm another in life, health, liberty or possessions. The natural equality of men - stemming not from any equality of endowment in terms of virtue or excellence, but from the fact that they are all equally creatures of God - gives them the equal right to freedom. Though this state of nature is governed by a Law of Nature that endorses these rights, there is no agency to administer and enforce this law. Therefore, to prevent others from invading their rights or to exact retribution for such invasions, men will enforce the law as *they* interpret it. In a state of nature that is largely characterised by peace and mutual assistance, the absence of such an agency contains endless possibilities for conflict, and these are the chief inconveniences of the state of nature, which is therefore transcended through a social contract. This social contract, founded in the consent of every individual, is the basis of legitimate government. Civil law must now conform to the eternal rule that is natural law, and thus, the purpose of political society and of government is the preservation of the life, liberty and property of individuals (and Locke accordingly supplements this account with a defense of private property). If the government fails to discharge the purposes for which it was created, the people have the right to resist and replace it. It is this statement of the core principles of classical liberalism - individualism, popular sovereignty and limited government - that provided the foundation for liberal democracy.

These principles were also celebrated in the American Declaration of Independence (1776), which followed Locke in describing as natural and inalienable the rights to life, liberty and the pursuit of happiness (the last widely interpreted as an euphemism for property). The continued exclusion of slaves and women from the category of those who possessed such rights is only one example of the contradiction between the universalism of liberal principles and the selectivity of liberal practices.

The French Declaration of the Rights of Man (1789) reflected the republican spirit of Jean-Jacques Rousseau, in idealising citizenship by presenting individuals as public-spirited members of a community. For Rousseau, however, representative government simply was not good enough, and the only form of free government was direct democracy in which citizens would participate directly. Of course, Rousseau was aware that gross inequalities of wealth as well as large political communities were obstacles to popular sovereignty, while liberty, welfare and public education in the context of a small city-state provided the ideal conditions for democracy.

However, it has now come to be recognised that the link between liberalism and democracy is

not a necessary one. Liberal-democracy may be seen as a historically specific form of democracy, based on a culturally specific theory of individuation. It combines liberalism as a theory of the state with democracy as a form of government. As such, for societies that attach greater significance to the community than to the individual, the democratic part of liberal-democracy (such as free elections and freedom of speech) may be adopted without the liberal component. It has, thus, become possible today to speak not only of different paths to democracy, but also of different ways of being democratic, or even being “differently democratic”.

The twentieth century saw an unparalleled extension of democracy in terms of both its *inclusiveness* as well as its *spatial expansion*. Beginning with the extension of the suffrage to women in the older western democracies, and ending with the dismantling of apartheid in South Africa, democracy in the twentieth century became more inclusive. This phenomenon has been described in terms of “waves of democratisation”. The democratisation of many countries in Europe in the nineteenth century is viewed as the first wave of democratisation. The second wave is dated to the period following World War I, when many countries of Europe – including those of Scandinavia – became democratic. The third wave of democracy came after the Second World War, when new democracies were established in countries like Germany and Italy after the collapse of Nazism and Fascism; and following decolonisation in the 1950s and 1960s, democracy was eagerly adopted by most of the new nations of Asia and Africa. The fourth wave of democratisation saw a return to democracy in post-Communist Eastern Europe, as well as in many countries of Latin America that had turned their backs on democracy.

2.3 THE CONCEPTUAL FAMILY OF DEMOCRACY: AUTONOMY, RIGHTS, LIBERTY AND EQUALITY

The concept of democracy may be seen as a part of a conceptual cluster or a family of concepts, in which the concepts of rights, freedom and equality are most central. Underpinning these is the principle of individualism and individual autonomy as developed in the early liberal tradition, especially in the writings of Thomas Hobbes and John Locke. The principle of *autonomy* expresses the value that we attach to possessing control over our own individual persons, decisions and life-choices. Individuals are autonomous beings, capable of rational thought and, therefore, of determining what is good for them. However, while we are individuals acting for ourselves, we are also members of collectives or associations, and decisions taken in these affect our lives. Hence, we assert the right to participate in the making of those decisions, and this constitutes an act of self-determination as much as the decisions we make in our private lives about our career and other personal matters.

In classical liberal political theory, autonomy, freedom and equality form the cornerstone of the liberal theory of democracy. The principle of autonomy, along with the concept of *freedom*, suggests the importance of popular government. As in the writings of John Locke, government must guarantee the rights and personal liberty of the individual, and it is the job of the government to protect the individual's life, liberty and property from being undermined by other individuals and the state alike. It asserts that all individuals, by virtue of being human beings, equally possess these rights.

But how is equality to be achieved in the making of political decisions? Democratic theorists make a distinction between *prospective equality*, and *retrospective equality*. Prospective equality obtains when, in a decision that is to be made, every citizen starts off with an equal chance of influencing the outcome of the democratic process, and no persons or groups suffer particular

disabilities that prevent them from determining that decision. Retrospective equality is achieved if, in a decision that has already been taken, we can say that everyone equally determined that decision. Now, it is clear that in most situations it is hard to say this, unless the decision was unanimous. But since unanimous decisions are rather rare, decision by majority is the only procedure which satisfies the test of democracy. It does so because it fulfils the condition of prospective equality – viz., that everyone started off with an equal chance of determining the decision – and is also the best in terms of retrospective equality, because it may be said that more people favoured the winning alternative over all others.

Though freedom and equality form the cornerstone of the liberal theory of democracy, a greater emphasis on one or the other takes democracy in very different directions. Thus, if our starting-point is the principle of freedom, we would give the greatest importance to the rights and personal freedoms of the individual, and this might even lead us to argue that the state should play a limited and minimal role in society, and it should not impose on us any particular view of the good life or the perfect society. Freedom-centered views have led theorists to argue that it is illegitimate and wrong for the state to tax its wealthy citizens to provide free or subsidised public services for poorer citizens.

If, however, equality is the starting-point of our theory, we will argue that formal political equality is of little use, unless individuals really possess the capacities by which they can determine their life-plans. So, if we wish to extend the control people have over their own lives, we have to first remove the disadvantages that they suffer from on account of social and economic inequalities of caste or class.

2.4 JUSTIFICATIONS FOR DEMOCRACY: INTRINSIC AND INSTRUMENTAL

Democracy may be justified as having intrinsic or instrumental value. When we value democracy as a good in itself and for itself, we assert the intrinsic value of democracy. That is, we argue that democracy is valuable for its own sake, because it is the fairest way of giving expression to equality among citizens. On the other hand, democracy may also be valued instrumentally, or as a means to some other end. Thus, it may be argued that democracy is good because it fosters competition among political leaders and so gives us a better choice of leadership. Or it could be said that democracy is good because it makes everyone feel that they were a part of the decision-making process. Democracy may also be justified as a way of minimising the abuse of political power, by distributing it equally among citizens. Another instrumental justification for democracy is its role in human development, to the extent that it encourages people to take responsibility for their political lives.

Democracy may have instrumental value, but its intrinsic value derives from its moral superiority as a way of giving effect to political equality. If we view it as a way of arriving at decisions among a group of persons – whether citizens of a polity or members of a neighbourhood association or sports club – democracy is morally superior to any other way of arriving at decisions. This is so because the human race has not been able to devise any other way of arriving at decisions which are binding on all, and which takes everybody's interests into account. This implies, of course, that people are the best judges of their own interests, and that equal citizenship rights are necessary to protect those interests. However, even if individuals agree on the general purposes of their collective endeavour, they will almost certainly disagree about how to achieve it. Even if they shared the same view of what constitutes the common

good, individuals would surely hold different opinions of how to actually achieve that good. In such situations, democracy represents a fair moral compromise among people who live within the territory of the same state, but do not share a single conception of the good life.

It is precisely because unanimity is impossible that the best and the most practical procedure for arriving at a decision is the principle of majority rule. This is probably why Winston Churchill described democracy as “the worst form of government except for all the rest”. Though many people tend to equate the principle of democracy with the principle of majority rule, it is important to keep in mind that majority rule is only the most practicable and acceptable procedure for arriving at decisions in situations where people disagree. The moral value of democracy lies, not in the principle of majority rule, but in the principle of equality that underpins it.

2.5 DEMOCRACY: PROCEDURAL AND SUBSTANTIVE

In large and complex societies, it is not always possible for people to gather together to make decisions on each and every issue, as they did in the direct democracy of ancient Athens. This is why modern democracy works through representative institutions. People elect their representatives to a legislature or assembly, and these representatives are authorised to take decisions on behalf of those who elected them. Ultimate sovereignty, however, remains with the people, who can hold their representatives accountable, and refuse to re-elect them when the next election comes round. Representative government is almost synonymous with the idea of democracy today.

However, democracy should not be seen merely as a set of institutions – e.g., free and fair elections, legislative assemblies, and constitutional governments arising out of these. This view of democracy is described as *procedural* democracy, because it emphasises only the procedures and institutions of democracy. It fails to see that notwithstanding formal political equality, some citizens may be more equal than others, and may enjoy a greater voice than others in the determining of decisions. More often than not, it would be the poorer, less educated, and the socially disadvantaged citizens who would be unable to fully practice their democratic rights. Social and economic inequalities make it difficult for a formal participation to be effective. This is why theorists emphasise the importance of *substantive* democracy. This ideal suggests a society of truly equal citizens, who are politically engaged, tolerant of different opinions and ways of life, and have an equal voice in choosing their rulers and holding them accountable. The outcomes and decisions of the democratic process would then be mindful of the interests of all, rather than the interests of a few powerful groups and individuals in society. This also means that democracy is and should be the principle of organisation not only of government, but also the organising principle of all collective life in society.

We could argue, however, that this is not possible unless and until the background conditions for equality are met, because social inequality makes formal political equality relatively meaningless. Even the free exercise of the franchise, for example, may require freedom from caste superiors, from dominant landlords, or, in the case of women, from the male head of the household. This freedom may be curtailed when people do not have the power of independent decision-making or adequate access to relevant information; and, above all, when despite their exercise of the franchise, they are unable to get a responsive administration. In societies where there are minorities based on religion, language and ethnicity, the majority principle tends to work to the disadvantage of minorities, for they may be systematically outvoted, and may never have a real or equal opportunity to influence the outcome of the decision-making process.

2.6 TYPES OF DEMOCRACY

Representative Democracy and its Critics

Since direct democracy is not possible in large and complex societies, the mechanism through which people take part indirectly in government is through electing representatives to carry out their will. For early social contract theorists, such as Hobbes and Locke, representative government was a form of government authorised by the people to act on its behalf. For Rousseau, however, sovereign power over the state should rest in the hands of the citizenry and its “general will”, because the opinions and interests of representatives could never be identical to those of the electorate.

Be that as it may, today representative government – based on the majority principle – is considered the best way of giving effect to the democratic impulse. It has, however, two types of critics, those who consider it unrealistic (Schumpeter and the elite theorists) and those who consider it inadequate (participatory democrats, discussed in the next section). The Schumpeterian view of democracy projects this statement of the classical eighteenth century theory of democracy as an inaccurate account of what democracy is *really* about. To Joseph Schumpeter, the classical theory of democracy assumes – mistakenly – that sovereignty lies in the hands of the people who elect individuals to an assembly where their will can be carried out. Democracy is projected as an institutional arrangement for arriving at political decisions which realises the common good in this way. In reality, however, Schumpeter argues, democracy is not about popular sovereignty. It is not really the case that the primary task of democracy is to vest political power in the hands of a sovereign electorate, and its secondary task to elect leaders. On the contrary, the main purpose of democracy seems to be to elect leaders from among a given set of candidates, who compete with each other for the people’s vote. Leadership is the driving-force, the people merely give their endorsement to one or the other leader. This has been called the “realist” theory of democracy.

Participatory Democracy

The classical theory of participatory democracy is found in the writings of Rousseau and John Stuart Mill. Rousseau’s theory depends upon the participation of every individual citizen in political decision-making. The relationship between citizens is one of interdependence, such that each individual is equally dependent upon all the others viewed collectively as sovereign. Participation is important not only in decision-making, but also as a way of protecting private interests and ensuring good government. For Mill, as for Rousseau, participation has an educative function for citizens. Popular democratic government is Mill’s ideal polity, in which participatory institutions foster active citizenship and a public-spirited character. This is the mechanism through which the individual is made to take public interest into account and to make decisions guided by the idea of the common good, rather than by his own selfish interests. Thus, democratic institutions – especially local ones – are “a school of political capacity”.

In large and complex societies, direct participatory democracy is clearly impossible. Nevertheless, contemporary democratic theorists – such as Carole Pateman and Benjamin Barber – have argued in favour of participatory or “strong” democracy, in which the ordinary citizen is more fully involved in decision-making processes than is possible within the limits of representative democracy. This could take the form of strengthening local democracy, so that citizens are involved in community affairs and social movements. Advocates of participatory democracy generally follow Mill in attaching importance to civic education as a way of creating a more

active and politically engaged citizenry. Above all, they believe that political participation is central to the good life for human beings and that it helps to restrain the abuse of power by public officials.

Deliberative Democracy

Deliberative democracy values open and public deliberation on issues of common concern. It starts from the assumption of individuals as autonomous persons, but does not view the social relationships between these autonomous persons as relationships of conflict or interest. Rather, it sees people as relating to each other and seeking to influence each other through reasoned argument and persuasion. For advocates of deliberative democracy, persuasion is the best basis for political power, because it alone respects the autonomy of individuals and values their capacity for self-government. It also gives individuals control over an important aspect of their lives, and makes for greater and continuous accountability of political power. Unlike participatory democracy, which requires individuals to be constantly engaged in making decisions, deliberative democracy allows for a political division of labour between citizens and professional politicians, though citizens are involved in deliberation about public issues.

Social Democracy

Social democracy is a form of democracy that is based on a strong commitment to equality. Social democrats, therefore, support the idea of the welfare state based on redistribution. They believe in the liberal institutions of representative democracy, but wish to combine these with the ideal of social justice. To the extent that liberalism frequently takes the form of right-wing libertarianism – a belief in the unfettered freedom of the individual and the free market – social democracy is more egalitarian than liberalism. However, it is less radical than Marxian socialism and may be said to stand at the intersection of these two ideologies. Indeed, it has been said that social-democracy is more than democracy and less than socialism!

Social democrats argue that all individuals should get an equitable share of society's resources in order to realise their own plans of life. If poverty or disability or belonging to a minority are obstacles in this respect, then it is the duty of the state to remove such obstacles. Social democracy is thus particularly concerned with providing the conditions for the well-being of workers, women, the disabled, the elderly, members of cultural minorities, and so forth. It is basically interested in creating the conditions for equality, so that all citizens can enjoy their democratic rights to the same extent. It sees democracy as not only a form of government, but also a principle that should inform collective life in society as a whole.

Cosmopolitan Democracy

Cosmopolitan democracy is an idea advanced by political theorists in the context of globalisation. With the coming into being of forms of supranational organisation – such as the European Union – and with the advance of economic and cultural globalisation, it is believed that democracy must also respond to these challenges beyond the borders of the nation-state. The idea of cosmopolitan democracy is a response to this challenge. Though there is no single institution of global governance that has replaced the national state, this theory points to the global civil society being created by the phenomenon of "globalisation from below". The new solidarities being forged across national borders give rise to the notion of cosmopolitan citizenship. The environmental movement and the women's movement are two notable examples of this. As the world is getting more rapidly and closely connected through the communications and internet revolutions, the implications of these developments for democracy are uncertain. Do these

technological innovations make governments more or less accountable? Is it really possible for citizens to participate in them? For instance, though the majority of members of the World Trade Organisation (WTO) are developing countries, who represent a majority of the world's citizens, the WTO continues to be responsive to the more prosperous nations and their interests. How can this and other institutions of global governance be democratised? How can the proper conditions of cosmopolitan citizenship be realised?

2.7 SUMMARY

In this unit, we examined the historical evolution of democracy from ancient Athens to the modern world. We then proceeded to study democracy in relation to the family of concepts in which it is embedded, viz. autonomy, rights, liberty and equality. We examined two broad types of justification for democracy: intrinsic and instrumental. Drawing a distinction between procedural and substantive democracy, we also examined various types of democracy, including representative democracy (and its "realist" Schumpeterian critics), participatory democracy, deliberative democracy, social democracy, and, of vital concern for the future, cosmopolitan democracy.

2.8 EXERCISES

1. Discuss the meaning and nature of democracy.
2. Explain the evolution and growth of democracy in the 20th century.
3. Discuss various conceptions and types of democracy.
4. Explain various types of democracy.

UNIT 3 RIGHTS

Structure

- 3.1 Introduction
- 3.2 Rights: Meaning and Nature
 - 3.2.1 Rights, Claims and Powers
 - 3.2.2 Meaning of Rights
 - 3.2.3 Nature of Rights
- 3.3 Theories of Rights
 - 3.3.1 Theory of Natural Rights
 - 3.3.2 Theory of Legal Rights
 - 3.3.3 The Historical Theory of Rights
 - 3.3.4 The Social Welfare Theory of Rights
 - 3.3.5 The Marxist Theory of Rights
- 3.4 Framework of Rights
 - 3.4.1 Rights of the People
 - 3.4.2 Laski's Theory of Rights
 - 3.4.3 Theory of Human Rights
- 3.5 Summary
- 3.6 Exercises

3.1 INTRODUCTION

Rights are rightly called social claims which help individuals attain their best selves and help them develop their personalities. If democracy is to be government of the people, it has to exist for them. Such a democratic government can best serve the people if it maintains a system of rights for its people. States never give rights, they only recognise them; governments never grant rights, they only protect them. Rights emanate from society, from peculiar social conditions, and, therefore, they are always social. Rights are individuals' rights; they belong to the individuals; they exist for the individuals; they are exercised by them so as to enable them to attain the full development of their personalities.

3.2 RIGHTS: MEANING AND NATURE

The relationship between the individuals and the states has been an important question of political theory, one that has baffled, if not confused, political philosophers since ages. Political philosophers have debated as to who, whether the state or the individual, is more important and who owes what to whom. There are philosophers, Plato for example, who believe that the state alone can give justice and that the job of the individual is to do his duties to the best of his/her abilities and capacities. We call these philosophers, the idealists. There are others, John Locke for example, who hold the view that the state as a means exists for an end, and the end is the

individual, meaning thereby that individual rights are sacrosanct and inviolable. That the individuals have rights is a phenomenon of modern age as it began in the 15th-16th centuries' Europe. That these rights are guarantees against state absolutism and, therefore, they have their origin in society are things that became known in the modern age alone.

Rights belong to the individuals, and therefore, they are not of the state. Rights are individuals' rights, and, therefore, they are conditions necessary for their development. Rights are the products of our social nature, and as such, the result of our membership of the society.

3.2.1 Rights, Claims and Powers

Rights are indeed claims, but every claim is not a right. A claim is not a right if it is not recognised; it is not a right if it is not enforced. Claims which are not recognised are empty claims; claims not enforced are powerless claims. Claims become rights when they are recognised by society; they become rights when they are maintained and enforced by the state.

Rights are not merely claims, they are social claims. They are not claims, but they are in the nature of claims. What this means is that claims which are social in nature, alone are rights. Rights as social claims presuppose the existence of the society. There are no rights (i.e. social claims) where there is no society. To talk about natural rights in the state of nature, as the advocates of the social contract theory claimed, is only a misnomer. Rights as social claims are rights because they are social; exist in the society, because society exists and because society alone grants them and society grants them to those who are its members. Rights are social claims given to the individuals as members of the society and are in the form of rewards as a response to the duties the individuals have performed. Rights are social because their claims stand to strengthen the society, and accordingly, rights are never against society. There are no anti-social rights.

Rights as social claims have to have another requisite. They are to be maintained, enforced and protected. It is here that the institution of the state has a definite role to play. It is society and not the state, that rewards individuals after their having performed their duties, with their rights. The state maintains the framework of rights in the society by providing them to one and all; the state protects individuals' rights in their interests and for them against encroachments by executive authorities, other individuals and/or groups of individuals.

Rights are social claims; they are not powers. Rights and powers have to be distinguished. Nature has bestowed every individual with a certain amount of power to satisfy his/her needs. Power is a physical force; it is sheer energy. On the basis of mere force, no system of rights can be established. If a person has power, it does not necessarily mean that he has a right. He/she has a right as a member of the society – as a social being. An isolated person has no rights; what he/she has is energy, physical force, and process. As individuals, we have powers; as social beings, i.e. as members of society, we have rights. Likewise, as isolated individuals, we have no rights, and as social beings, we have no powers – no right to say or do or act the way we want.

Our existence as members of society alone ensures us rights. Rights are rights when they are recognized by others as such. They are, then, the powers recognized as being socially necessary for the individuals. To quote Hobhouse: "Rights are what we may expect from others and others from us, and all genuine rights are conditions of social welfare. Thus, the rights anyone may claim are partly those which are necessary for the fulfillment of the function that society expects from him. They are conditioned by, correlative to, his social responsibilities."

Rights arise from the individuals as members of the society. They arise from the recognition that there is an ultimate good which may be reached by the development of the powers inherent in every individual.

Rights are social claims of the individuals eventually recognised and lawfully maintained. Apart from society, there are no claims which individuals can ask for. Apart from the state, there are no individuals' rights whose protection can ever be expected. Society gives us rights and the state protects them.

3.2.2 Meaning of Rights

Rights are claims, social claims necessary for the development of human personality. They are not entitlements a person is possessed with. In ancient and medieval times, some people were entitled to enjoy privileges. But to these privileges nobody could give the name of rights. Rights are not privileges because they are not entitlements. There is a difference between rights and privileges; rights are our claims on others as are others' claims on us; entitlements on the other hand are privileges granted to some and denied to others. Rights are universal in the sense that they are assured to all; privileges are not universal because they are possessed by few. Rights are given to all without any discrimination; privileges are given to some, the selected few. Rights are obtained as a matter of right; privileges as a matter of patronage. Rights emanate in democratic societies; privileges are features of undemocratic systems.

Different definitions of rights touch but a partial aspect of what rights are. Jefferson's declaration that the men are endowed by their creator with certain inalienable rights was one which indicated the naturalness of rights, i.e., men have rights because they are, by nature, human beings. That men (including women) have rights or that they should have rights is a fact no one would like to dispute. But this fact does not state anything more or less than that. There is no definition stated in this fact. Holland defines rights as "one man's capacity of influencing the act of others, not by his own strength but by the strength of the society." His definition describes rights, as a man's activities blessed by the society which means that Holland is describing rights only as a social claim. That there are other aspects of rights in a definition of rights has not been given due place. Wilde, in his definition of rights gives a casual treatment to the social claim aspect when he says: "A right is a reasonable claim to freedom in the exercise of certain activities." Bosanquet and Laski, in their definitions of rights, include the positions of society, and state and man's personality, but they too ignore the important aspect of 'duty' as a part of 'rights'. Bosanquet says: "A right is a claim recognized by society and enforced by the state". According to Laski, "Rights are those conditions of social life without which no man can seek, in general, to be himself at his best."

A working definition of rights should involve certain aspects. Among these, the *social claim* aspect is one which means that rights originate in the society and, therefore, there are no rights prior to the society, above society and against society. Another aspect of rights is '*the development of personality*' aspect which means that rights belong to the individual and they are an important ingredient which help promote one's personality – this aspect includes the individual's right to oppose the government if the latter's action is contrary to the individual's personality. The definition of rights, furthermore, must include the state's role in the framework of rights. This aspect lays emphasis on the fact that the state does not grant rights, it only maintains them. Laski said that a state is known by the rights it maintains. Rights are rights because they are politically recognised. Rights are socially sanctioned claims in so far as they are preceded by duties an individual has as a member of society. Duties came before rights and not after them.

It is, in this sense that duties are prior to rights and it is what makes rights limited in their nature and in their exercise. There are no absolute rights: absolute rights are a contradiction in terms. The distinction between rights as 'liberties' and rights as 'claims' has become a matter of importance to social and political theory, as Raphael rightly asserts.

3.2.3 Nature of Rights

It is rather easy to identify as to what lies at the roots of rights on the basis of what has been hitherto discussed. The nature of rights is hidden in the very meaning of rights.

Rights are not only claims, they are in the nature of claims. Rights are claims but all claims are not rights. Rights are those claims which are recognised as such by the society. Without such recognition, rights are empty claims. Society is organised in character and an individual obviously cannot have any right apart from what the society concedes.

Rights are social; they are social in the sense that they emanate from society at any given point of time; they are social because they are never, and in fact, can never be, anti-social; they are social because they had not existed before the emergence of society; and they are social because they can not be exercised against the common good perceived by the society.

Rights, as social claims, create conditions necessary for the development of human personality. These conditions are created; they are made and they are provided. The state, distinct from society, creates and provides and makes these conditions. The state, by creating conditions, makes rights possible. It, therefore, lays down a ground where rights can be enjoyed. It is not the originator of rights, but is only the protector and defender of rights. It is not within the jurisdiction of the state to 'take' away the rights of the individual. If the state fails to maintain rights in the sense of conditions necessary for individuals' development, it forfeits its claim to their allegiance.

Rights are responses to the society where they exist. The contents of rights are very largely dependent upon the custom and ethos of society at a particular time and place. As the society and its conditions change, so change the contents of rights. It is in this sense, that we say that rights are dynamic. No list of rights which are universally applicable for all times to come can ever be formulated.

Rights are responses to what we do. They are in the nature of 'returns' or 'rewards'. They are given to us after we have given something to the society, to others. It is after 'owing' that we 'own'. Rights are not only the returns of our duties, but also they correspond to what we perform. Rights are the rewards given to us by others in response to the performance of our duties towards others.

Rights are not absolute in character. The welfare of the individuals as members of society lies in a compromise between their rights as individuals and the interest of the society to which they belong. A list of rights must acknowledge the fact that there cannot be such a thing as absolute as uncontrolled, for that would lead to anarchy and chaos in society.

3.3 THEORIES OF RIGHTS

There are numerous theories of rights which explain the nature, origin and meaning of rights. The theory of natural rights describes rights as nature; the theory of legal rights recognises

rights as legal; the historical theory of rights pronounces rights as products of traditions and customs; the idealistic theory, like the theory of legal rights, relates rights only with the state; the social welfare theory of rights regards rights as social to be exercised in the interest of both the individual and the society.

The development of rights as we have come to us had a modest beginning: civil rights with the contractualists; rights as the outcome of traditions, with the historicists, rights as ordained by law, with the jurists; political rights, with the democrats; social rights, with the sociologists and the pluralists; socio-economic rights, with the socialists and the Marxists; human rights, with the advocates of the United Nations. This explanation oversimplifies what our rights are and how they came to us.

3.3.1 Theory of Natural Rights

The theory of natural rights has been advocated mainly by Thomas Hobbes (*Leviathan*, 1651), John Locke (*Two Treatises on Government*, 1690) and J.J. Rousseau (*The Social Contract*, 1762). These contractualists, after having provided the social contract theory, hold the view that there were natural rights possessed by men in the state of nature and that these rights were attributed to individuals as if they were the essential properties of men as men. The contractualists, therefore, declared that the rights are inalienable, imprescriptable and indefeasible.

The theory of natural rights is criticised on many grounds. Rights cannot be natural simply because they were the possessions of men in the state of nature. There can never be rights before the emergence of society: the notion of pre-society rights is a contradiction in terms. If at all there was anything in the state of nature, they were mere physical energies, and not rights. Rights presuppose the existence of some authority to protect them. In the state of nature where no state existed, how can one imagine rights in the absence of a state: who would defend people's rights in the state of nature? The contractualists have no answer. To say that natural rights existed in the state of nature is to make them absolute or beyond the control of society. For Bentham, the doctrine of natural rights was 'a rhetorical non-sense upon stilts.' Laski also rejects the whole idea of natural rights. Rights, as natural rights, are based on false assumptions that we can have rights and duties independently of society. Burke had pointed out, rather eloquently, when he said that we cannot enjoy the rights of civil and uncivil state at the same time: the more perfect the natural rights are in the abstract, the more difficult it is to recognise them in practice.

Rights are natural, and not that there are natural rights, in the sense that they are the conditions which human beings need to realise themselves. Laski realises the significance of rights when he says that rights 'are not natural in the sense that a permanent and unchanging catalogue of them can be compiled, rather they are natural in the sense that under the limitations of a civilised life, facts demand their recognition.'

3.3.2 Theory of Legal Rights

The theory of legal rights or the legal theory of rights connotes the same sense. The idealist theory of rights which seeks to place rights as the product of the state can be, more or less, seen as another name of the theory of legal rights. Among the advocates of such theories, the names of Bentham, Hegel and Austin can be mentioned. According to them, rights are granted by the state, regarding rights as a claim which the force of the state grants to the people. The essential features of these theories, then, are: (i) the state defines and lays down the bill of

rights: rights are neither prior nor anterior to the state because it is the state which is the source of rights; (ii) the state lays down a legal framework which guarantees rights and that it is the state which enforces the enjoyment of rights; (iii) as the law creates and sustains rights, so when the content of law changes, the substance of rights also changes.

The theories which point out rights having originated from the state are criticised in numerous ways. The state, indeed, defends and protects our rights; it does not create them as the advocates of these theories make us believe. If we admit that the rights are the creation of the state, we will have to accept the view that if the state can give us rights, it can take them away as well. Obviously, such an opinion would make the state absolute. In that case, we would have only those rights which the state would like to give us.

3.3.3 The Historical Theory of Rights

The historical theory of rights, also called the prescriptive theory, regards the state as the product of a long historical process. It holds the view that rights grow from traditions and customs. The conservative Burke argued, while throwing his weight to the prescriptive theory, that the people have a right over anything that they exercise or enjoy uninterruptedly over a fairly long passage of time. So considered, every right is based on the force of long observance. As traditions and customs stabilise owing to their constant and continuous usage, they take the shape of rights. The theory has its origins in the 18th century in the writings of Edmund Burke and was adopted later by the sociologists.

The historical theory of rights is important in so far as it condemns the legal theory of rights. It is also important in so far as it denies the theory of natural rights. The state recognises, the advocates of the historical theory of rights argue, what (the rights including) comes to stay through long usage.

The historical theory of rights suffers from its own limitations. It cannot be admitted that all our customs result in rights: the Sati system does not constitute a right nor does infanticide. All our rights do not have their origins in customs. Right to social security, for example, is not related to any custom.

3.3.4 The Social Welfare Theory of Rights

The social welfare theory of rights presumes that rights are the conditions of social welfare. The theory argues that the state should recognise only such rights as help promote social welfare. Among the modern advocates of the social welfare theory, the name of Roscoe Pound and Chafee can be mentioned though Bentham can be said to be its advocate of the 18th century. The theory implies that rights are the creation of the society in as much as they are based on the consideration of common welfare: rights are the conditions of social good which means that claims not in conformity with the general welfare, and therefore, not recognised by the community do not become our rights.

The social welfare theory of rights is also not without its faults. It dwells on the factor of social welfare, a term too vague to be precise. The Benthamite formula ‘greatest good of the greatest number’ is different to different people. The theory turns out to be the legal theory of rights if, in the end, the state is to decide what constitutes ‘social welfare’. A critic like Wilde is of the view that ‘if rights are created by the consideration of social expediency, the individual is without an appeal and helplessly dependent upon its arbitrary will.’

3.3.5 The Marxist Theory of Rights

The Marxist theory of rights is understood in terms of the economic system at a particular period of history. A particular socio-economic formation would have a particular system of rights. The state, being an instrument in the hands of the economically dominant class, is itself a class institution and the law which it formulates is also a class law. So considered, the feudal state, through feudal laws, protects the system of rights (privileges, for example) favouring the feudal system. Likewise, the capitalist state, through the capitalistic laws, protects the system of rights favouring the capitalist system. To secure rights for all in a class society, the Marxists argue, is not the object of the class state; rather its aim is to protect and promote the interests of the class wielding economic power. According to Marx, the class which controls the economic structure of society also controls political power and it uses this power to protect and promote its own interests rather than the interests of all. In the socialist society which follows the capitalist society, as the Marxian framework suggests, the socialist state, through the proletarian laws, would protect and promote the interests/rights of the working class. As the socialist society, unlike the capitalist society, is a classless society, its state and laws protect the rights not of any particular class but of all the people living in the classless society. The Marxists say that the socialist state, as an instrument of social and political and economic change, would seek to establish socialism which will be based on the principle of ‘from each to his ability to each according to his work’, the system of rights for all would follow this pattern: economic rights (work, social security) first, followed by social rights (education) and political rights (franchise rights).

The Marxist theory of rights, like Marxism itself, suffers from its deterministic ideology, though its emphasis on non-exploitative socialist system is its characteristic feature. Neither the economic factor alone provides the basis of society nor the superstructure is the reflection of only the economic base; for non-economic forces also play their role in determining the superstructure.

3.4 FRAMEWORK OF RIGHTS

Rights are the essential conditions of human personality. The development of human personality depends on the system of rights available to the individuals. Different state systems recognise different rights: rights available to the Americans would be different from those available to the Indians. A liberal-democratic society would give primacy to different rights than a socialist society. That is why we have a classification of rights: moral and legal; legal into civil, political, economic and social. Rights incorporated in the constitution of the land are called fundamental rights.

Rights, being basic conditions necessary for the development of human personality, have to be made available to the individuals of all the states. The UN Declaration of Human Rights serves as an inspiration and as agenda for the states to recognise and maintain, for their respective people.

3.4.1 Rights of the People

A general framework of the major rights available to the people can be, briefly, summed up as under:

Right to life is a basic right without which all other rights are meaningless. This right means that the state guarantees the protection of life, protection against any injury: even suicide is considered a crime.

Right to equality has numerous aspects: equality before law, equal protection of law, prohibition of any sort of discrimination: social, economic or political. Protective discrimination as enshrined in the Constitution of India, is an integral part of the right to equality.

Right to freedom, like right to equality, has several aspects: freedom of speech, of press, of assembly, of association, of movement, of residence, of adopting a vocation. That these freedoms are to be exercised within reasonable restrictions has been the characteristic feature of this right granted to the Indians by the constitution.

Right to freedom of religion, conscience, faith is another right available to the individuals. Religion is a matter of faith and the voice of one's conscience and as such is given to the citizens in the present day states. This right does not curtail secularism in so far as religion is accepted as something personal and religion and public life are not allowed to intermix.

Right to education is another important right without which the development of man's personality becomes impossible. An uneducated man cannot lead a meaningful life. Illiteracy, being a social curse, should be reduced/removed. The state should take up the responsibility of promoting education.

Certain economic rights include the right to work, right to social security and rest and leisure. With work and without material security, an individual is unable to enjoy the fruits of other rights. Right to property, too, is an economic right which means the right to possess and inherit property. It is regarded as an important right in liberal-democracies.

There are political rights of the individuals. It is these rights which make individuals full-fledged citizens. Among these, the right to franchise, to contest elections, to hold public office, to form political parties are some which need mention.

The Constitution of India provides a list of rights to its citizens. These are called the fundamental rights and these include: right to equality, right to freedom, right against exploitation, right to freedom of religion, cultural and educational rights and right to constitutional remedies – the last one is an important right in so far as this right ensures guarantees for all the other rights.

The liberal-democratic systems ensure the primacy of political rights over social rights, and of social rights over the economic. The order is reverse in socialist societies: economic rights, social rights and political rights. For a liberal democrat, right to freedom is more important than the right to equality; right to property is more important than the right to work; economic security is more important than economic equality. Economic rights, in such societies are reduced to the right to protection of property, to workable equality within the framework of private property system, not to be exploited by the employer, to unemployment allowance. In socialistic societies, right to work precedes the right to education; right to education precedes the right to hold independent opinion.

3.4.2 Laski's Theory of Rights

Harold Laski (1893-1950), a theoretician of the English Labour Party and a Political Scientist in his own right, has his definite views on the system of rights as expounded in his *A Grammar of Politics* (first published in 1925 and then revised almost every second year).

Laski's views on the nature of rights run as follows: (i) they are social conditions, given to the individual as a member of the society (ii) they help promote individual personality, his best-self:

'those social conditions without which no man can seek to be his best self' (iii) they are social because they are never against social welfare; they were not there before the emergence of society (iv) the state only recognises and protects rights by maintaining them; (v) rights are never absolute: absolute rights are a contradiction in terms (vi) they are dynamic in nature in so far as their contents change according to place, time and conditions (vii) they go along with duties; in fact, duties are prior to rights; the exercise of rights implies the exercise of duties.

If Laski were to give rights to the individual, he would give them in this order: right to work, right to be paid adequate wages, right to reasonable hours of labour, right to education, right to choose one's governors, followed by other rights. Laski's argument is that without granting economic rights first, an individual cannot enjoy his political rights: political liberty is meaningless without economic equality: 'where there are great inequalities, the relationship between men is that of the master and the slave'. Equally important, but lower in order is the right to education: education alone helps an individual exercise these other rights properly. With the economic and social (education rights) at one's disposal, there is a greater likelihood of the individual exercising his political rights in the right earnestness.

3.4.3 Theory of Human Rights

S. Ramphal has very rightly stated that human rights were not born of men but they were born with them. They are not as much a result of the efforts of the United Nations as emanations from basic human dignity. They are human rights because they are with human beings as human beings.

Human rights may generally be defined as those rights which are inherent to our nature and without which we cannot live as human beings. They are essential because they help us to use and develop our faculties, talents and intelligence. They base themselves on mankind's increasing demand for a life in which the inherent dignity and worth of each human being will receive not only protection, but also respect as well.

Human rights lie at the root of all organisations. They permeate the entire UN charter. In the Preamble of the UN Charter, there is a determination to affirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and the nations, large and small. There is a reference to the promotion of universal respect for Human Rights in the Charter's Articles 13, 55, 62, 68, 76.

The Commission on Human Rights, working under the UN Economic and Social Council, after spending about two and a half years under the chairmanship of Roosevelt drafted what is known as the Universal Declaration of Human Rights. When the UN General Assembly approved this Declaration on December 10, 1948, the day came to be celebrated as the Human Rights Day.

Among the 30 articles that are a part of the Declaration of Human Rights, there is a list of traditional rights from articles 3 to 15. These rights include: right to life, liberty, to security, freedom from arbitrary arrest, to a fair trial, to equal protection of law, freedom of movement, to nationality, to seek asylum etc.

There are other important rights contained in articles 16 to 21. These include: equal rights to men and women, to marry, to form the family, to property, to basic freedom such as those of thought and expression, right to peaceful assembly and association as well as a share in the government of one's own country.

There are economic rights enshrined in articles from 22 to 27. These include: right to work, protection against unemployment, just remuneration, right to form trade unions, right to have rest and leisure, to adequate standard of living, education and of participation in the cultural life of the country.

Articles 28, 29, 30 ensure social/international order, duties towards the community wherein alone the free and full development of man's personality is possible and the guarantees of these rights respectively.

The Universal Declaration of Human Rights is the first segment of the International Bill of Human Rights. It is followed by the International Covenant on Economic, Cultural and Social Rights, the International Covenant on Civil and Political Rights and the Optional Protocol – all adopted in 1966.

3.5 SUMMARY

Rights are social claims necessary for the development of human personality. These belong to the individuals and they provide conditions without which they cannot seek to be themselves. They are social: given by the society and secured by the state. Even the state cannot take them away from the individuals. They reflect a particular stage of the development of society. As the society changes, so do the character and content of rights. Theories regarding rights reflect partial treatment about their meanings, origin and nature. The theory of natural rights is correct so long as it lays emphasis on the fact that rights are natural because they are in the nature of social claims. Likewise, the legal theory of rights speaks the truth in so far as it makes the state the guarantor of our rights.

Rights are of numerous kinds. Those rights which are available to human beings include: right to life, equality, security of person and property, freedom, education, work, freedom of religion, to vote, to hold public office. The liberal democratic societies lay more emphasis on personal and political rather than economic and social rights. The socialist societies advocate the opposite arrangement of rights.

Laski, as a liberal leaning towards the Left, considers rights essential for individual development, but grants economic rights followed by social and political rights.

The UN Declaration of Human Rights provides for a list of basic rights available to human beings as human beings.

3.6 EXERCISES

1. What do you mean by 'rights'? Distinguish between rights, power, claims and entitlements.
2. Briefly describe the various theories of rights.
3. Mention the rights available to modern citizens.
4. Discuss Harold Laski's theory of rights.
5. Write a detailed essay on the UN Declaration of Human Rights.

UNIT 4 LIBERTY

Structure

- 4.1 Introduction
 - 4.2 Negative Liberty
 - 4.3 Positive Liberty
 - 4.4 Recent Debates on Liberty
 - 4.5 Summary
 - 4.6 Exercises
-

4.1 INTRODUCTION

The concept of liberty captures a relationship between three terms: it refers to the freedom of an individual X, from an obstacle A, to do B. In other words, Ms. X is not restrained by A from doing B, or in the absence of restraint A, Ms. X is free to do B. Gerald MacCallum who offered us this understanding of the meaning of freedom, argued that it was specious to want to divide analysts of liberty into advocates of negative liberty or of positive liberty, since all theorists of liberty used these three terms (MacCallum, 1967). We feel, however, that conceptions of liberty can still be differentiated by the contrasting emphasis they place on A or B. Negative conceptions of liberty use B to denote an infinite set, (starting from the act of doing nothing), whereas they use A for a much narrower set, sometimes counting intentionally imposed physical barriers alone as restraints, and more frequently allowing laws as well to be included in the set of restraints. Positive liberty theorists do the opposite: they do not allow every action under B - it is not freedom to sell oneself into slavery - whereas their set of restraints is defined as much wider to include not only physical barriers and laws but also incapacities, whether in the form of a lack of material or psychic resources.

Let us, before we look at the two specific conceptions of liberty in more detail, make some general observations about the concept of liberty. Sometime ago, specially among critical theorists, there was widespread disappointment at liberty not being able to deliver on its promise. Discussions of the value of freedom were often hedged with caveats and warnings. Some writers extended the Marxist criticism that the freedom of capitalists is based on the lack of freedom of the working class to argue that in all of human history, the freedom of some has required the domination of the many: the freedom of male Greek and American citizens was the lack of freedom of slaves, that of men is based on the domination of women, and the freedoms enjoyed by populations of the rich Northern countries result from their control over poorer Southern nations. This historical evidence yields the general principle that “the freedom of some makes the dependence of others both necessary and profitable; while the unfreedom of one part makes the freedom of another possible”. (Bauman, Z, 1988, p.19) If freedom has the meaning of being free to subjugate others, then as such it is not of any normative value.

Critics also disparaged the existing emancipatory traditions as masks hiding the reality of the modern society as a system of increasing controls. Modernity has seen not only the large scale expansion of coercive state apparatuses, but also many regulatory institutions like schools and bureaucracies, which require citizens to act in ways which extend not their freedom, but their subjection. Modernity’s intellectuals were faulted for using conceptions of freedom glossing over this hidden domination. (See Foucault, *Discipline and Punish*)

Finally, some feminists attacked the prevalent theories of freedom as infected with a masculine bias and therefore, problematic for enlarging the freedom of women. Freedom has been conceptualised so far, they argued, solely on the basis of male experience and circumstances. Accepting this conception of freedom means ignoring a large part of the activities of women, and so applying this conception to women cannot be in their interests. It has even been said that concentration on the value of freedom can have anti-women implications: to see freedom, defined as absence of restraints, as “the hallmark of humanity provides another means of asserting women’s non-human status”. (N.J. Hirschmann, 1989, p. 1236)

These misgivings about freedom did not, of course, result in its rejection. It is evident that throughout the world today, opposition movements continue their struggles in the name of freedom and it remains the inspiration behind many movements against oppression. The task for theorists, then, is to use their critical stance towards freedom to come up with such a notion of freedom that is able to meet each of the earlier objections: that the freedom of some always requires the lack of freedom of others; that modernity, in insidious ways, makes everyone less free; and that current conceptions of freedom just cannot apply to both sexes. It is interesting to note that the search for an adequate conception of freedom is no longer conducted by joining either one of the two camps - of negative and positive freedom - in which supporters of freedom have traditionally been divided. It used to be that discussions of freedom after accepting its core idea to be self-determination, would then generally define and contrast negative and positive conceptions of freedom and take a position defending one, or a qualified version of one theory of freedom. Recent discussions, on the other hand, actually seek to question the internal structures and problematic of both conceptions of liberty, and want to replace both of them with another conception of freedom.

The theory of negative freedom, for instance, has been criticised on the basis of its starting point, an individual with given desires and preferences. Defining freedom as non-interference in the fulfillment of a person's possible preferences, this theory fails to consider that the notion of freedom as self-determination requires an examination of whether the formation of these preferences is autonomous or not, given the existing social circumstances. A theory of freedom must include an analysis of such circumstances not only with respect to the absence of physical and legal interference, but also to make autonomously formed desires and preferences possible.

The positive conception of freedom, it is admitted, does not assume individuals with given desires, and goes beyond viewing freedom as merely non-interference. Since it defines freedom as the following of self-given rational rules, it analyses the process of the creation of an individual's selfhood, which becomes the basis of that person's freedom as self-determination. In addition, it also recognises the necessity of the availability of external resources, over and beyond the lack of physical and legal obstacles, for self-determination. This conception has been faulted, however, for formulating the formation of autonomous selfhood, or autonomous preferences and purposes as an act of individual reason with no link with social conditions, as “an act largely independent of any social context”. (P. Patton, 1989, p. 263) This can certainly be said of some theorists of positive freedom, like Kant.

Dissatisfied with the two traditionally dominant conceptions of liberty, the theorists of freedom today are struggling to formulate certain crucial social conditions of freedom. These social conditions of freedom are not exhausted by the publicly guaranteed protection of certain areas of life from physical and legal impediments, and the social provision of resources like income, education and health to individuals. In addition, they are said to include two other provisions on which there is less consensus than on the first two. The third social condition of freedom consists of one's cultural context being valued in the society in which one lives. This cultural

context is part of the process by which an individual forms autonomous preferences, and its importance lies behind the demand for cultural rights; that is, it underlies the claim that individuals are not equally free in any society in which different cultures are unequally valued. The fourth social condition of freedom is some notion of collective freedom, which is more than the political freedom of everyone having the vote, or the right to freedom of expression. In order to counter the objection that freedom will always mean the freedom of some to dominate others, we have to look at, and develop arguments making the freedom of some dependent on the freedom of others.

4.2 NEGATIVE LIBERTY

The classic defence of negative liberty remains Isaiah Berlin's '*Two Concepts of Liberty*', first published in 1958. Berlin defined 'being free' as "not being interfered with by others. The wider the area of non-interference, the wider my freedom." (Berlin, 1969, p. 123) This definition is a throwback to Hobbes' presentation of liberty in the *Leviathan* as the absence of 'external impediments'. For Hobbes, "a free man, is he, that in those things, which he by his strength and wit he is able to do, is not hindered to do what he has a will to." (Hobbes, 1968, p.262) In Hobbes' view, these hindrances included the laws of the sovereign, framed after civil society had been created by the social contract, since liberty depended on the 'silence of the law'. The absence of civil laws in the state of nature should have translated into more freedom for its denizens, but in its very absence, every individual acted as an external impediment to another's freedom of action. By his laws the sovereign ensured that his citizens were free from interference from one another. It is good to keep in mind here how Hobbes, one of the earliest advocates of negative liberty, saw no contradiction between the 'needful' laws of an absolute sovereign and his subjects' liberty. To judge whether an individual was free, it was irrelevant to check whether she had any say in the laws under which she lived. The absolute sovereign alone made the laws. What was crucial was whether the sovereign left as large an area of her life as possible unregulated by his laws. Berlin makes the same point: liberty in its negative sense "is principally concerned with the area of control, not with its source...there is no necessary connection between individual liberty and democratic rule. The answer to the question 'Who governs me?' is logically distinct from the question 'How far does government interfere with me?'" (Berlin, 1968, pp. 129-130)

In explaining the concept of liberty, Hobbes distinguished between freedom and ability: "But when the impediment of motion, is in the constitution of the thing itself, we can not say, it wants the Liberty, but the Power to move; as when a stone lies still, or a man is fastened to his bed by sickness." (Hobbes, 1968, p. 262) Most exponents of negative liberty echo this distinction between power or ability and liberty. What they disagree about is when a certain condition is to be characterised as a lack of ability and when as a lack of liberty. Not being able to fly because of a lack of wings is, in the case of human beings, a clear case of the lack of an ability, and not of being unfree. But what about the case of a man who is too poor to afford "something on which there is no legal ban - a loaf of bread, a journey round the world." Berlin argues that given a social theory in which this poverty is the result of "other human beings having made arrangements" whereby some men lack material resources while others enjoy an abundance of them, the poor man should be described not as being unable to buy bread, but as being unfree to do so: "The criterion of oppression is the part that I believe to be played by other human beings, directly or indirectly, with or without the intention of doing so, in frustrating my wishes." (See Berlin, 1968, pp. 123-4) This is certainly a far cry from the work of Hillel Steiner, according to whom, only physical barriers intentionally placed on someone's action can allow that person to claim that she is not free. We see then that there is a wide range in the

understanding of what is to count as impediments/obstacles to action, even among the advocates of negative liberty.

Another classical defence of negative liberty was John Stuart Mill's 1859 essay, *On Liberty*. Here is Mill's position in brief: "...the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection...the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant...The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute." (J.S. Mill, 1989, p. 13)

Insisting that there is a line, however faint, between self-regarding and other regarding action, Mill argued that the principle of liberty brooked no interference with the sphere of one's self-regarding action. Discussing three specific areas - of thought and its oral and written expression, of taste and pursuits, and of combination or association with other individuals - Mill claimed that except to prevent 'direct material harm' to others, society had no other justification for interfering with the liberty of the individual in these areas. "No society in which these liberties are not, on the whole, respected, is free, whatever may be its form of government, and none is completely free in which they do not exist absolute and unqualified." (J.S. Mill, 1989 p. 16).

For Mill, the goal of social theory was to further the improvement of mankind. Mill saw his contribution in showing the world that individual liberty is an essential means to this improvement: "... the only unfailing and permanent source of improvement is liberty, since by it there are as many possible independent centres of improvement as there are individuals." (J.S. Mill, 1989, p. 70) Mill explained this in the following terms: "The human faculties of perception, judgement, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice." (Mill, p. 59) But if the value of liberty is that it improves mankind, what is one to do with the possibility of individuals always choosing to act in wrongful ways in their sphere of self-regarding action? This brings us to the conception of positive liberty.

4.3 POSITIVE LIBERTY

If the advocates of negative liberty look to protect at least some area in which an individual is free to do as she wishes, positive liberty advocates are much more ambitious - they look to enlarge this area of self-determined action as much as possible. They do this in two ways, the first being their inclusion of internal restraints in the conception of constraints to action. Rousseau, for instance, saw being a slave to one's desires or passions as the very opposite of being free. Our desires are heterogamous, they come to us because of the environment we live in, or perhaps because of our upbringing. To give in to our desires, is for Rousseau, structurally similar to giving in to another's wishes. We have to consciously and rationally choose to fulfil our desires, that is, those wants that we see as really our own, and as reflective of our self. In his own words in 'The Social Contract', "the impulse of mere appetite is slavery, while obedience to a self-prescribed law is liberty." (Rousseau, 1967, p. 23)

Kant had a similar argument - how can one's freedom be evinced in actions that are the product of brute nature working through one by prompting desires which one blindly follows? Instead, to count as free, one must choose or select amongst one's desires according to some rational principle that one has oneself endorsed.

The second way of widening the domain of self-determined action in the conception of positive

liberty is through democratic mechanisms of taking collective decisions. The emphasis is not so much on leaving as wide an area of one's life as possible untrammelled by laws, but since freedom is distinguished from license and defined as living under self-made laws, the emphasis is on ensuring that one has a voice in framing all the laws one lives under. Coming back to Rousseau, the principle of liberty entails not only that we determine our wants, it also means that we frame the laws under which we live. Rousseau's advocacy of democracy is famous: there is no other form of government which is compatible with freedom. How can we be said to be self-determined unless we have a say in framing the rules that govern our actions. This is Rousseau's conception of civil freedom, in contrast to the moral freedom which prevents us from being a slave to our appetites.

Rousseau connected his conceptions of moral and civil freedom in the following manner: he saw the legislation framed collectively by the people when they keep the general interest in mind (by the general will) as a means of each individual being in control over his or her desires. In place of a person's own weak will, these laws, in the framing of which all participate, ensure that one leads a life chosen by oneself. Where the compulsion of the laws in the case of Hobbes, increased one's freedom by preventing others from interfering with one's action, in Rousseau, the interference of collectively made laws becomes a form of freedom. After Rousseau, T.H. Green was an important advocate of positive liberty. In his 1881 essay, Green said: "We shall probably all agree that freedom, rightly understood, is the greatest of blessings; that its attainment is the true end of all our effort as citizens. But when we thus speak of freedom, we should consider carefully what we mean by it. We do not mean merely freedom from restraint or compulsion. We do not mean merely freedom to do as we like irrespectively of what it is we like. We do not mean a freedom that can be enjoyed by one man or one set of men as the cost of a loss of freedom to others. When we speak of freedom...we mean a positive power or capacity of doing or enjoying something worth doing or enjoying, and that, too, something that we do or enjoy in common with others...the ideal of true freedom is the maximum of power for all members of human society alike to make the best of themselves..." (Green, 'Liberal Legislation and Freedom of Contract', 1881, pp. 199-200)

Both J.S. Mill and T.H. Green concurred in seeing the value of liberty in allowing individuals 'to make the best of themselves'; yet they disagreed about the definition of liberty. This is the point that bears thinking about - why is it important for individuals to be free? Why does agreement on the value of liberty still lead to differences on its meaning?

4.4 RECENT DEBATES ON LIBERTY

Now that we have covered the traditional debate over freedom between the negative and positive liberty advocates, let us look at some ideological positions which are tangential to this debate. We will now look at how feminism has grappled with the value of freedom.

It has been claimed that "[f]reedom began its long journey in the Western consciousness as a woman's value".(O. Patterson, 1991, p. 51) Women constituted the first slaves in the period of rudimentary state formation in late ninth and eighth century B.C. Greece. During the constant warfare between the aristocratic clans of that period, male prisoners of war were killed, while women were enslaved. As the first slaves in early Greek society, women, both those who were actually slaves, and those who lived in dread of capture and enslavement, thought of, and valued the condition antithetical to that of slavery - that of freedom.

Patterson calls this ideal of freedom that emerged in the consciousness of the women of ancient

Greece a conception of personal freedom; he points out however, that it is different from the idea of negative freedom now familiar in the West: “ancient women were never satisfied with a purely negative view of personal freedom, not only because they recognised its potential nihilism and moral vacuity but because they could see how an emasculated negative liberty easily sublated into liberty as power over others.” (Patterson. p. 398) As slaves, ancient Greek women imagined being able to assert their own will once they were free, but as women-slaves, they visualised the state of freedom not as the domination of the will of others, but as a state to be shared with others. For them, freedom was love, a condition of being restored to their kin’s folk and families.

This concern with an alternative women’s conception of freedom has become dominant in the writings of the post 1960s women’s movement in the west, specially in the work of some women psychoanalytic thinkers on the differential impact of mother dominated parenting on little boys and girls. The mother who is the primary caretaker, represents the entire world outside the self, that is, the object world, to all infants, and the relationship with his or her mother determines a child’s response to others in the world: the infant’s stance toward itself and the world-all derive in the first instance from this earliest relationship. In their first few years of life human infants go through different phases - symbiosis, separation and individuation - in their relationship with their mother. Male and female infants in a patriarchal culture, experience these phases differently because their mothers, for psychological and sociological reasons, respond to them differently. Mothers are able, for instance, to more easily encourage the separation and individuation of their sons, while being less willing to give up the symbiotic phase with respect to their daughters. In addition little boys soon learn to fear their primary identification with their mothers because they realise that their male identity is defined as not being like a female. These psychological processes have an effect on their relationships with others in general: the attainment of masculine gender identity involves denial of attachment or relationship. This process of psychological development in childhood has been used to explain adult male responses, for example, the apparent male perception of all relationships as threatening, and their sense of freedom as the absence of the (m) other. By doing so, it also problematises the prevalent norms for selfhood and autonomy, which are supposed to be based on the experiences of men. It is misguided to conceptualise the realisation of autonomy or freedom as requiring the absence of others. The development of autonomy takes place in interaction with other selves, and therefore freedom needs to be conceptualised in terms other than non-interference.

Another leading feminist scholar, Carole Pateman, also seeks to tell a new story of freedom. Critical of American sociologised psychoanalytic theory, she nevertheless shares its concern with constructing an alternative conception of freedom, a possibility she argues, that depends on our giving up the lure of social contract theory with its myth of the individual as owning property in his person. Efforts to construct women’s freedom have remained unsatisfactory, she explains, because most feminists failed to see that modern society is based not only on a social, but also a sexual contract. The original contract created not just a civil society, but a patriarchal civil society because the contract was between men to, among other things, “enjoy equal sexual access to women.” This resulted in “[m]en’s freedom and women’s subjection”; civil freedom remains a “masculine attribute”(C. Pateman, 1988, p.2). The original contract was simultaneously a social-sexual-slave contract, and if one focuses merely on its social aspect, one cannot see how women cannot be free in a society based on it.

Pateman is thus a critic of contract and claims that women’s freedom can be constructed only

by giving up the language of contract. This language encourages a conception of individuals as having property in their person, and its corollary is to see freedom as independence, specially the independence of participating in the labour market. Pateman continues this argument in a later piece, arguing that ‘freedom as independence’ should be transformed into ‘freedom as autonomy’, a freedom that is secured through the recognition of the interdependence of all citizens. The above discussion referred to the treatment of freedom in one specific ideological tradition. If we, however, look at another ideological position, for instance, the liberal-communitarian debate, we can see similar controversies about the meaning of individual liberty.

4.5 SUMMARY

The idea of liberty as everyone’s birthright is certainly the gift of modernity, no matter how far it may be from being realised. The recent discussions of liberty have focussed on the relationship between individual liberty and our social interdependence. It is not by ignoring this social interdependence, but by acknowledging it, that we can construct an adequate conception of individual liberty.

4.6 EXERCISES

1. What do you think of the attempt to present the concept of liberty as a triadic concept, that is, as a concept with three terms. What are these three terms?
2. How can you differentiate between conceptions of liberty by changing the domain of A and B? Give some examples.
3. What is the difference between the concept of liberty and various conceptions of liberty?
4. Do you see any difference between theorists of freedom who focus on its social conditions, and advocates of negative and positive liberty? What are some of these differences?
5. How do advocates of negative liberty differ in defining external impediments to action? How does this affect their distinction between power/ability and liberty?
6. What does Berlin mean when he argues that what is pertinent to the issue of liberty is the area of control over one’s actions, and not the source of this control?
7. How is Mill’s distinction between self-regarding and other-regarding action pertinent to his conception of liberty?
8. Why does Mill think that individual liberty is an essential pre-requisite of social progress?
9. What is meant by saying that ‘slavery to mere appetite is not freedom’? Give some examples.
10. How does Rousseau try to link his conceptions of moral and civil freedom with each other?
11. Do you think that the content of what we do when we act should be part of our definition of the liberty of action?

12. Why is freedom valuable? Why is it important for individuals to be free?
13. Why do feminists argue that the negative conception of freedom is a typically male view of freedom?
14. How do prevalent parenting practices affect an individual's sense of self, and his or her relationship to others?

UNIT 5 EQUALITY

Structure

- 5.1 Introduction
- 5.2 Equality vs. Inequality
 - 5.2.1 Struggle for Equality
- 5.3 What is Equality?
- 5.4 Dimensions of Equality
 - 5.4.1 Legal Equality
 - 5.4.2 Political Equality
 - 5.4.3 Economic Equality
 - 5.4.4 Social Equality
- 5.5 Relation of Equality with Liberty and Justice
 - 5.5.1 Equality and Liberty As Opposed To Each Other
 - 5.5.2 Equality and Liberty Are Complementary To Each Other
 - 5.5.3 Equality and Justice
- 5.6 Towards Equality
- 5.7 Plea for Inequality in the Contemporary World
- 5.8 Marxist Concept of Equality
- 5.9 Summary
- 5.10 Exercises

5.1 INTRODUCTION

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 thousand years, many dimensions 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. Contemporary social movements like feminism, environmentalism are trying to give a new meaning to this concept.

Basically, equality is a value and a principle essentially modern and progressive. Though the debate about equality has been going on for centuries, the special feature of modern societies is that we no longer take inequality for granted or something natural. Equality is also used as a measure of what is modern and the whole process of modernisation in the form of political egalitarianism. Modern politics and modern political institutions are constantly subjected to social pressures to expand opportunities equally irrespective of ethnicity, sexual identity or age. Equality is a modern value in the sense that universalistic citizenship has become a central feature of all political ideologies in modern industrial democracies. Again, equality can also be taken as a criteria for radical social change. It is related to the development of democratic politics. Modern

societies are committed to the principle of equality and they no longer require inequality as automatically justifiable. 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 reorganisation of societies.

5.2 EQUALITY vs. INEQUALITY

Before we discuss the meaning of equality, we must understand that equality is a relative concept. 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 cause of inequalities is an ancient topic of political philosophy. 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 (varnas) categories: *Brahmin*, *Kshatriya*, *Vaishya* and *Shudras*. All rights and duties were based upon this classification. During medieval feudalism, legal privileges were based upon status and birth. In short, 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, knowledge, etc. According to Turner, inequality is multi-dimensional 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 characterised by some form of social inequalities in terms of class, status, power and gender. While studying the concept of equality, the contradiction between equality as a general value of modern society and inequality at a practical level, as a fact of all human societies must be kept in mind.

5.2.1 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. For example, 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. 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 entire communities. The climax was reached in 212 AD when a notable edict of Emperor Caracalla conferred citizenship of Rome upon all free inhabitants of the empire. Similarly, St. Paul said to Gelatians ‘There is neither Jew nor Greek, there is neither bond nor free, there is neither male or female, for year are one in Jesus Christ’. From the fifth to the fourteenth century, the demand for equality was a cry against serfdom, medieval gradations or rank and hereditary nobility and the equality for career opportunities in the church. From the 15th to the 17th centuries, 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. Simultaneously, the movements of Renaissance and Reformation raised a powerful voice against the legal privileges of the clergy and nobility based upon birth and demanded equality by birth.

The affirmation that all men are born equal was to figure in the manifestoes all over the world. The revolutions in Britain in 1649 and 1688, in the USA in 1778 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’. 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 Britain, France or America, the issue at stake was equality in the form of uniformity of legal rights. As stated earlier, since the demand for equality was primarily raised by the rising 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 the purpose well.

The economic and social dimensions of equality emerged during the nineteenth century and was the result of conflicts and struggles between the capitalist/ industrial classes on one hand and 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 socialists and Marxist writers alike such as JS Mill, TH 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 act of 1832, 1876 and 1884 in Britain were steps towards political equality.

In the twentieth century, the demand for equality became more persistent. Today, it has become the *sine qua non* for the socio-economic mobility typical of a highly industrialist society. 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 to the forefront. The Universal Declaration of Human Rights in 1948 extended the recognition of equality which had hitherto been accepted as the aim of all strata of industrialised countries to the people of the third world countries who had been discriminated, thus contributing to the eventual emergence of an international society based upon socio-economic equality.

5.3 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 which so many differences exist among men. Every modern political constitution has some notion of human equality inscribed as a 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. As mentioned earlier, the concept of equality is relative and it can be understood only in a 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 with identical response with that of a bricklayer’. Also inequalities gifted by nature are an inescapable fact and it has to be accepted in society. Injustice arises as much from *treating unequals equally* as from treating *equals unequally*. And most importantly, apart from the natural inequalities, there are inequalities created by the society – inequalities 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 property owning franchise. The Declaration of the Rights of Man explicitly

recognised that superior talent and qualities of character are a 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 examination one of the principal criteria. Thus, what we have to keep in mind is that out of context, equality is an empty framework for a social ideal. It is concrete only when particularised. The movement of history is not towards greater equality because as fast we eliminate one inequality, we create another 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. Thus, 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. Thus 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 means 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 utilise knowledge; that disparities of education result above all in disparities in the ability to use that power. Opportunity should be given to everyone to realise 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 parentage and hereditary causes are unreasonable.
- iv) Absence of economic and social exploitation.

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’. According to E.F. Carritt, ‘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’. Recently, Bryan Turner in his book *Equality* has given a comprehensive meaning of equality relevant to the contemporary world. According to him, the concept of equality should include the following:

- i) Fundamental equality of persons
- ii) Equality of opportunity
- iii) Equality of conditions where there is an attempt to make the conditions of life equal
- iv) Equality of outcome of results

The first kind of equality i.e., *equality of persons*, 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 equality of men as men; something called ‘human nature’, ‘human dignity’, ‘personality’ or ‘soul’ by virtue of which they must be treated as fundamentally equal. A modern notion of this form of equality is found in Marxism when it talks about the ‘human essence’. In the Marxist tradition, it is claimed that all human beings are defined by *praxis*, that is all human beings are knowledgeable, conscious and practical agents. It asserts that ‘man is by his essence a universal free being who forms himself through his own self activity in the direction of an ever widening mastery of nature and an ever more universal intercourse, autonomy and consciousness’. Also, writers like R.H. Tawney often combined socialism and Christianity to provide a religious foundation for a commitment to social equality. However, this form of equality is not given importance in the contemporary welfare state based upon the notion of socio-economic equality.

The second meaning of equality is associated with the most common argument for equality as ‘*equality of opportunity*’. This means that the access to important social institutions should be open to all on universalistic grounds, especially by achievement and talent. The debate about equality of opportunity has been especially important in the development of modern educational institutions where promotion and attainment are in theory based upon intelligence, skill and talent regardless of parental and class background. This type of equality believes in meritocracy where the occupational structure of a society is filled on the basis of merit in terms of universal criteria of achievement and not on the basis of age, sex, wealth, caste, religion, etc.

Thirdly, the concept of equality of opportunity is closely related to and somewhat inseparable from the notion of *equality of conditions*. Equality of opportunity regards those who have ability and who are prepared to exercise their skills in the interest of personal achievement in a competitive situation. However, where parents can pass on advantage to their children, then the starting point for achievement is unequal, since, for example, working class children will start with disadvantages which they have inherited from their parents. In order for equality of opportunity to have any significant content, it is essential to guarantee equality of condition, that is, all competitors in the race should start at the same point with appropriate handicaps.

Fourthly, the most radical notion of equality is equality of results or *outcome*. In short, it means that through legislation and other political means, equalities of results are achieved regardless of the starting point or natural ability. A programme of equality of results would seek to transform inequalities at the beginning into social equalities as a conclusion. Social programmes of positive discrimination in favour of the disadvantaged (i.e. scheduled castes, scheduled tribes, women, children, handicapped etc.) are meant to compensate for a significant inequality of conditions in order to bring about a meaningful equality of opportunity to secure equality of results.

Thus, in order to understand the meaning of equality, we have to keep the different notions of equality in mind. Historically, while the liberal democratic tradition has favoured the idea of equality of opportunity and conditions, the equality of outcome has been a part of the platform of socialist policies aimed at redressing the inequalities generated by competition and the market place.

5.4 DIMENSIONS OF EQUALITY

Equality is a multi-dimensional concept. The need for equality is felt in different fields of social life. Historically also, the demand for different dimensions of equality was neither raised

simultaneously nor with the same intensity. While liberalism laid more emphasis on legal-political dimensions of equality, the socialists preferred socio-economic equality. The different dimensions of equality are:

- 1 Legal Equality
- 1 Political Equality
- 1 Economic Equality
- 1 Social Equality

5.4.1 Legal Equality

Classical liberalism, when it was fighting against feudal and religious privileges, held that equal distribution of opportunities required merely equal allocation of basic rights of life, liberty and property. If legal privileges are abolished and legal rights are protected, no obstacles will stand in the way of one's pursuit of happiness. It means two things: *Rule of law* and *Equality before 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 the law because that would be tantamount to arbitrary rule. Equality before law means that law guarantees freedom to each citizen. This is popularly explained as i) Equality before Law and ii) Equal Protection of Law.

- a) **Equality before Law** consists in 'equal subject of all classes to the ordinary law of the land administered by the ordinary law courts'. It means that amongst equals, the law should be equal and should be equally administered and that the '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 workers. In the eyes of law, all are equal. It also 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. However, since law creates classes with special rights and duties such as landlord vs. tenant, police vs. people, member of parliament vs. judges etc., in such circumstances, differences in rights are inevitable. And last not but the least, equality before law also implies equality in the actual administration of laws. Inspite 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 ie. 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 of appeal.
- b) **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 the Indian constitution where the law, while not recognising any distinction based upon birth, caste, creed or religion, does accept certain rational discriminations like reservation of seats or special queues for ladies, concessions given to students in railway journeys etc. Such discrimination based upon backwardness, sex, ability etc. are considered rational discriminations. 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 it determines that the law will be within the reach

of everybody. In other words, nobody will be small enough that he will be unable to 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 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 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 practice and operation of the courts, as distinct from the rule of law of the land, inequality still prevails though it is being steadily diminished by reforms in their operations.

5.4.2 Political Equality

As Lipson writes, normally and customarily, many had always been governed by few for the benefits of the few. Humanity as a general rule has lived under the regimen of inequalities and privileges. The basis of inequality in political matters has been knowledge (Plato), religion and God (monarchy), birth (aristocracy), money (plutocracy), colour (South Africa), race (Hitler), elite (Pareto, Mosca) etc. Against all these, political equality is associated with democratic institutions and the right to participate in the political process. The demand for political equality is summarised in ‘one-man-one-vote’. This is the basic principle of political equality which has now found unqualified support in almost all the countries of the world. The principle is expressed in the right to vote, the right to stand for elections, to hold public office with no distinction (made) on the basis of caste, colour, sex, religion, language etc. According to Laski, political equality means the authority which exerts that power must be subject to rules of democratic governance. However, in recent years, it is being realised that the principle of political equality is not as simple as the liberal meaning conveys. If the word politics means the ability and the 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 the people are politically equal. In modern times, functioning of the government has become very complex and real political power vests in the bureaucracy, the police and the army over which people have no control. In fact, political power and political equality are distinct categories. There are many constraints put upon the common man 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 political equality lies in recognising the basic truth that if men are equal in law, then there should be equality amongst them regarding the right to governance.

5.4.3 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 industrialisation brought about an increasing awareness that equality of opportunity cannot be achieved by the equality of law which forbids the rich and the poor alike to steal bread or to sleep under the bridges. Equality of opportunity does not only pre-suppose 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 evidence depends not merely on the absence of disabilities, but the presence of abilities. It obtains in so far as, and only in so far as, each member of the community, whatever his birth or occupation or social position, possess in fact and not merely in form equal chances of using to the full his natural endowments of physique of character and of intelligence'.

Early liberals meant by economic equality an 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 in so far as the contractual obligations are concerned. Many a time, it was also understood as equalisation of wealth and income. However, all these measures were considered insufficient. Explaining economic equality, Rousseau wrote, 'By equality we should understand that not the degree of power and riches be absolutely identical for everybody, but that no citizen be wealthy enough to buy another and none poor enough to be forced to sell himself. 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 largely a problem of proportion. 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 or obtain shelter. Equality involves, up to the margin of sufficiency, identity of response for 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. The matter of status raises the issue whether the state should seek to turn 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 mind in Western democracies.

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 touches the fringe of the problem of finding a general system of its more equitable distribution'. The state is yet to grapple with the problem of finding a general system of profit sharing.

5.4.4 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 discrimination based upon caste, creed, religion, language, race, sex, education, etc. The cardinal question which confronts us today is how the state and its law 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 rights in the admission to educational institutions. Equality of races 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 considerations 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 to others.

The case of 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 men in intelligence, business capacity, soundness of judgements etc., and that discrimination resting on such assumed inferiorities is misplaced, and ii) the admitted differences will not support discrimination between the sexes in respect of voting rights, entry to profession, educational opportunities, level of remuneration etc. Thus ‘equal pay for equal work’ means that men and women should be paid equally if they do the same type of work; and there are admitted biological and psychological differences in the functions within the family. 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 a master, nor the complete sacrifice of women’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 recognise that the domestic burden carried by mothers 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 household functions and baby minding is a sign of practical extension of the principle of equal consideration.

Social equality also depends upon the 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 organised 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, the middle classes, the lower middle class and the poor masses. In prestigious schools where children of the affluent section of 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 adapted 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 money. Even if the elementary school boy, in today’s changed circumstances, is not taught that the world is divided by God into the 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 an atmosphere of unhealthy buildings, deficiency of playing fields, lack of 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.

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

5.5 RELATION OF EQUALITY WITH LIBERTY AND JUSTICE

The relation between equality and liberty 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 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 to equality beyond ‘equality before law’ was deemed as exceeding the proper scope of the functions of state. Positive liberalisation 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 complementary to each other. Let us consider both these arguments in detail.

5.5.1 Liberty and Equality As Opposed to Each Other

That liberty and equality are 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 equality. So by nature liberty and equality are opposed to each other. Early liberal thinkers like Locke, Adam Smith, Bentham, James Mill, and Tocqueville felt that there should be minimum restrictions on the liberty of the individual. For example, Locke did not include equality in the list of three natural rights. Similarly, men like Lord Acton and Alexis de Tocqueville insisted that equality and liberty were anti-thetical. They argued that the desire for equality has destroyed the possibility of having liberty. 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 legitimisation of inequality had a strong emphasis on and commitment to the doctrine of individualism. At the political level, it asserted that there is a necessary contradiction between liberty and equality. Just as liberty is associated with the individual, equality is concerned with social intervention. Thus, 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 equalisation 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 the life and liberty of private citizens. Liberty, choice and money were closely related in early liberalism. The wealth of the rich also constituted their liberty and being coerced to part away with their wealth meant a double encroachment on 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 a totalitarian and authoritarian regime. ‘The pursuit of equality has in practice led to inequality and tyranny. This is not a mere accident. It is the direct result of the conditions which are inherent in the very concept of equality. Egalitarianism relies on the achievement of its objective on the coercive power of the state as they are bound to do by the nature of human material with which they deal. A society in which the choices fundamental to the human existence are determined by coercion is not a

free society. It follows irresistibly that egalitarians must choose between liberty and equality. Similarly, 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 like in their conditions cannot be accepted in a free society and is a justification for further and discriminatory coercion’.

In other words, the price of significant equality would be political despotism which would subordinate individual talent and achievement. 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 monocracy, 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.

In short, liberty and equality are incompatible, liberalism stands for liberty, equality is desirable only before law, political equality should be limited to the right to vote and elections of the elite; social and economic equality in so far as it increases the powers of the state is a threat to liberty.

5.5.2 Equality and Liberty Are Complimentary To Each Other

The early liberal argument that equality and liberty are mutually exclusive assumed an inevitable conflict between personal interests and social requirements. But this dichotomy of individual versus society proved false historically. The demand for economic and social equality raised in the 19th century by the socialists and positive liberals made equality the prime requirement of liberty. Positive liberals maintained that liberty and equality are complementary to each other and the state was assigned the task of correcting the social and economic imbalances through legislation and regulation. The supporters of this viewpoint are Rousseau, Maitland, T.H. Green, Hobhouse, Lindsay, R.H. Tawney, Barker, Laski, Macpherson, etc.

Positive liberalism saw the individual as a social being whose personal desires could be satisfied in the context of a cooperative social relationship within a social environment. It interpreted liberty as ‘equality of opportunity’ which means that opportunity should be given to everyone to realise the ‘implication of his personality’. To provide such opportunity, deliberate social restraints need to be placed upon 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 upon others as he would that they should to do him’. 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 economic

unequals, gross inequalities make liberty the privilege of a 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 primary conditions of free man. Equality, which aims to put an end to gross inequalities of wealth and power, is the true basis of liberty. Whenever 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’. 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 a 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 of 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 regulations 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 society. Rather, the limits of improvement in this direction of greater equalisation 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 Dean 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 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’. 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’.

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 the 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 differences and produce division rather than unity’. 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’.

5.5.3 Equality and Justice

Like liberty, the relation between equality and justice is also a controversial one. As we have discussed above, what we find in society are a number of inequalities based upon age, sex, ability, education, social status, wealth, opportunity 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, such inequalities have not only been justified but also perpetuated. The Greek society was based upon birth, status 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 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 the social egalitarian conception of economic and social equality. According to him, a just society would involve the maximisation of equal basic liberties where the 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 justice 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 concept 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 the 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 before 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 the case they serve; for example, as incentives, creating a greater stock of goods for distribution to the least advantaged.

The relationship between equality and justice can also be understood at a more abstract and fundamental level; namely, the idea of equality not in the sense of equal distribution but as ‘treating people as equals’. Justice demands that at least at the theoretical level, government treat its citizens with equal consideration. Each citizen is entitled to equal concern and respect. According to Kymlicka, this more basic notion of equality is found in Nozick’s libertarianism as well as in Marx’s communism. While libertarianism believes that equality means equal rights 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 government, or if it is claimed that certain kinds of people just do not matter as much as others, then most people in the modern world would reject that theory immediately. 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’.

5.6 TOWARDS EQUALITY

There is no doubt that all societies are unequal. The rise of capitalism replaced one set of inequalities based upon birth and privileges with another set of inequalities based upon private property; yet there are a number of historical changes which promoted trends towards equality and egalitarianism. Positive attempts to eradicate inequality are often undermined by the paradoxical relationship between personal liberty and social equality. But the important thing here is to distinguish between equality of *opportunity* and other forms of equalities such as equality of *conditions* and equality of *results*. While most democratic societies have achieved equality of opportunity and to a large extent equality of conditions, they have yet to go a long way to achieve equality of results. The citizenship rights, first developed in Europe and then spread to other parts of the world, helped in evolving a society based upon equality of opportunity, merit and competition. Legal citizenship was associated with freeing the individual from arbitrary, legal constraints and it opened the professions and public administration on the basis of educational qualifications. Similarly, political citizenship rights gave the people an opportunity to participate in the affairs of the government. Social citizenship attempted to reform capitalism through legislation. The gradual development of universal provision for basic education, health and social security was a modest attempt to bring about an equality of condition. The expansion of the welfare state in the 20th century was an extension of social legislation. Legislation on minimum wages, hours of work, unemployment allowance, work conditions, occupational safety etc have made the employees less vulnerable as a mere commodity on the labour market. At the same time, we cannot forget that these changes do not transform the economic basis of capitalism in terms of private appropriation of wealth. Bryan Turner has called it a ‘hyphenated system’ because it combines a progressive expansion of egalitarian citizenship rights with continuity of inequalities in terms of class, status and power.

Apart from citizenship rights, according to Gellner, there have been a number of important processes in modern industrial societies which tend to bring about an egalitarian ideal, partly as a consequence of the decline of hierarchical social structures and weakening of cultures which traditionally legitimised equality. For example, modern industrial societies are characterised by a high degree of social mobility which make the enforcement of traditional forms of rank difficult. The movement of youth from villages and towns to cities was associated with the decline of parental authority. Similarly, many features of modern capitalism, especially, the involvement of women in the work force has weakened the patriarchal authority within the household. The rise of the nuclear family has contributed to the changing status of women in society. Also, the development of mass media and emergence of modern consumerism have produced a leisure society where traditional standards of tastes and forms of cultural inequality associated with them has declined. The capacity of the working class to enjoy the new commodities has increased significantly with hire purchases, mortgages and other loan facilities. Again, radio and television contribute to the evolution of a uniform culture for all social classes. Modern egalitarianism also owns a great deal to contemporary means of mass transport. Mass surface transport and railways have helped in removing the immobility, provincialism and isolation of the traditional social classes.

In conclusion, we can say that in a world of inequalities, there are trends which promote equality in human societies. Firstly, there is a sense of justice which appears to be a necessary feature of all social relations. Inequality is on the defensive. Secondly, the politics of democratic societies is not coercive control, but a set of institutions which enable people to achieve desired goals. Thirdly, social groups and movements such as the working class and the feminist movements successfully mobilise to achieve substantive social rights.

5.7 PLEA FOR INEQUALITY IN THE CONTEMPORARY WORLD

As mentioned earlier, equality is a relative concept and has to be understood in the context of prevailing inequalities. Inequality is a universal feature of all societies and its opposition has been fundamental to all social relations. Yet, inequality is still legitimised in contemporary society by reference to a variety of ideological systems which explain the necessity and legitimacy of all forms of inequality. Hence, in order to understand equality, it is desirable to know the arguments against equality.

Most forms of traditional ideology legitimising inequality between persons have been religious in character. For example, all major religions – whether Hinduism, Buddhism, Confucianism – believed in the transmission of a special type of knowledge to a cultural elite via a period of training and adherence to rituals which guaranteed purity. Virtually all religions are grounded in the notion of inequality. If Hinduism justified varna-system, similar was the case of Christianity and Islam where slavery was accepted. With the secularisation of industrial capitalist societies, religious inequality became less significant socially. But it brought in racial and economic inequality justified in the name of ‘Social Darwinism’ which gave a special significance to the notion of ‘survival of the fittest’. It was an application of the notion of evolution and natural selection to the historical growth of human society. While it legitimised competitive capitalism in the economic field, it justified the natural superiority of white races over other races and groups and an inevitable outcome of fixed laws of natural development and selection. This found its extreme form in the fascist theories of human inequality to produce a political outlook justifying policies of racial purification and extermination.

Thirdly, the classical political economy of modern capitalism and utilitarianism also justified inequality. This view of economic struggle is associated with the notion of possessive individualism, achievement and initiative. The economic doctrine of inequality associated with utilitarianism is fundamental to the general culture of capitalist society. It is difficult to distinguish between political theories of inequality and the classical economic analysis of inequality arising from the market place. Locke’s political arguments were based upon the right to unequal possessions. Similarly, Adam Smith’s model of the market assumed three significant social classes, namely, the owners of capital who acquire profits, the landowners who depended upon rents and the working class which depended upon wages. He provided the basis for free market explanations of inequality, especially in the form of income inequality. Though there has been considerable criticism of Smith’s economic policies, there has been in the modern period a revival of free market economic doctrine by economic theorists like Milton Friedman and F.A. Hayek, whose theories have been very much influential in reviving classical economics in the form of libertarianism.

Apart from the above, there are many common arguments against equality. Firstly, it is argued that there are different components of equality which are mutually incompatible. For example, equality of opportunity and conditions are likely to result in inequality of results because if a society is competitive, then it is found to produce inequality since every person cannot be the winner. The liberal notion of equality of opportunity is bound to result in inequality. Secondly, the political programmes of equality are not feasible. To secure radical equality of conditions or equality of outcome require massive social and political regulations by the state resulting in a totalitarian and authoritarian regime. Thirdly, equality is not desirable since achievement of equality may be incompatible with other values which are also desirable such as liberty. Equality

of conditions may bring equality, but would limit certain personal freedoms. Fourthly, the functional theory of stratification believes that there are some social positions which significantly contribute to the maintenance and continuation of the whole social system. They require special skills for their performance. The transformation of talent into skill also requires a training period of some duration involving sacrifices made by those undergoing the training. Hence, these functional positions must carry a significant inducement in the shape of a social differential, involving privileges and disproportionate access to scarce rewards. In short, societies are stratified in terms of rights and rewards which induce people to undergo sacrifices and training for social roles which are demanding while also being rewarding. It follows that social inequality among different social strata is positively functional for the continuity and maintenance of society.

Fourthly, it is suggested that inequality in economic terms has a number of important social functions both for society and for specific social groups. For example, low pay and associated poverty guarantees that ‘dirty work’ will be accomplished in an affluent society. If a person receives the same economic wages regardless of the task, then dirty or demeaning work would never be accomplished. The stigmatisation of the poor has an important economic function in forcing people to work and contribute to general productivity.

Fifthly, inequalities of wealth are important in subsidising the living standards of upper and middle classes by making their lives more comfortable and enjoyable. It is also the case that the lower paid subsidise the public sector because they typically contribute a higher percentage of their income in taxes than the more wealthy sectors of the population who can normally avoid taxation by employing the services of accountants and by claiming tax allowances for aspects of their employment. The proponents of inequality go to the cynical arguments that suggest the functional importance of the poor is also to be found in their contribution to professional employment such as doctors, welfare services, social workers and religious sects. Since the poor are the main clients for these groups, the poor function to provide employment for not only professional groups but also for owners of pawnshops and brothels. Also the poor prolong the usefulness of certain items such as day-old breads and fruits, second-hand clothings and poor quality consumer goods. In short, some form of inequality whether in the form of wealth, power or prestige, is inevitable as well as desirable.

5.8 MARXIST CONCEPT OF EQUALITY

In the Marxist-Leninist philosophy, equality is defined as ‘abolition of classes and equal social status for all’. It denotes identical conditions of people in a society, but having different contexts in different historical epochs and among different classes. In 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 remains intact. Liberal theory proceeds from the right of every man to own property, but the main thing i.e. relation of 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 of production and liquidation of exploiting classes.’ As Marx wrote, ‘we want to abolish classes and in this sense we are for equality’. 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 serfs, slaves and masters, surf - fitters 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. In the same vein, Lenin felt that 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 state and 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. Socialisation 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 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 collectivising 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 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 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 nor rights. This is because classes as such would not be entirely abolished despite class antagonism. After the collectivisation, Stalin claimed that the economic antithesis and social gaps between the 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 the citizens had the same political rights; all enjoyed electoral franchise and eligibility for getting elected to the soviets. On the other hand, there would be no equality for the non-conformists or equal opportunities for the potential opposition – an aspect which was criticised by Rosa Luxemburg after the revolution.

The Constitution of the (erstwhile) 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 state were tilted towards equality. Examples of this were: virtually equal remuneration for all types of work, equal ration, equalisation of property, abolition of ranks and titles. However, subsequently, when industrialisation was launched, the demands of technology necessitated the training and employment of skilled labour and specialisation. 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 were sometimes paid around 20-30 times higher salary than the ordinary worker. 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 minimum wages, socialisation of the means of production, uniform wage fixing, a relatively standardised supply of consumer goods etc. Similarly, social and political control over the process as of basic foodstuffs, fares, rents etc. helped greatly in achieving economic equality. Difference in status and income were also mitigated by welfare facilities and services available to all citizens such as free medical care, crèches, day nurseries etc. Considerable progress was achieved in the equality of women. Again, in 1956 all the tuition fees were abolished in educational establishments.

A systematic large scale development and promotion of educational facilities enabled, 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 centralised 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 and television. This prevented the masses from being becoming fully aware of the prevailing inequalities and their 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 ideological opinion. Toleration of the most diverse opinion is essential to the principle of political 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 is lagging far behind.

To invoke an ideal of society in the name of equality when in practice justifying 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 principle of economic and social equality propounded by Marxism and practiced in the erstwhile communist states.

5.9 SUMMARY

From the above discussion, we can sum up the concept of equality as follows:

- 1 Equality is a value and a principle essentially modern and progressive. It is related to the whole process of modernisation in the form of political egalitarianism. It is also taken as a criterion for radical social change. It is related to the development of democratic politics.
- 1 Equality can be understood only in the context of prevailing inequalities. All human societies are characterised by some form of social inequalities of class, status, power and gender. Talking about equality, while Laski associated it with the absence of hereditary privileges, availability of opportunities and universal access to socio-economic benefits, Bryan S. Turner has gone a step forward and talks of equality in terms of availability of opportunities, equality of conditions and equality of outcome or results.
- 1 The rise of liberalism was associated with fighting against feudal and religious privileges. It talked of only legal equality which meant two things: Rule of law and Equality before law. The advent of democracy called for equality in the political sphere i.e. the right of every citizen to participate in the political process. This principle was expressed in the right to vote, the right to stand for elections, to hold public offices and no distinction on the basis of caste, colour, sex religion, language etc. The attention to the socio-economic equalities was drawn by Marxist writers. While Marxism believed that equality can be achieved only through the abolition of classes and the creation of a classless society, liberal writers claimed that this could be achieved through social legislation and social services such as minimum wages, tax exemptions, unemployment benefits, free education etc. Social equality talked of discriminations based upon caste, creed, religion, language, race, sex, education etc. The contemporary liberal concept of equality is summed up in the concept of egalitarianism.

- 1 An interesting controversy within liberalism has been the relation of equality with liberty and justice. While early negative liberalism saw an inherent contradiction between equality and liberty and saw the former as a threat to the latter, positive liberalism believes in the reconciliation between liberty and equality through regulated capitalist economy. Similarly, although philosophers like Rawls have made equality as the basis for their theory of justice, yet, they have no hesitation in justifying inequalities though with the condition that these inequalities should help the least advantaged in the society.
- 1 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 countries 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, yet basic inequality in terms of power, prestige and wealth continues. There are massive inequalities in the distribution of wealth both through inheritance and personal achievements in the occupational field. The government, inspite of 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 a free capitalist economy. Recently, American sociologists like Talcott Parsons and Kingsley David have declared that inequality is a necessary condition of all social organisations. Instead of worrying about the origin of inequality, they have attempted to demonstrate that social differentiation and stratification are essential to social structures. 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.

5.10 EXERCISES

- 1 Explain the meaning and nature of equality and its relation with inequality.
- 2 Discuss different dimensions of equality.
- 3 Explain the relation of equality with liberty and justice.
- 4 Discuss the role of equality in contemporary societies.
- 5 Write a note on inequality in the contemporary world.
- 6 Explain the Marxist conception of equality.

UNIT 6 JUSTICE

Structure

- 6.1 Introduction
- 6.2 The Idea of Justice
 - 6.2.1 Procedural Justice and Substantive Justice
 - 6.2.2 Needs, Rights and Deserts
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6.1 INTRODUCTION

Justice is of central importance in political practice and theory. In defending or opposing laws, public policies and administrative decisions of governments, appeals are made to notions of justice. Justice is also invoked in social and political movements, civil disobedience and satyagraha campaigns. Thus, the civil rights or civil liberties movements are essentially movements for justice. So are the *dalit*, feminist and environmental movements.

While a decent or good society or polity must have several virtues, justice is, according to a widespread view, the *first* of them. In the words of the leading contemporary moral and political philosopher, John Rawls of Harvard University, “justice is the first virtue of social institutions.” He made that statement in his book, *A Theory of Justice*, which was published in 1971. Some two decades earlier, it was proclaimed in the Preamble of the Indian Constitution that the Democratic Republic of India stood committed to securing to all its citizens “Justice, social, economic and political.” It is noteworthy that the Preamble lists justice above the other moral-political values of liberty, equality and fraternity.

Rawls’s book inaugurated what has been rightly called “a golden age in theorising about justice.” Consequently, justice, as noted by Tom Campbell, is today “the central and commanding concept of current mainstream normative political philosophy.” In his edited volume, entitled *John Rawls and the Agenda of Social Justice*, B.N. Ray observes that Rawls’s book has renewed not only scholarly interest, but also popular interest in justice.

While there is a widespread agreement among ordinary peoples, politicians and philosophers about the centrality of justice as a moral-political value, there is no such agreement among them on its meaning and scope. On these, there are very major differences in the views of the liberal-utilitarian, liberal-egalitarian (i.e., Rawlsian), libertarian, communitarian, Marxist and feminist theorists. Of them, the liberal-egalitarian theory of social justice propounded by Rawls has come to occupy a deservedly central position. Those who advanced alternative or competing theories of justice feel compelled to present their worth or merit in comparison and contrast with Rawls's theory.

6.2 THE IDEA OF JUSTICE

The word “justice” is derived from the Latin words *jungere* (to bind, to tie together) and *jus* (a bond or tie). As a bonding or joining idea, justice serves to organise people together into a *right* or *fair* order of relationships by distributing to each person his or her *due* share of rights and duties, rewards and punishments. The Roman Emperor, Justinian, stated some of the precepts of justice (in Latin) as *alterum non laedere* (not to harm or injure others); and *suum cuique tribuere* (to allocate to each what is due to him or her). Justinian's precepts of justice were derived from the Greek philosopher, Aristotle, who had defined justice as the treating of equals equally and of unequals unequally in proportion to their inequalities. He had also distinguished three types of justice, namely, distributive justice, corrective justice and commutative justice (i.e. the justice of equivalence in the exchange of different kinds of goods).

As a moral-political value, justice is inter-linked with such other moral-political values as liberty, equality and fraternity. What makes a society or state just in a basic sense is its *right* or *fair* ordering of human relations by giving to each person her or his *due* rights and duties as well as *due* rewards and punishments. Justice does this by bringing about adjustments between the principles of liberty, equality, co-operation, etc. Traditionally, then, the principle of justice was taken to be a principle which *balances* or *reconciles* the principles of liberty, equality, etc. Such a balancing or reconciling is done with reference to some ultimate value, e.g., the value of the greatest happiness of the greatest number or the value of the freedom and equality of *all* the members of a society. In this context, it may be noted in passing that it is the balancing or reconciling nature of justice, which is represented in the figure of personified justice, who holds a balance in her hands.

6.2.1 Procedural Justice and Substantive Justice

In discussions of justice, a distinction is drawn between procedural justice and substantive justice. The former refers to justice or fairness or impartiality of the processes and procedures through which a law or policy or decision is arrived at and applied. Substantive justice refers to justice or fairness of the content or outcome of laws, policies, decisions, etc.

Principles of procedural justice have traditionally been based on the idea of *formal* equality of persons, i.e., their equality as human beings or as subjects of the rule of law, *irrespective of* their differences in gender, religion, race, caste, wealth, etc. Often, rights-based justice is seen as procedural justice, whereas needs-based justice is seen as substantive justice.

John Rawls, whose principles of just distribution of social primary goods we shall consider below, claims that his is a theory of “pure procedural justice.” By *pure* procedural justice, he means that the justice of his distributive principles is founded on justice-as-fairness of the procedure through which they have been arrived at and that they have no independent or

antecedent criteria of justice or fairness. If those principles had such independent or antecedent criteria of justice or fairness but were lacking procedural justice or fairness, they would have been principles of *imperfect* procedural justice. As we shall see below, Rawls's libertarian critic, Robert Nozick, maintains that the former's theory is actually not a procedural theory, but a set of principles of "end-state" or "patterned" justice.

6.2.2 Needs, Rights and Deserts

A passing reference has been made above to rights-based and needs-based conceptions of justice. What they mean and how they differ from deserts-based justice is indicated below.

The most famous formulation of a needs-based justice is Marx's principle of communism: "From each according to his ability, to each according to his needs." Generally, socialists subscribe to one or another version of needs-based, egalitarian justice. They differentiate needs, especially basic material needs, from wants, preferences or desires. The former are taken to be objective and universal, whereas the latter are seen to be culture-related and market-related. According to Abraham Maslow, there is a hierarchy of human needs, ranging from our most basic needs for fresh air, water, food, shelter to our needs for safety, love, self-esteem and self-realisation. Obviously, needs-based justice calls for egalitarian distribution of resources within and across countries.

Rights-based conceptions of justice differ from egalitarian, needs-based justice. According to classical liberalism (Locke and Hume), the main function of the state was to protect the negative liberty rights of the individuals. The welfare-state or egalitarian liberals stress the positive freedom or welfare rights of the citizens. The present-day libertarians (e.g. Nozick), who are heirs to classical liberalism, espouse an entitlement-centred, non-egalitarian conception of social justice.

Deserts-based conceptions of justice are occasionally referred to as "natural justice." It is a tough and non-egalitarian version of rights-based justice. It emphasises the idea of the natural deserts or innate worth of the individuals, which are assumed to constitute the basis of a God-given, natural, unalterable order of things. Edmund Burke and Herbert Spencer upheld these ideas. Spencer maintained that each individual should get "the benefits and the evils of his own nature and consequent conduct." These ideas serve to give a conservative, social-darwinian defense of free-market capitalism.

6.3 RAWLS'S LIBERAL-EGALITARIAN PRINCIPLES OF SOCIAL JUSTICE

6.3.1 Critique of Utilitarianism

Rawls's principles of social justice are a corrective to the liberal-utilitarian principle of the greatest happiness of the greatest number. What then are his objections to utilitarianism?

Rawls recognises that liberal utilitarianism marked a progressive, welfare-oriented departure from classical liberalism's preoccupation with individualistic rights. Yet, utilitarianism is, in Rawls's view, a morally flawed theory of justice. Its moral flaw is that it justifies or condones the sacrificing of the good of some individuals for the sake of the happiness of the greatest number. For the utilitarians, the criterion of justice in a society is the aggregate sum of utility or happiness or welfare it produces, and not the well-being or welfare of *each* member of the society.

In his critique of, and alternative to utilitarianism, Rawls derives inspiration from Immanuel Kant's moral idea of the freedom and equality of every human being. According to Kant, every human being is to be treated as an end in himself or herself and not as means to the ends of others. It is this *liberal-egalitarian* moral principle, which is violated by utilitarianism and which Rawls reinstates in his theory of social justice. Both in his method or procedure of arriving at the principles of distributive or social justice and, *consequently*, in the content or substance of those principles, Rawls tries to give centrality to the moral principle of the freedom and equality of every person.

6.3.2 Rawls's Liberal-Egalitarian Principles of Justice

According to Rawls, a stable, reasonably well-off society is “a cooperative venture for mutual advantage.” Along with cooperation, there is also conflict among its members regarding their share of the burdens and benefits of social living. The purpose of principles of social justice is to ensure that the distribution of the benefits and burdens of society is just or fair to all its members. The basic institutions of society should, according to Rawls, be so constructed as to ensure the continuous distribution of “social primary goods” to all the members of society in a *fair or just* manner. “Social primary goods” are goods, which are distributed by the *basic structure* of a society. They include rights and liberties, powers and opportunities, and income and wealth. Rawls argues that the distribution of these social primary goods among the members of a society is just, if that distribution is made in accordance with the following principles of justice:

Principle 1 (Principle of Equal Basic Liberties)

Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, scheme which is compatible with the same scheme of liberties for all.

Principle 2

(2-i: Fair Equality of Opportunity; 2-ii: Difference Principle)

Social and economic inequalities are to satisfy two conditions : first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least-advantaged members of society

These principles are listed here in the order of their lexical priority. By “lexical priority”, Rawls means that the first principle must be fully satisfied before the next principle is applied. It means, for instance, that “liberty can be restricted only for the sake of liberty”, and not, say, for the sake of income or wealth. It must, however, be noted in this context that Rawls assumes that society (his own society, in fact) to which his principles of social justice are to be applied is one which is reasonably well-off and in which the basic material needs of all are provided for.

The main purpose of the rule of priority is to assign greater importance to equal basic liberties than to other primary social goods. In “basic liberties,” Rawls includes freedom of conscience, freedom of thought, freedom of the person along with the right to hold personal property, freedom from arbitrary arrest and detention or, in other words, the freedom of the rule of law, freedom of speech and assembly and political freedoms.

According to Rawls, these basic rights and liberties enable us to exercise and realise our “two highest-order moral powers,” namely, (i) the capacity to understand, apply and act according to

the principles of justice and (ii) the capacity to form, revise and pursue conceptions of the good.

In Rawls's view, every member of a just society must be viewed as having these two moral capacities. These make them *free and equal* citizens. The moral equality of citizens means that "they each have, and view themselves as having, a right to equal respect and consideration in determining the principles by which the basic arrangements of their society are to be regulated". The freedom of the citizens includes their freedom to realise their capacity to pursue their own conception of the good life.

Since the distribution of social primary goods will have to respect the equality *and* freedom *and* "fraternity" *and* welfare, etc. of all the members of society, it cannot strictly be an *equal* distribution across the board. According to Rawls, once the basic material needs of the people are met, their right to basic liberties is to be accorded priority over their right to the other social primary goods, which are covered by the principle of equal opportunities and the difference principle. While he is opposed to any unequal distribution of basic liberties, he assumes that some inequalities in income and wealth are inevitable and perhaps not undesirable. Accordingly, the main purpose of his second principle of social justice is to keep inequalities within the bounds of *justice-as-fairness*. Obviously, the distinction between just or fair inequalities and unjust or unfair inequalities is of crucial importance in Rawls's theory of social justice.

Rawls thinks that excessive equality in income and wealth would destroy the economic incentives required for greater creativity and productivity. This would be harmful to both the rich and the poor. From the standpoint of the poor (as well as of the rich), justice does not require the complete elimination of economic inequality. Rawls believes that certain inequalities, which serve as incentives for the greater creativity and productivity of the talented and the gifted, are not unjust if that greater creativity and productivity are integrated into a social-structural or institutional arrangement for distribution to the benefit of all, *especially* the least advantaged members of the society. He also thinks that giving advantage to the least advantaged would invariably entail giving benefits to everyone else.

Rawls maintains that a society can so structure or re-structure its basic institutions as to make inequalities in income and wealth yield maximum benefits to the least advantaged – maximum in comparison to any reasonable, alternative social re-structuring. His Difference Principle is meant not to replace inequality with equality in income and wealth, but to transform unfair or unjust degrees or kinds of economic inequalities into a fair or just kind or degree by maximising the benefits of the least advantaged. According to the Difference Principle, inequalities which are advantageous to the better off but not to the least advantaged are unjust.

Rawls's principle of fair equality of opportunity stipulates that the state should ensure fair equality of opportunity in the educational, cultural and economic spheres as well as provide unemployment and sickness benefits. These require an interventionist, welfare state to run or aid schools, to regulate the economy, etc.

The principles of justice, which we have discussed so far, have been described by Rawls as "special" formulations of a "general" conception of justice. This general conception is stated as:

All social primary goods – liberty and opportunity, income and wealth and the bases of self-respect – are to be distributed equally, unless an unequal distribution of any or all of these goods is to the advantage of the least favoured.

What Rawls means by this general conception of justice is that only those inequalities are unjust

which, as in the case of utilitarianism, put some members or the society at a disadvantage.

This “general” conception of justice, however, does not differentiate between the different social primary goods. It does not say, for instance, how to resolve the conflict, if any, between the distribution of income and the distribution of liberty. It is to meet this difficulty that Rawls divides the general conception into a “special conception” of the two principles, which we have discussed above.

6.3.3 The Social Contract Procedure

So far, our focus has been on the content or substance of Rawls’s principles of social/distributive justice. Let us now turn briefly to his method or procedure of argumentation in defense of those principles. Why, according to Rawls, should we accept his principles, rather than some other principles (say, the utilitarian or libertarian principles), as principles of *just or fair* distribution?

Briefly stated, Rawls’s response is that a social contract method or procedure of political deliberation respects the Kantian liberal-egalitarian moral idea of the freedom and equality of *all* persons and that an agreement or contract arrived at through such a method or procedure is just or fair to *all* the parties to that contract. He, in fact, adopts such a procedure and argues that all the contractors would agree to the above-mentioned *general* and *special* formulations of the principles of distributive justice – principles, which he espouses and defends as the liberal-democratic-egalitarian principles of social justice.

His social contract is hypothetical and not historical or actual. It is only meant to be a hypothetical assembly or “original position” of “heads of families.” They hypothetically assemble (before the formation or organisation of their society) in order to enter into an agreement or social contract on the general principles of distributive justice, on the basis of which the institutions of their society are to be constructed.

In order to ensure impartiality and fairness in their agreement or social contract and to incorporate the moral idea of the freedom and equality of persons, Rawls postulates that the contractors in his “original position” are under a “veil of ignorance” about their attributes, class, social status or their own conceptions of the good. They, however, do have knowledge of the general circumstances of justice such as the limited benevolence of people and the conflict of interests over the limited amount of social primary goods. They also know that in the actual society in which they would have to live, they may perhaps end up as the least advantaged members of the society. Given the uncertainty about the actual position, which a contractor may come to occupy in the actual society, it is rational for him or her (in the contracting situation, i.e. the “original position”) to assume that he or she may end up in the least-advantaged position and, accordingly, to choose a general principle of distribution that would give the best deal to the least advantaged members of the society. Each contractor would, in other words, follow the “maximin rule” of choice, which says that in an uncertain situation, one should choose so as to maximise one’s minimum prospects.

Taken together, Rawls’s principles of social justice, ranked in the order of their lexical priority, embody the liberal-egalitarian moral injunction of Kant; namely, that human beings are always to be treated as ends in themselves and never as mere means to the ends of others. From this perspective, it would be unjust to sacrifice the basic rights and liberties of some persons for the sake of any majoritarian or utilitarian conceptions of the good. Unlike liberal-utilitarian justice, Rawls’s liberal-egalitarian justice is marked by its concern for the equality and welfare of *everyone*, including, especially, the least advantaged members of the society.

6.3.4 The Basic Structure of Society

Rawls has persuasively shown that social justice is of crucial importance to social life and that it should inform constitutions, laws, policies, legal processes, etc. In fact, according to him, the primary subject of justice is the basic structure of society. His principles of social justice justifies, and is justified by, liberal democracy, a regulated market economy and the liberal-egalitarian welfare state. He states that for translating his Difference Principle into practice, the government should have four branches, viz., i) an allocation branch “to keep the price system workably competitive and to prevent the formation of unreasonable market power” ii) a stabilisation branch to bring about “reasonably full employment” and, jointly with the allocation branch, to maintain the efficiency of the market economy iii) a transfer branch to attend to “the claims of need and an appropriate standard of life” and iv) a distribution branch “to preserve an appropriate justice in distributive shares” by taxation measures and adjustments in property-rights.

6. 4 SOME CRITICISMS OF THE RAWLSIAN CONCEPTION OF JUSTICE

6.4.1 The Libertarian Critique

As mentioned above, Rawls's liberal-egalitarian conception of social justice occupies a central position within contemporary political philosophy. But it is not an unchallenged or unopposed conception. Many political philosophers have criticised it and have advanced alternative conceptions of justice. Some of these criticisms and alternatives are indicated below.

Rawls's liberal-egalitarian conception of justice has been subjected to a rigorous libertarian critique by his late colleague, Robert Nozick. In his book, *Anarchy, State and Utopia* (1974), Nozick draws a distinction between “end-state” and “patterning” conceptions of justice on the one hand and “historical” and entitlement-based conceptions of justice on the other. The former types of justice call for social reconstruction or patterning by the state in the name of some end-stage goal. Rawls's conception of justice is, according to Nozick, such an end-state and patterning conception, which by undermining the liberty rights of the individuals is unfair or unjust to them. Instead of prescribing any end-state or patterning principles of distribution, Nozick looks for justice or injustice in the *history* of the acquisition of the *titles* to our property holdings.

According to him, the individual has absolute liberty rights, including the right to own property and exchange it in the market, regardless of the end-state or pattern of distribution it may lead to. This entitlement theory of justice, however, includes a principle of rectificatory justice, which is meant to correct past injustices, if any, in the acquisition or transfer of property. It can be seen that Nozick's libertarian conception of justice is a defense of free-market capitalism. While it is eloquent on the defense of individual rights from state interference, it is silent on the undermining of individual freedom and equality by very rich people or corporations.

6.4.2 Some Marxist Criticisms

Many Marxists criticise liberal egalitarians for their preoccupation with just or fair distributions *within* the capitalist system and their failure to address its underlying or inherent exploitative or alienating inequalities between the capitalists and the workers. The ideal communist society, which Marxism seeks to bring about through the destruction of the system of private ownership

of the means of production, is envisaged as a society in which there will be no scarcity, no limits to human benevolence and no state. Since the scarcity of social primary goods and the limited nature of human benevolence are the “circumstances of justice” for Rawls’s theory, their (presumed) absence in the communist society makes any principles of fair or just distribution irrelevant to such a society. Instead of any such juridical, superstructural distributive principle, the higher form of community envisaged by communism will function according to the principle: “From each according to his ability, to each according to his needs.” In the socialist phase, which precedes and gives birth to the higher and final communist phase, a work-based or contribution-based principle of distribution will prevail.

The collapse of Soviet communism and the growing pace of “liberalisation” in country after country, each with its own pattern of inequalities, have served to cast doubts on the “realism” of the traditional Marxist hope for the elimination of the “circumstances” of injustice and for ushering in a society in which social or distributive justice is irrelevant. In fact, departing from traditional Marxism, some contemporary Marxists interpret the extraction of surplus value from the workers by the capitalists as a *derived form of injustice*, which, according to them, rests on a *prior and larger injustice* in access to the means of production. In this way, the agenda of liberal-egalitarian social justice that has been launched by Rawls seems to be having some impact on Marxism.

6.4.3 The Communitarian Critique

The communitarian theorists criticise Rawls’s liberal-egalitarian conception of justice for its emphasis on individual rights at the expense of the good of the community. In his book, *Liberalism and the Limits of Justice* (1982), Michael Sandel, also of Harvard University, criticises what he calls Rawls’s notion of disembodied or unencumbered self or subject, in opposition to which he advances the notion of the *situated self*, i.e. the self or subject, who is invariably a member of a community. While, for Rawls, the right is prior to the good and justice is the first virtue of a society, for Sandel, justice is only a remedial virtue that is needed in an individualistic society. For Sandel, moreover, the common good of the community is prior to the rights of the individuals. Charles Taylor, who too is a leading communitarian political philosopher, bemoans liberalism’s “atomistic” conception of the self. According to him, the well-being of the individual depends on the good of his community and therefore, the recognition and protection of the group or cultural rights of the community is not less important than the just distribution of the freedom and equality rights to the individuals.

6.5 SUMMARY

In this unit, you have read about the idea and concept of justice. It is one of the important concepts in Political Science as well as other social sciences. There are different types of justice viz., procedural and substantive. One of the most pathbreaking works in the domain of justice has been done by Jawn Rawls. It’s liberal – egalitarian conception of justice is basically a critique of the utilitarian conception of justice. Of course, Rawls too has had his critics. Thus, the marxists, libertarians and the communitarians have criticised the Rawlsian framework on different grounds. Be that as it may, Rawls’s theory has its non-standing contemporary political discourse.

6.6 EXERCISES

1. Briefly explain the concept and idea of Justice.

2. Critically examine Rawls's egalitarian conception of social justice.
3. Write a note on the Rawlsian conception of justice.
4. Critically examine the Marxist views on justice.
5. Write a note on the communitarian critique of the Rawlsian notion of justice.

UNIT 7 IDEA OF DUTY

Structure

- 7.1 Introduction
- 7.2 Significance of Duty
- 7.3 Meaning
- 7.4 Duties and Rights
 - 7.4.1 Distinct Spaces of Duties and Rights within Liberal Thought
 - (i) Interest Theory
 - (ii) Choice Theory
 - (iii) Autonomy
 - (iv) Justice
 - 7.4.2 Duties and Rights in the Conservative Perspective
 - 7.4.3 Duties and Rights in the Communitarian Perspective
 - 7.4.4 Duties and Rights in the Gandhian Perspective
- 7.5 Types of Duties
- 7.6 Summary
- 7.7 Exercises

7.1 INTRODUCTION

Rights discourse has been one of the most prominent features of contemporary political philosophy and political agendas. It argues that persons, mainly as individuals, are the bearers of a body of claims, liberties and powers which the rest of the society has to acknowledge and public life should be based on such acknowledgement and support. Such an exaltation of rights has led to a deep unease regarding duties and obligations that are called for the maintenance and reproduction of a just and sane social order or for fostering and promoting an ideal society. The criticisms regarding privileging of rights in the constitution of a good society has brought to the fore the role of duties, denoting a shift in perspective, which, while seeing duties as complementary to rights, also construes duties as marking a space of their own. Such an endeavour has led to spelling out the role of duties much more clearly in recent literature.

7.2 SIGNIFICANCE OF DUTY

It has been argued by several scholars that the rights discourse focuses much more and often exclusively, on individuals without drawing attention to cultures and communities which enable people to be claimants and bearers of such rights. This stream of thought stresses on duties and obligations to sustain culture and communities without which it would be impossible for people to make claims on and sustain a regime of rights.

Sometimes, denial of certain rights may make people rise in revolt against a system which is by and large fair. Discourse on duty has drawn attention to the need to preserve a system which is overall fair and one cannot rebel against such an order.

While rights discourse has seen itself as universally holding good, there have been currents of thought upholding the significance of reasonable, yet diverse, ways of life and ideals which qualify such a universal claim to different degrees. They have sought from their followers commitment and duties to uphold ways of life and ideals distinctive to themselves. Given the deep pluralism in which societies are being caught today, we cannot ignore such duty based evocations present in our public life.

Thinkers, like Mahatma Gandhi, have felt that the rights discourse has been fed into the service of an unending chain of satisfactions and gratifications and this discourse has not been sensitive to authentically human pursuits, i.e., pursuits characteristic of human beings qua human. It has led to wanton exploitation of earth's resources, breeding conflicts and violence closely bound up with such an endeavour. They have drawn attention to the need to foreground a conception of the human person and moral duties if we have to sustain civilised ways of life.

At the same time, we cannot ignore that fascist and authoritarian orders have stressed on the duty to contend against liberal stress on rights and the Marxist pursuit of a non-exploitative and just social order. By stressing on duty they have attempted to instal their interpretation on several cherished values and strivings, such as self-respect and culture.

Given such a deployment of the understanding of duty, it necessarily makes this idea a deeply contested one susceptible to different pulls and pressures. It is also deeply caught in the contexts of analysis and frameworks and deployed to subserve different ends and purposes. It is, therefore, important to understand concepts and values that foreground duty. The concept of duty has to be understood in relation to other values and strivings. This is particularly important for us in India as duty is often associated with *dharma* and the latter is related to duties associated with *varna* and caste orders. Foregrounding duty without being sensitive to its associations may lead us to endorse uncritically social grading and ranking and the deep inequalities and subordination they endorse.

7.3 MEANING

A duty generally prescribes what we ought to do and what we ought not do. It is a reason for action. Duty specifies the terms that are binding on individuals and groups in their social practices. It has been suggested that our conscious practices can be seen as motivated by right-based, duty-based or goal-based perspectives (Dworkin, 1978 and Weldron, 1984). While our practices might be governed by all these perspectives, one of them might be fundamental. A duty-based perspective appeals to duty and the reasons embedded therein to uphold and justify our practices. Duty-based propositions need not deny rights or satisfactions that the other two perspectives suggest, but they necessarily assert the priority of the former over the latter as in an argument of the kind below: "A citizen should vote and participate in shaping and forming public life. His civic and political rights must depend upon the extent to which he participates in public life. He cannot demand rewards and benefits from public life unless he has extended such support and participation".

7.4 DUTIES AND RIGHTS

Duties are closely associated with rights in liberal thought. The nature and degree of this association, however, has greatly differed. In pre-liberal societies where persons were caught in social roles, and people were not free to pursue their choices, duties ordered their lives.

Liberal transportation led to stress on rights and duties were seen as correlated to rights. If a person possessed rights, then others – be it individuals, groups or the state as the case may be, were invested with a determinate set of duties to protect and promote those rights. If I have a right to physical security, others have a duty not to violate or assault such security and if it was violated or assaulted, the state is duty bound to come to my protection. This correspondence between rights and duties which led to the effective collapsing of duties within rights has been challenged from within liberal thought as well as from outside its framework.

7.4.1 Distinct Spaces of Duties and Rights within Liberal Thought

Within the liberal tradition, broadly defined as invoking centrality of rights, we can identify five distinct positions with respect to the relation of duties and rights.

i) Interest Theory

This theory was initially stated by Jeremy Bentham who saw rights not as natural or moral, but as products of law. He argued that the law by creating duties stipulates rights. He said, “It makes me liable to punishment in case of my doing any of those acts which would have the effects of disturbing you in the exercise of that right (Hart, 1978).” There is no right if there is no corresponding duty sanctioned by law. This understanding of the relation is sometimes called as ‘sanction theory’. It makes possession of a right as another’s legal duty and it becomes a legal duty only if it is liable for punishment. This way of constructing duties need not preclude social sanctions of a kind. Individuals as members of non-state organisations may be subject to rules and to the imposition of sanctions, if they break those rules. Being subject to sanctions means having duties and those who benefit from those duties can be said to have rights.

However, legal provisions on one hand and social disapproval on the other, may beget an impasse in the framework of interest theory unless there is a natural or moral grounding to this relation. But interest theory does not subscribe to the priority rights as natural or moral principles. A case in point is when the law states that its citizens have the right to preach and practice its religious beliefs and whenever it does so, it is restrained by threats and actual use of force by a well organised gang and society does not establish conditions where such practices are met with approval. In such a case we can scarcely say that the minority has a legal right to practice its religion. A duty which has to be constantly shored up by force and coercion has little reason in built into it why an action ought to be performed or to be avoided. Therefore, J.S. Mill was to say, “To have a right is to have something which society ought to defend one in the possession of. (Mill, 1910)” Even if we conceive duty as corresponding to rights, it cannot be borne on the back of force and sanctions.

ii) Choice Theory

The choice or will theory counter poses itself against the interest theory stipulating the relation between rights and duties. One of the important proponents of this theory is H.L.A. Hart. He suggested that a right is a form of choice. The essential feature of a right is that the person to whom the duty is owed is able to control the performance of that duty. The duty-right relation is a chain which binds one individual, the bearer of the duty, and whose other end is in the hands of another individual, the bearer of the right to use it according to his will. It could beget the following relations:

- (a) The right holder may waive or extinguish the duty or leave it in existence.

- (b) After a breach or threatened breach of a duty, the right holder may leave the duty unforced or may reinforce it by suing for compensation.
- (c) The right holder may waive or extinguish the obligation to pay compensation resulting from the breach of duty.

The choice theory invokes duties primarily with reference to rights. But the space of duty need not be marked by reference to rights only. Duty-acts need not always correlate to right-acts. Further several rights may not have corresponding duties.

iii) **Autonomy**

Autonomy is the capacity for reflection and to formulate and revise our preferences, desires, values and ideas. The philosopher Immanuel Kant advanced a theoretical formulation of this notion and put forward a specific conception of duty in relation to this capacity. He suggested that the behaviour of the non-human world is governed by nature. Non-human beings did not will to act, but acted subject to natural forces and instinct. To the extent human beings acted on the basis of their appetites and emotions, they too acted heteronomously, i.e. according to laws and dictates given externally and not by themselves. The characteristic mark of human beings is their reason, which enabled them to deliberate the way they should act and will to act accordingly. In following this reason, they acted autonomously; they acted in accordance with their duty. The morality prescribed by reason was a matter of ‘practical necessity’. Moral agents understood this necessity and acted accordingly. Through his capacity for autonomy, an individual acted according to a law that he had prescribed for himself rather than on external dictates.

For Kant, human beings have a duty to cultivate this autonomy and to act towards others as beings possessing this capacity. The rights that people possess are expressions of this autonomy as well as means to nourish the same. Persons possess intrinsic value and should not be used as the instruments of others’ purposes. He defends right on the grounds of duty which comes not from nature, but “is apriori, regardless of all empirical ends.”

His famous formulation in this regard was “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.”

The Kantian notion of autonomy can be seen as cherishing a valued end and constructing a preference scheme of values based on it for duties to be pursued. Mainstream contemporary liberalism, however, does not propose any such valued ends and purposes and remains neutral to them. The ends and purposes are the products of choices rather than given. It is stated in a principle, interestingly, drawn from Kant himself: Right is before Good.

One of the recent scholars who upholds the valued end of autonomy on liberal grounds is Joseph Raz. According to him, not merely the abilities of autonomous conduct needs be considered, but also the desirability of the autonomous life they beget. Personal autonomy consists in appropriate mental abilities, availability of adequate range of options to choose from and freedom from coercion and manipulation. Personal autonomy makes people to control, to some degree, their own destiny expressed through successive decisions throughout their lives. But the good of autonomy lies not in these abilities and conditions as such, but in the autonomous life they promote. It does not lie merely in the act of choosing. Autonomy is valuable only if exercised in the pursuit of good. He thinks that there are multiplicity of good forms of life and it is choice

among those many good forms that makes autonomy both meaningful and valuable. Freedom understood both as the absence of coercion and manipulation and as the presence of worthwhile options has value because it promotes autonomous lives. Rights to freedom are justified to the extent they contribute to such an ideal.

Raz sketches the following relation between rights and duties:

- (i) An individual X has a right if and only if X can have rights and other things being equal, an aspect of X's well-being is a sufficient reason for holding some other person to be under a duty.
- (ii) Rights do not entail duties which merely correlate with or correspond to those rights. Rights are grounds of duties. Rights are the reasons for the duties to which they give rise. This does not mean that only rights give rise to duties. Duties might be invoked by other considerations as well.
- (iii) One has a right not merely if one is an intended beneficiary, but only if one's interest is a sufficient reason for holding another to be under a duty.

In this consideration, the value of autonomy is qualified by rights and rights invoke a specific set of duties although there are types of duties other than invoked in terms of rights.

Raz insists upon the importance of the general structure and culture of a society for the possibility and viability of personal autonomy. According to him, an autonomous life can be lived only in the context of shared institutions, values and opportunities.

It requires such things as a culture of tolerance and a range of career options. He insists upon duties to cherish such a cultural ambience. Raz also argues that the state should be committed to promote the good of autonomous life and its constitution and laws and policies should seek to promote that good. In promoting such a good, the state may avow many individual rights, although many of the goods that the state promotes may be collective goods bound up with the performance of specific duties.

iv) **Justice**

John Rawls proposes a set of principles to inform a just society which, he argues, all reasonable people will concur. These principles establish a fair and equal basis for collective life expressed in terms of rights. These principles of justice lead to two sorts of principles: Principles for institutions which apply to the basic structure of society, and principles for individuals which set the duties and obligations of persons with respect to institutions and one another. Citizens are duty-bound to support just institutions as they themselves concur to them.

For Rawls, persons are bound to abide by social practices upholding a just society on the basis of natural duty or obligation. He, therefore, makes the distinction between duty and obligations. Persons may be bound by natural duty or obligation. Natural duties are those moral claims that apply to persons irrespective of their consent such as to help others in distress, not to be cruel etc. Such duties are not tied to particular institutions or social arrangements, but are owed to persons as persons. They are prior to social agreement or choice. Obligations, unlike duties, describe those moral ties we voluntarily incur whether by contract, promise or other expressions of consent. The latter by themselves are not enough to create obligations. They should be just too.

The liberal tradition on the relation between rights and duties remains profoundly complex. A great part of this complexity has to do with the kind of values prioritised under different tradition of liberalism. Those perspectives which give priority to rights tend to make duties supportive to rights. Those traditions which insist on certain perfectionist values that a society should promote tend to be more emphatic on duties.

This emphasis on duties becomes significant when we move out of liberal tradition and begin to focus on other traditions of thought. Three of them will be considered here on account of their emphasis on duty.

7.4.2 Duties and Rights in the Conservative Perspective

Conservatives stress on duties and the grounds they adduce for the same vary markedly. Their mainstream arguments, however, are clear. Social institutions and mores are formed through the efforts of several preceding generations. The thoughts and efforts of generations have gone into the making of these institutions and mores. Such endeavours have often resulted in separating the chaff from the grain retaining only those elements which can be retained. Weight of generations lie behind efforts which have furthered certain institutions and led to the decay of others.

It is important that every generation be inserted into the culture, mores and institutions of society rather than every individual think that he has the right to choose culture, mores and institutions of his choice. Traditions and legacies assign to people definite tasks and responsibilities to be fulfilled. By performing such tasks and responsibilities, one furthers the purposes of institutions enabling new generations to be inserted into the collective life of societies. It is by performing such duties that everyone comes to fulfil himself or herself. Such a fulfilment contributes to further the purposes of society and reinforce its mores and institutions. On the other hand, insistence on rights undermines age-old and cherished institutions and hallowed ways of life. It breeds deep insecurity and uncertainty in life prompting and promoting widespread dissatisfactions.

Conservatives argue that the arrogance of the rights-bearing individual suggests that he has access to all the knowledge that has gone into the making of social life and that he has access to absolutely certain knowledge to change and transform such social life. They believe that both these claims are unfounded and hold the prospects of a far worse kind of life than the one embodied in the ways of life they strove to alter.

Conservative perspectives often urge members of society to look at its institutions and ways of life with awe and respect rather than through critical scrutiny. The performance of one's duty acquires greater purposefulness and satisfaction, if such a perspective is internalised by the concerned social agent.

Conservatives link duty with a set of values such as trust, loyalty, dedication, cooperation, obedience and satisfaction with one's station in life. They stress the limitedness of human understanding and the reach of human reason and scrutiny. Maintenance of the existing social order and its preservation often remains their battle cry. They may not be against certain reforms, but such reforms need to be firmly based upon existing order and its continuation.

Conservatives, by focussing on centrality of duty, have decried the stress on rights in liberal and radical thought-currents.

7.4.3 Duties and Rights in the Communitarian Perspective

While the idea of autonomy is deeply influenced by Kant, communitarians are influenced by certain ideas underscored by Aristotle and Hegel. Communitarians argue that right-based theories ignored the fact that our capacity to conceive and exercise rights and pursue autonomy can only develop in society, in and through relations and interactions with others. They argue that prioritisation of rights neglects the social conditions that enable us to exercise choices. They accuse those who accord priority to rights as subscribing to atomism, wherein individuals are seen as self-sufficient agents outside the society.

The communitarians, therefore, reject the notion of primacy of rights, i.e., the moral stand that individual rights have primacy over duties, virtue or collective good. They stress on duties and duty to sustain institutions which can promote virtue and collective good.

Communitarians reject the notion of neutral political concern, central to right-based perspectives wherein the state remains neutral to different conceptions of good life that may prevail in a society whether such conceptions are held by the majority or by a minority. Communitarians feel that neutral political concern vetoes collective pursuit of aims shared by the majority. They argue that the promotion of a society sharing common values must be prior to the rights of individuals within that society. Promotion of culture and shared values necessarily insists upon duties to be performed rather than rights to be enjoyed. Scholars like Charles Taylor have argued that given our dependence on the culture of freedom for our individual liberty, we must have ‘not only negative duties of non-interference’, but also ‘positive duties to sustain such a culture’.

Such a culture of freedom requires public support which can come forth only from public institutions, which are stable and effective. This requires that such institutions enjoy legitimacy in the eyes of its citizens. Such legitimacy can come forth only if society is organised around shared concerns.

Communitarians argue that even if rights are upheld, they will not enjoy respect if people are not bound together by shared conceptions and ways of life sustained by duty. It is through duties that we not merely reach out to others, but also sustain an appropriate milieu for the exercise of rights.

There are different types of communitarians. All of them do not necessarily reject the significance of rights. However, they all argue that duties are significant not merely in relation to rights, but in protecting and promoting common good.

7.4.4 Duties and Rights in the Gandian Perspective

M.K. Gandhi is well known for his stress on duties and his identification of dharma as the path of duty. He also upheld the values of ‘swaraj’, i.e. self-rule. Such a fusion of dharma and swaraj, or duty and freedom, is a characteristic mark of Gandhian thought.

Gandhi argues that all men and women are equal. The doctrine of *advaita* upholds it. “If I am That and besides That there is none else”, being characteristic of advaita, every being has to be regarded as supreme. The same principle dwells in each and every one of us. By realising this principle in us, we will be able to wholly determine our lives. This belief in equality, he says has led him to fight “against the Brahmins themselves whenever they have claimed any superiority to themselves either by reason of birth or by reason of their subsequently acquired knowledge.” (Iyer, 1979)

Swaraj for Gandhi is a pursuit within the reach of everyone. It involves the duty of self-discipline and a transformation on that basis. It is the rule of the mind over passions. Self-rule enables one to pursue *Artha* and *Kama* within the bounds of *dharma*.

The notion of self-rule for Gandhi implied the voluntary internalisation of our obligation to others which will be obstructed by our placing ourselves at the mercy of our selfish desires. Our civil duties flow from such self-cultivation. For Gandhi, real rights were the results of the performance of duty.

At the same time, Gandhi opposed domination. He held that freedom is necessary for moral growth. He said, “no society can possibly be built on the denial of individual freedom; it is contrary to the very nature of men.”

For Gandhi, equality is one of the greatest good to be cherished. Other goods like dignity and integrity were closely interwoven with it. Gandhi rejected considerations such as gender, birth, class, caste, education and nationality as justifying unequal treatment.

At the same time, Gandhi upheld the path of *dharma* and he considered the *Varnashrama* dharma as the appropriate path of duty. But unlike the prevailing belief, he argued that the *varna* system upholds, “absolute equality; although the way it is presently expressed it is a monstrous parody of the original.” For him *varna* is not the ranking of status based on inherited division of labour, nor is it the division of labour in accordance with innate abilities. For him, “*Varna* is nothing more than an indication of a duty that has been handed down to each one of us by our forefathers.” He argued that the law of *varna* meant that everyone followed as a matter of *dharma*, duty, the hereditary callings of his forefathers in so far as it was not inconsistent with fundamental ethics. The authentic culture for man was to free himself to spiritual pursuits. *Varna* helped one to conserve one’s energy by making him expand little in the cultivation and pursuit of his occupation of his livelihood as it is passed on from generation to generation, thereby freeing men for higher pursuits.

He argued that *varna* set human-beings free for extending the field of spiritual research and spiritual evolution. It also curbed material ambitions.

Gandhi argued that *varna* is binding as far as the mode of acquiring one’s livelihood is concerned. It does not prevent any one from acquiring knowledge and skills one might wish to pursue. Therefore, he said, “A Sudhra has as much right to knowledge as a Brahman, but he falls from his estate if he tries to earn his livelihood through teaching.”

Gandhi related the concept of *Swaraj* and *dharma* to his other concepts such as non-attachment and non-violence. One sets oneself free towards self-realisation and self-rule through non-attachment to material possessions and belongings and by being free from the entanglements of desires and passions. Non-violence rests upon extending the principle of respect and equality towards others. The autonomy that Gandhi envisaged was not on the basis of the availability of abundant material resources, but on the basis of conscious control, regulation and denial of such resources. The latter set people free to make truly authentic choices while entanglement in material possessions vitiates such choices.

7.5 TYPES OF DUTIES

Often a distinction is made between negative duties and positive duties. While the former requires other people to merely refrain from acting in certain ways, to do nothing that violates

the related rights, the second requires that people act positively to do something. The first calls for refraining from action or non-interference, while the latter calls for action or intervention. However, such a distinction is far too naïve. Often the so-called negative duties call for extensive positive action. For instance the right to security does not merely call for abstinence from injury or assault, but involves contributions in terms of taxes and public supports to maintain an extensive system of public security. Sometimes, the so-called positive duties might be embroiled in a complex set of abstentions and interventions. Subsistence rights, for instance, involve the duty to support the deprived as well as extending the enabling support to the deprived to be self-supporting on the basis of their own work. The latter may call forth a series of interventions and non-interventions.

We have to distinguish between the duty not to violate a right and the duty to prevent violation of rights. For instance, duty not to assault others is not the same as the duty to prevent a third person from assaulting someone when one could protect the victim from such an attack. The first is of greater import than the second.

There is no one to one pairing between kinds of duties and kinds of rights. The fulfilment of rights may call for multiple kinds of duties. For every basic right, three types of duties are suggested:

- i) Duties to avoid depriving
- ii) Duties to protect from deprivation
- iii) Duties to aid the deprived.

For example, with regard to personal security everyone has the duty:

- i) Not to endanger a person's security
- ii) To protect people against deprivation of their security by other people
- iii) To provide for the security of those unable to provide for their own.

It is impossible for any right to be fully guaranteed unless all three types of duties are fulfilled, although different types of duties have differential binding force. Duties to avoid depriving demand that one refrains from making an unnecessary gain for oneself by means detrimental to the claims of others. Such duties bind us not to undertake a course of action that deprives others of a means which, without such action, would have provided a satisfaction. Further, such an action was not called for to meet one's basic rights as the only realistic option in the context.

The duty to protect arises when the duty to avoid is not fulfilled. It is a secondary duty enforcing the primary duty of avoiding deprivation to others. It calls upon, sometimes individuals and at other times groups or institutions, to enforce this duty. In many societies, the governments acting on behalf of common interest enforce such duty.

There are three sub-categories of duties to aid which beget transfer of resources to those who cannot provide for their own survival:

- i) There are duties to aid attached to certain roles or relationships. Such duties are the concern of only those who are in a particular relationship and are directed towards specific persons.

Duties of parents towards their young children and duties of grown up children towards their aged parents come under this category.

- ii) Suppose some people have acted in such a way as to eliminate the last available means of subsistence and the responsible government has failed to protect the victims, the duty to aid the latter falls on those responsible for the deprivation. In such cases, there is failure to perform duties and the victims were harmed by both actions and omission of actions by other people.
- iii) A third kind of deprivation is not on account of failure in duty but is, in a sense, natural such as in situations of hurricane or earthquake. The victims in this instance are helpless in the face of truly great obstacles to their existence. They are, however, able to maintain themselves if they are provided with protection and if they are left alone, they will die due to lack of the means of subsistence.

One of the major expressions of duty to aid is the duty to design social institutions that do not exceed the capacity of individuals and groups. If duties to avoid and to protect are fulfilled, duties to assist may not be urgently called for, but in the event of failure to avoid deprivation and to extend protection, duty to aid could assume a great deal of importance.

The above explanation goes to suggest that the scope of duty is significantly different from that of right, although one cannot speak of duties without eventually relating them to rights.

As the scope of duty gets markedly varied as we move beyond their immediate correspondence to rights, there are rights which are not immediately tied up with duties:

There are four kinds of rights that are generally spoken of:

- I. **Claim Rights:** They are the demands that one party has upon another. In such instances, while 'A' has a right, 'B' has a reciprocal duty. Those who argue for the mutualities of rights and duties often restrict rights to claim rights. For example, workers have claim rights on their wages; their employers have a duty to pay them wages mutually agreed upon.
- II. **Liberty Rights:** Often they are simply called as liberties. They do not immediately suggest duties, for e.g., my right to wear a dress does not invoke a corresponding duty from others in an immediate sense.
- III. **Powers:** Laws and customs invest certain distinct capacities on people which might be possessed by all, such as the right to vote, or confined to a select few, such as the power to adjudicate invested in the judges. Such powers do not necessarily have corresponding duties.
- IV. **Immunities:** Immunities are counter-posed to powers and, therefore, are protections against the reach of powers. For instance, the power of conscription may be vested in some authorities in a state, but immunity provides safety valves against such powers. Again, they are not correlated with a set of duties.

Liberties, powers and immunities do not have correlated duties marking an enlarged space for rights.

7.6 SUMMARY

Although rights and duties are often correlated, different theories and perspectives may apportion

different weights to rights and duties. Duties are prioritised in perspectives which valorise substantive conception of what is good and what is bad. Within liberal tradition itself, there might be distinct perspectives on rights and duties. While dictatorships, authoritarian regimes and fascist leaders have underscored duties and decried rights, there are other perspectives which have argued that rights can be honoured only if an ambience for the same is sustained through duties. Mahatma Gandhi prioritised duties and argued that only those have claims on rights who have performed their duties. Even if there is a correlation between duties and rights, they cannot be paired with each other one to one. Although rights and duties often invoke each other, their ambitions markedly vary. There are rights which have no immediate correlated duties. There are duties which, as they distance themselves from their immediate correlation with rights, lead to sustenance of common good.

7.7 EXERCISES

1. Highlight the reasons for the growth in concerns associated with duty.
2. Formulate an argument or present a narrative that reflects a duty based perspective.
3. Distinguish between understanding of duty in interest and choice theory.
4. Give two reasons why Conservatives stress on duties over rights.
5. Relate the notion of Swaraj to the notion of Dharma.
6. Outline different types of duties and suggest their implications.

UNIT 8 CITIZENSHIP

Structure

- 8.1 Introduction
- 8.2 Significance
- 8.3 Nature of Citizenship
- 8.4 Liberal Democracy, Citizenship and Civic Culture
- 8.5 Marxism and Citizenship
- 8.6 Persons and Citizens
- 8.7 Group-Differentiated Citizenship
 - 8.7.1 Citizenship as an Attribute Independent of Cultural Identity
 - 8.7.2 Citizenship as a Group Differentiated Identity
 - i) Citizenship based on Polyethnic Rights
 - ii) Special Representation Rights
 - iii) Self-Government Rights
- 8.8 Summary
- 8.9 Exercises

8.1 INTRODUCTION

A distinctive relation that people share in common among relative equals in public life and the rights and privileges it confers and the duties and obligations that arise therefrom, has been noted and given expression to in several societies in the past. Citizenship denotes membership of a political community expressing such a relation. Such a relation often deeply marks other social relations in general and public life in particular. Some societies such as the Greeks, the Romans and the city-states of Medieval Europe gave definitive legal and political expression to this relation. With the rise of modern liberal states citizenship which was confined to a small fraction of the permanent residents of a polity came to be demanded and progressively extended to larger and larger segments of the population within such states. The demand for equality came to be mainly expressed as equal citizenship. Further citizenship became the normative tool for socio-political inclusion of groups struggling against prevalent forms of inequality, discrimination and exclusion.

Today, everyone is the citizen of one or another state and even where citizenship is in dispute, several international and domestic provisions ensure a modicum of basic rights and obligations. While citizenship entitlement has become universal, there are unresolved contestations regarding the criteria that should inform inclusion and exclusion of claimants to citizenship; the rights and resources that should accompany it and duties and obligations expected of the citizen; the relation of the citizen to the state on one hand and to the community on the other; the relationship of citizenship to other cherished values such as freedom and equality and the civic and civilisational values and practices that should inform citizenship. Further, an activated citizenship is seen by many as offering solution to several ailments of the polity in our times. Given these complex

demands, pulls and pressures the understanding of this notion remains deeply contested in the prevailing literature on the subject.

8.2 SIGNIFICANCE

The growing significance of citizenship has not put to rest the theoretical ambiguity associated with this notion. The importance of the concept of citizenship to engage with a series of political processes and values and therefore, as a major normative and explanatory variable has undergone significant changes over time. T.H. Marshal employed it initially to explain the striving for legal, political and social rights among the excluded social groups with particular reference to the working class. He traced the development of citizen rights and connected this development to the situation of the bourgeois on one hand, and the working classes on the other. Citizenship concerns, however, are much larger and ethnic groups and minorities of all sorts have resorted to it as a sheet-anchor. Bryan Turner explores the link between social movements and conflicts and citizenship identity. There are some writers who argue that citizenship rights in their origin are closely linked to elite structures. Antony Giddens and Ramesh Misra draw our attention to the deep ambiguity surrounding citizenship rights. Janoski regrets the missing link between citizenship rights and obligations and the absence of micro studies relating the two. In recent years, there have been major attempts to link citizenship with group identity and to defend a group differentiated conception of citizenship against a conception of citizenship based on individual rights. Sociologically, there are few studies to demonstrate how marginalised people are brought within the vortex of citizenship rights and how nations integrate strangers from other countries and cultures. Further, we know little about the causes that drive people towards the ideals of citizenship. There are wide differences in this regard from Marshall's attribution of the same to *class* to Maslow's *hierarchy of needs*. Further ideological predilections deeply qualify understanding and significance of citizenship. These are just a few highlights and concerns of the growing literature on citizenship in our times.

There was no significant discussion on citizenship in social science literature in the recent past. However, in the last decade and a half, citizenship has suddenly emerged as a central theme in social science literature, both as a normative consideration and social phenomenon.

Certain recent trends in the world and in India have increasingly suggested citizenship as a nodal concern. Increasing voter apathy and long-term welfare dependency in the Western World; the nationalist and mass movements which brought down bureaucratic socialist regions in Eastern Europe and the Soviet Union; the backlash against welfare regimes in the West and centralized, often, one-party regimes in the Third World and the demographic shift in the Western World towards multicultural and multiracial social composition have increasingly drawn attention to the significance of citizenship. While the decline of authoritarian regimes which curbed citizen-agency greatly highlighted the importance of the latter, governmental attack on welfare state brought to the fore threats to social rights so central to the inclusionary practices of citizenship. Critics of the welfare, socialist and authoritarian regimes have brought to the fore the importance of the non-state arena constituted of citizenship-agency. Philosophically the decline of positivism, which provided little scope for the free-play of citizenship-agency, has greatly heightened the significance of the choices that citizens make discretely and collectively. In India, an active citizenship is suggested as the need of the hour for the prevalent authoritarianism, lack of accountability of public offices, widespread corruption, intolerance of dissent, violation of fundamental rights, lack of citizens' grievance ventilation and redressal, lack of public spiritedness and work culture, transparency in administration and intolerance towards other citizens.

Overall, there is greater appreciation today of the qualities and attitudes of citizens for the health and stability of modern democracy. Their sense of identity and their relationship to regional, ethnic, religious and national identities is very important to ensure political stability in complex and plural democracies. Certain qualities like the ability to tolerate and work together with others who are different are important ingredients of successful democracy. Galston suggests that together with these qualities, the desire of the citizens to participate in the political process in order to promote the public good and hold political authorities accountable; their willingness to show self restraint and exercise personal responsibility in their economic demands and in personal choices which affect their health and their environment and their sense of justice and commitment to a fair distribution of resources are called for in any healthy democracy. He says that in their absence “the ability of liberal societies to function successfully progressively diminishes”.

Today, there is a greater consensus than ever before that mere institutional and procedural devices such as separation of powers, a bicameral legislature and federalism will not ensure the health and probity of a polity. Civic virtue and public spiritedness which are integral to citizenship are required for the purpose.

8.3 NATURE OF CITIZENSHIP

Definitions of citizenship are galore. It has also been approached from different perspectives. Tentatively, we can consider citizenship as membership of a political community with certain rights and obligations broadly acknowledged and shared in common. The membership that citizens enjoy is both passive and active. Considered passively, citizens are entitled to certain rights and obligations without their conscious involvement in shaping them. But citizenship also involves active engagement in the civic and political life of communities and this is reflected in the rights and obligations related to it.

While increasingly certain rights are conceded to all human beings in normal times by states, citizens have certain specific rights which non-citizens do not possess. Most states do not grant the right to vote and to stand for public office to aliens. The same can be said about obligations too. What we regard as rights of citizens today were initially a preserve of the elite. However, eventually the great democratising processes led the large masses of residents – the marginalised, the ethnic groups, minorities, women and the disabled persons to the benefits and burdens of citizenship.

Just the fact that one is a citizen gives access to many rights which aliens do not enjoy. Aliens become naturalised as citizens with attendant rights and obligations. Passive membership often is associated with limited legal rights and extensive social rights expressing redistributive arrangements. The state plays a major role in devising and sustaining them. Active membership highlights citizen-agency and is closely linked with democracy and citizen participation. Most political communities of which citizens are members today are nation-states. Therefore, when we talk about membership of political communities, we primarily refer to membership of nation states.

Citizenship rights are universal in the sense that they pertain to all citizens and in all relevant respects. They are sought to be implemented accordingly. Universality of rights need not preclude enjoyment of group-related rights and to the extent that citizens belong to relevant groups, they are increasingly conceded such rights. Minorities and disadvantaged groups in many societies do enjoy certain special rights. However, often equal rights of citizens are seen as running into conflict with group-rights and cultural belonging of subgroups.

Citizenship invokes a specific equality. It may admit a wide range of quantitative or economic inequalities and cultural differences, but does not admit qualitative inequality wherein one man or woman is marked off from another with respect to their basic claims and obligations. If they are marked off for special consideration, it is on account of the disadvantages they suffer relative to others or due to their distinct collective identity. Citizenship invites persons to a share in the social heritage, which in turn means a claim to be accepted as full members of the society in which they have a claim. Therefore, it provides for equal access to and participation in the public fora and institutions which arbitrate on social heritage. Citizenship is supposed to be insulated from class and status considerations. However, to the extent that citizens have equal access and participation in public life, they collectively decide to a great extent the framework and criteria that determines public life. Therefore, undoubtedly it has a levelling impact. In this context, one of the most important questions that comes to the fore is whether basic equality can be created and preserved without invading the freedom of the competitive market. However, in spite of the role of the market there has been an undeniable sociological tendency wherein citizenship in recent years has been inevitably striving towards social equality and it has been a significant social tendency for over 300 years now.

There is a profound subjective dimension to citizenship. It involves a conscious agency, reflective and deliberative, qualifying his or her pursuits with public interests. It is a way of life growing within a person and not something given from outside. Legal perspectives on citizenship, therefore, have their necessary limitations.

Citizenship involves duties as well as rights. Over the years, an array of rights have been associated with it. The same cannot be said about the duties associated with citizenship. It has had long term consequences in terms of increasing the role of the state and shrinking citizen-initiative.

Citizenship can be divided into three dimensions:

- (i) Civil
 - (ii) Political and
 - (iii) Social
- i) The civil dimension is composed of the rights necessary for individual freedom such as liberty of the person, freedom of speech, thought and faith, the right to own personal property and to conclude valid contracts and the right to strive for a just order. The last are the rights to defend and assert all one's claims in terms of equality with others under rule of law. Courts of justice are primarily associated with civil rights. In the economic field, the basic civil right is the right to work i.e., the right to follow the occupation of one's choice and in the place of one's choice subject to limits posed by other rights.
 - ii) The political dimension consists of the rights to participate in the exercise of political power as a member of the body that embodies political authority; to vote; to seek and support political leadership; to marshal support to political authority upholding justice and equality and to struggle against an unfair political authority.
 - iii) The social dimension consists of a whole range of claims involving a degree of economic welfare and security; the right to share in full the social heritage and to live the life due to one as per the standards prevailing in one's society. The social dimension also involves the right to culture which entitles one to pursue a way of life distinctive to oneself.

In feudal society that prevailed in large parts of the world prior to the onset of modernity, status was the mark of class and was embedded in inequality. There were no uniform standards of rights and duties with which men and women were endowed by virtue of their membership of society. Equality of citizens did not qualify inequality of classes. The caste system in India too ranked castes unequally in terms of rights and obligations, although the nature of inequality prevalent here differed in significant respects from that of the feudal society. These ineqlitarian orders were progressively displaced by a system based on the civil rights of the individual, not on the basis of local custom, but the common law of the land. The evolution of different institutions representing and embodying different dimensions of rights was uneven. In Europe, the trajectory of the evolution of these rights can be marked as civil rights in the eighteenth century, political rights in the 19th century and social rights in the 20th century. However, in the colonies, particularly in India, we find the national movement and the independent regime that followed it invoked all these threefold dimensions together.

8.4 LIBERAL DEMOCRACY, CITIZENSHIP AND CIVIC CULTURE

In liberal democracy, public authority is exercised in the name of free and equal citizens. The free and equal citizens who are ruled are ruled in their own name, or in other words, they rule themselves. At the same time, the state is expected to play some role in the making of free and equal citizens in whose name it rules. Public education and other fora of culture supported by the state help form and sustain such an identity.

The mode of education and other cultural institutions of liberal democratic society define its citizens as free and equal individuals who are incidentally members of particular ethnic, class and religious communities. Ethnic class and religious relations often beget hierarchical relations. Liberal democracy suggests that the hierarchies generated by such communities are irrelevant to the state in its treatment of citizens. Marxists and in recent years, the communitarians have found that such an understanding of citizenship is idealistic and narrow and does not take seriously the embedded nature of citizens.

However, public education in a liberal democracy till recently had the effect of relativising the hierarchies and ranking systems generated by particularistic cultural communities. It suggested that the identities of citizens should not be wholly or exclusively governed by the principles and values underlying those hierarchies. Civic education which was integral to the building up of citizenship attempted to inculcate certain normative standards such as the ideal attitudes, dispositions and values proper to citizens. Such a civic culture was seen as supportive of citizenship. However, it has to be noted that public education, in turn, created hierarchies distinctive of its own where institutions and disciplines came to be ranked according to the valorisation they enjoyed in the market. Therefore, the civic culture that liberal democracy threw up was profoundly ambivalent.

Civic culture as a specific form of culture pertaining to public life proposes world-views, ways of life, ideas of nature and standards of excellence that shape human behaviour and self-understanding. It is created, transformed and reproduced by processes of persuasion. The norms proper to civic life are expected to be internalised by citizens in their interface with civic culture. However, while offering a normative order, ranking and directing citizen activity, a civic culture permits significant spaces for contestation and to propose alternative ways of life. It may, therefore, beget a widely plural understanding of citizenship. Therefore, civic culture itself needs to be wetted by the rule of law.

However, civic culture has with it certain resources by which the pluralism that it begets remains, normally, within certain limits. Civic culture lays down a civic moral ideal before its members based on the stand point of free and equal individuality. Further, given the fact that the self-understanding of members of a society are shaped by the moral standards of the particularistic cultural communities to which they belong, civic culture has a strong ‘contravailing edge’. The impact of the former begins to tell strongly from birth itself, through the rituals and practices of the community while civic educational processes have their impact relatively late.

8.5 MARXISM AND CITIZENSHIP

The Marxist tradition has not engaged with the citizenship issue consistently but to the extent it does there is a deep ambivalence about it. Marxism feels that the ideology of the capitalist state, by and large, recasts social relations as relations between citizens, putting a gloss on them as class relations. At the same time the human agency that citizenship furthers is appreciated as it sharpens the contradictions within capitalism itself. Marxism has not adequately reflected on how an older notion such as citizenship has been deployed under capitalism and made to play a role which is central in capitalist ideology. Such a perspective, therefore, makes certain notions closely bound with citizenship such as rights, justice and freedom ambivalent.

For Marxism the basic social relations in all class divided societies are class relations. It is the relation between the peasantry and landlords under feudalism and between the working class and the bourgeoisie that decisively shape the social relations under feudalism and capitalism respectively. If class relations project themselves as basic, then social relations would be mired in class-struggle endangering social unity that is worth relying on, and bringing to the fore, the coercive character of the state to the full to hold classes and class-struggle at bay.

The ideology of the state plays a major role in containing class-struggle and in reconstituting social relations on a basis other than class relations. Under capitalism, Marxists argue, social relations are formulated by this ideology as relations between citizens. The citizens are declared as free and equal and sometimes, as rooted in a cultural ethos and civilisational bond. The freedom and equality of citizens has its counterpart in the exchange relations of the market where from a one-sided view, equals gets exchanged for equals and the agents of such a system of exchange are free to exchange the products they have. However, such an ideology formulated by the state can be seen as superficial and partial when understanding and analysis is not confined to the surface. In such an exercise, social relations are marked as class-relations that are caught in an irreversible struggle between basic classes.

For Marxists, however, state ideology has a real basis in all societies including capitalism, although that real basis lies in an exclusive and one sided projection of social reality. It is not mere chimera. Social agents irrespective of the classes they belong to come to locate their role and place in society in and through this ideology. In capitalist society, the force of this ideology remains persuasive and pervasive due to the massive institutional and ideological complexes of the state through which it is disseminated such as public education, the media, civic associations, political parties, trade unions, legal and juridical organisations and sometimes, religious organisations as well. The French philosopher, Louis Althusser, called them the ideological apparatuses of the state. The consciousness of social agents, routinely and prominently, under conditions of this ideology remains consciousness of citizens, unless and as long as it is not challenged by the contradictions of capitalism and class struggle to overcome them.

Marxism, therefore, calls for a double critique of the notion of free and equal citizenship avowed

by liberal democracy without denying the worth of the notion itself. First, it expresses only the superficial face of the market related freedoms of the bourgeois society and hides the profound contradictions in which social relations under capitalism are caught. An entire array of public institutions rest on this notion and in their turn reinforce it. Secondly, rights and duties associated with citizenship are important and necessary to lay bare the contradictions of capitalist relations and mount struggles to overcome them. Social classes cannot organise themselves, if the basic freedoms associated with citizenship are denied to social agents.

8.6 PERSONS AND CITIZENS

Philosophically, human beings are conferred attributes and prerogatives that mark them off from other beings, but communities and states have given them little positive consideration unless they are insiders or they are brought within the larger civilisational matrix of which states and communities are parts. In modern times, however, there have been certain attempts to confer a set of rights on all human beings qua human beings. The universal declaration of rights is an apt example of the same. Citizens, however, have always been endowed with special rights be it with the Greeks, the Romans or members of city-states. In modern times, however, large social movements have striven towards an inclusionary understanding of citizenship. These movements have also striven to bring about a social order where everyone enjoys equal rights. According to Turner, citizenship rights are “the outcome of social movements that either aim to expand or defend the definition of social membership.” These movements, he feels, have been able to expand and universalise citizenship rights for an ever widening number of persons. At the same time, citizenship is an act of closure about a group of people it calls citizens. Consequently, states are very particular about whom they call citizens.

Hoffman and Janoski suggest that (i) there are four categories of citizens who have been either excluded from citizenship or had to put up a relentless struggle to be accepted as citizens:

- i) **Stigmatised Humans:** They are supposed to be those who suffer from a social defilement or infirmity. They include the class based poor, gender disqualified women, racial or ethnic groups who are attributed low status, gender despised homosexual groups etc. They are also the most common category of candidates for citizenship. These groups are seen as unable to perform the duties and accept the rights of citizenship due to their narrow interests which are unlikely to benefit the community. They are often charged by their social superiors as selling their votes, being in the control of their husbands or caretakers and not having enough education or mental capacity to make a decision. Cultural and value dissensions have sometimes brought religious minorities and gay groups too within this category. These groups had to put up relentless struggles for equal citizenship and the battles are still on.
- ii) **Impaired Humans:** They may hail from established citizen groups but their competence to fulfil rights and obligations may be questioned due to physical or mental disabilities that preclude action or good judgement and make them dependent upon others. The inclusion movement in many countries, however, has brought about significant changes in the condition of the mentally and physically challenged.
- iii) **Potential Humans:** They include the foetus in the womb, accident victims in a permanent coma, unconscious patients or aged citizens who have lost all thought and activity processes other than involuntary life sustenance. They, of course, have their rights but we can speak little of their obligations.

- iv) **Human-like Non-Humans or Quasi Humans:** Nations, ethnic and even religious groups could be included in this category. They are endowed with certain group rights which we will discuss shortly. There are a second type of social actors who fall in this category such as corporations and offices whose claim for being treated as corporist units are significantly different from nations, ethnic groups and religious communities. Corporate rights lead to systematic class and size bias and place them in contention with the notion of free and equal citizenship.

8.7 GROUP-DIFFERENTIATED CITIZENSHIP

Till recently, for many liberals citizenship is by definition a matter of treating people as individuals with equal rights under the law. This they felt distinguished democratic citizenship from feudal and other pre-modern views that determined peoples' political status by their religious, ethnic or class membership. However, it is increasingly admitted today that mere avowal of equal rights may not ensure equal access and opportunities to certain groups who are culturally different. In fact, equal rights without certain safeguards to cultural minorities may tend to reinforce majoritarian domination over minorities. Group differentiated citizenship qualifies citizenship by *cultural belonging*. It sees citizenship as constituted of both equal rights and differences. A society avowing group differentiated citizenship appreciates the cultural differences in which equal and free citizens are anchored.

While understanding of cultures are widely varied, Will Kymlicka has suggested that the pertinent notion of culture in terms of group-differentiated rights is societal culture; that is, "a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres". It is not merely shared memories or values, but also common institutions and values. Societal culture, according to him, is expressed in everyday vocabulary of social life and embodied in practices covering most areas of human activity such as in schools, media, economy, government etc. He argues that culture has the capacity to survive in modern times only by becoming a societal culture. Citizenship is deeply bound with such societal culture, and citizens through their activity shape and reshape this culture. Societal cultures play a major role in enabling and promoting contexts of freedoms. Kymlicka has suggested that "freedom involves making choices amongst various options and our societal culture not only provides these options, but also makes them meaningful to us". It is with reference to culture that the value of practices comes to be underscored. It is in the background of cultural narratives that certain authoritative lines of appropriate conduct is marked for us, conduct which, of course, can be subsequently revised by the exercise of our freedoms. This requires according to the famous philosopher of law, Ronald Dworkin, protection of our culture from "structural debasement or decay". The availability of meaningful options to people largely depends upon access to societal culture.

Cultures are modes of life which are much more enduring. While there are instances of people making a successful transition from one culture to another, this is not a reasonable option for a vast number of people. Of course, cultures are not sterile waters. They do undergo significant changes over time, but across these changes they remain the self-same cultures. With liberalisation and globalisation, there has been a greater interface between cultures, but it cannot be said that the coming together of cultures have made people less aware of their own. If anything, it has been just the contrary.

Margalit and Raz have advanced two major reasons for the endurance of cultures. The first,

cultural membership provides meaningful options. According to them, familiarity with a culture determines the boundaries of the imaginable and if a culture decays, the options and opportunities open to its members will shrink, become less attractive and their pursuit less likely to be successful. The second reason is that self-identity and recognition by others at a fundamental level depend on “criteria of belonging” and not as much on personal ‘accomplishment’. Social identification and belonging that arises from it is important to people. Dignity and self-respect are deeply bound up with it.

Cultural membership too makes one’s accomplishments not as isolated instances, but bonded with and reproducing an entire tradition. When institutions are leavened by culture, the participation of people in them becomes spontaneous and lively too. It begets relationships of solidarity and trust.

However, people employing their freedoms do revise their attachments and belonging and for a vast majority of people, the matrix of such a zone of belonging and exercise of their freedoms remains the nation-state informed by societal culture.

A societal culture is not uniform. It is constituted of diverse streams and autonomous cultures. Often people access societal cultures through such streams and autonomous cultures. The distinct identities embedded in these streams are shaped by such a culture as they in turn shape it as a whole.

Two types of relationships are suggested between citizenship and its cultural embeddment.

- i) Citizenship as an attribute independent of cultural identity.
- ii) Citizenship as a group-differentiated identity.

8.7.1 Citizenship As An Attribute Independent of Cultural Identity

Cultural identities constituted as communities uphold moral ideals that are supposed to hold good to all its members. Often they propose a comprehensive way of life which is supposed to be the embodiment of what good life should be for one and all. It revolves around certain definitive conceptions of what is important and what is not important in life with regard to such fundamental issues such as sex, friendship, work, suffering, sin, death and salvation. It provides definitive order and meaning to such issues. It ranks human qualities and orders aspirations in terms of a hierarchy of ends.

Communities assign stable and well known duties and responsibilities. There are unambiguous standards to evaluate conduct. Communities orient human desire to definitive channels. Communication in such communities acquires clarity and effectiveness due to sharing in common a range of background assumptions. Communities do not entertain questions on meaning, purpose, value and responsibility on a whole range of activities they are constituted of.

Inspite of such community anchoring, this conception of citizenship is defined independent of community. Citizenship is limited to membership and participation in political community and it does not aspire to uphold any comprehensive conception of good life or subscribe to any particular comprehensive conception of the good upheld by any specific community. It may encompass a multiplicity of diverse cultural communities holding ideals of good life distinctive to themselves. In such a situation, citizenship proposes the ideal of working with others to design public life without taking into account the separate ideals and values cherished by the respective

communities, but at the same time acknowledging the need to work with their members. In such a conception, while a citizen is committed to his communitarian identity and moral ideal, she at the same, respects and acts in consent with fellow citizens whose communitarian identities and ideals greatly differ from her.

To move from the stand point of a member of community to a conception of a citizenship of this kind, a person needs to acquire the capacity for freedom, the capacity to define him or her independently of the specific community of anchor. However, citizenship itself may not provide cultural resources rich enough for a comprehensive life ideal. To affirm equality, a citizen is required to employ a double framework, one appropriate to the community and as a citizen extending equal consideration to all citizens. For the later purpose, there need to be a space, independent of social hierarchies, where citizens treat each others as equals. It involves forging civic friendship to ensure reproduction of this space and institutions characteristic of it. It is not enough that citizens merely cultivate an attitude of live and let live, a posture of benign mutual indifference.

Such a double framework can be difficult for many who have strong commitments to their community ideals. Beliefs and practices alien to us can be deeply threatening. Such a threat to deeply held beliefs and hallowed practices in interface with such an understanding of citizenship may give rise to parochial, sectarian, exclusivist, authoritarian and fundamentalist tendencies.

8.7.2 Citizenship as a Group-Differentiated Identity

This perspective on citizenship lays greater stress on group differentiated identities whose internal resources are called upon to constitute an overlapping consensus expressed in a political community. The different cultural communities included within such a political community identify and cultivate within their own traditions resources supportive of citizenship, i.e., civic freedom and equality. Such a normative standpoint is addressed to citizens who have been shaped in their understanding and desires by the standards of the particularistic cultural communities to which they belong. The later process virtually begins at birth. Grooming into citizenship is experienced relatively late. The language associated with civic moral ideals is not designed to replace community moral ideals. Citizenship pursuits do not involve a process of conversion from a comprehensive ideal and way of life to another, but a reordering of community identity itself, given the fact of the existence of plurality of such community identities.

In this conception, citizenship means very different things to different communities. The rights that different communities enjoy and the obligations they are expected to shoulder differ, although the principles on which they are grounded are the same. These principles are the significance of community for the constitution of the self and the need to ensure political stability under conditions of freedom and equality.

Three types of rights are suggested under a differentiated understanding of citizenship, although it is possible to suggest a much more complex typology in this regard, considering the kind of deep diversity that prevails in countries like India, Russia, Indonesia and China.

- i) **Citizenship based on Polyethnic Rights:** A large number of states are polyethnic in their composition today, although non-western societies have a much longer experience of such a composition. Western Societies have experienced major shifts in their ethnic composition following their colonial expansion and in the post-colonial period. Such ethnic groups have challenged the demand that they should abandon significant aspects of their ethnic heritage

and assimilate themselves to the mainstream culture. Initially, they demanded the right to freely express themselves without discrimination in the larger society of which they were a part. It resulted in changes in educational curriculum and opened to them the arena of music and arts distinctive to them. Such a demand however did not make significant difference to such visible ethnic minorities, such as the Blacks in the U.S., except a small stratum within them. In recent years, these ethnic groups have demanded funding of ethnic associations, magazines and festivals as integral part of the funding of arts and museums. They have sought exemption from Sunday closing or animal slaughter legislation, motor-cycle helmet laws and official dress-codes, ban on wearing headscarf (turban) and so on. These are stronger ethnic claims.

- ii) **Special Representation Rights:** Special representation rights are demanded by certain groups because the prevailing political process may subject them to some systematic disadvantage whereby they are not able to effectively represent their views and interests. In India, Dalits have demanded special representation rights on this ground, while the Adivasis have demanded them along with ethnic rights.
- iii) **Self-Government Rights:** Self-Government rights are a case of an extreme demand for the group-differentiated right. They tend to divide people into separate political spaces with their distinct history, territory and powers attributing to themselves the status of a separate political community. They may arrogate to themselves the loyalty of the members and make wider citizenship claims secondary.

Liberals have strongly expressed their apprehension about group-differentiated citizenship. In the American context, Nathan Glazier has argued that if groups are encouraged by taking into account their difference as constitutive of citizenship, then “the hope of a larger fraternity of all Americans will have to be abandoned”. It has been argued that cultural or group rights are dangerous as they violate the primacy of individual rights. Some people have argued that group differentiated citizenship ceases to be “a device to cultivate a sense of community and a common sense of purpose”. Such a notion of citizenship is inherently particularistic and may become discriminatory. It is felt that if citizenship is differentiated, it no longer provides a shared experience or common status. Group differentiated citizenship requires representation of the group and group leaders rather than citizens themselves being invested with such rights. The privileging of ethnic groups under group-differentiated citizenship may lead to seeking self-determination and liberation through secession. Thereby, such a notion of citizenship is a clear threat to the state and the larger society advocating universal citizenship. It may foment civil wars and irreconcilable conflicts. Infact, liberals have argued that participatory structures, allowing for greater democratic control over local and regional resource distribution is a better way of handling empowerment of excluded groups than through differentiated citizenship. Some people fear that group-based claims are likely to erode public spiritedness further. They are likely to impede the integration of minorities and immigrants keeping them in “their different origins rather than their shared symbols, society and future”.

Most of these criticisms apply to extreme cases and on a doctrinaire understanding of citizenship rights and obligations. The primary issue that group-differentiated claims raise is whether a group is included within a political community as an equal or not. If they are excluded or partially excluded, members of such groups cannot lay much claim to equal rights. Often exclusion and discrimination precipitate self-government claims among people inhabiting a common territory and shared culture. Self-government and self-determination demands are largely confined today to cultural groups claiming a distinct nationhood. Sometimes, however, the border line between excluded groups occupying a distinct territory making demands for self-government and national self-determination remains very thin.

8.8 SUMMARY

Citizenship is a highly valorised theme in recent political writings and concerns. A number of political developments of our times have contributed to this heightened interest in citizenship. While the notion of citizenship may go along with a great deal of economic and social inequalities, the level playing field it suggests on the basis of equal rights may make such inequalities an issue of target of concerned citizens. Many social movements of modern times have striven not merely for the inclusion of excluded social groups into the body of citizens, but also for extending and expanding the zone of equal rights. Inspite of such strivings, the notion of citizenship remains deeply ambivalent. Liberals tend to stress on the equality and freedom of citizens. Marxists, however, are not very enthusiastic regarding citizenship as they feel that it is a device employed by the capitalist state to restate social relations of classes as relations of citizens. They, however, feel that citizenship as a political device can be of immense use in activating social agents to subject public institutions to a critique and search for alternatives. Inspite of the ambiguities in which this concept is caught, there is a widespread agreement that the zone of citizenship be enlarged. This concern for the expansion of the zone of rights has brought within its fold, cultural communities and political minorities who have sought a range of rights, specific to their predicament. They have argued that along with equal rights, their specific differences be taken into account in ordering political communities and their institutions.

Citizen -concerns are closely related to some of the most important issues under public debate today such as civil society, participatory democracy and civic responsibility. The altered role of the state under conditions of globalisation and liberalisation invokes citizenship for the health of polity. Further, the horizon of citizenship is no longer limited to membership of nation-states any longer. Cultural and doctrinal attachments are increasingly brought in to mark a level playing field to citizens otherwise deeply divided in terms of their cultural attachments.

8.9 EXERCISES

1. Explain the natural significance of citizenship in democratic societies.
2. Discuss liberal democracy and its relation with citizenship.
3. Discuss the Marxist conception of citizenship.
4. Explain the distinction between persons and citizens.
5. Discuss the relationship between citizenship and cultural identity.
6. Explain the various perspectives of citizenship in contemporary societies.

UNIT 9 SOVEREIGNTY

Structure

- 9.1 Introduction
- 9.2 What is Sovereignty?
 - 9.2.1 Some Definitions of Sovereignty
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9.1 INTRODUCTION

Generally, we say that the state is our state and it is for our benefit. All of us have rights given by the constitution and the state has to respect them. We also know that the government is responsible for the maintenance of peace and security. For this purpose, the government makes laws and it has a right to punish those who disobey them. But the question is why do we obey the law and what is state authority? We experience state authority everywhere in our routine life; for example, when we demand some favour from the authorities and the authorities refuse to grant us the same, we protest. We do it because we feel that we have a right to get what we think, we deserve and the government is duty bound to work for us. If all this is well known, then why, you might say, we have to study what we already know. But are we sure that we know it properly or our knowledge is just scanty? The fact is that we only have a dim view of the state power or sovereignty. It seems to be very simple, but the fact remains that it is one of the most complicated notions in Political Science and a rudimentary understanding has no meaning because state power is not something which is theoretical and confined to books. We have to face it especially, when our friends and we find the government unresponsive or

even insensitive. Therefore, while studying political theory, we need to go into details to study the concept of sovereignty very clearly and precisely; for after all it is with this and other basic concepts and definitions that we would later try to understand the great complexities of the societies we live in.

9.2 WHAT IS SOVEREIGNTY?

Sovereignty is a key concept in traditional political theory. It constitutes one of the four elements of the state without which statehood remains incomplete. Derived from the Latin term *Superanus*, which means supreme, sovereignty denotes the supreme power of the state to extract obedience from the people who inhabit it. It means that the power of the state is unquestionable and the state has a right to demand allegiance from its citizens. It also means that the violation of the command of the state would invite penalties or other punishment. This is also called ‘internal sovereignty’. Internally, the state is supreme to any individual or organisation, living or functioning, within its boundaries, and they have to function under the laws and command of the state. None can claim superiority over or immunity to the state. The power of the state over them is original, total, unlimited and all comprehensive. Sovereignty also has an external connotation, which means that in the comity of states, every state is supreme and is free to cast its destiny. No other state or any international organisation can claim superiority to a state. The state may be subjected to certain treaties or other obligations, but they are self-imposed obligations on the part of the state. None can compel or enforce any obligation on the state, which it is not willing to accept. Thus, the state is equipped with internal and external sovereignty that gives it over-riding powers over individuals, groups and organisations and makes it absolute.

9.2.1 Some Definitions of Sovereignty

Sovereignty is “the supreme power over citizens and subjects unrestrained by law”.

– Bodin

Sovereignty is “the supreme political power vested in him whose acts are not subject to any other and whose will cannot be overridden”

– Grotius

Sovereignty is “the supreme irresistible absolute, uncontrolled authority in which the supreme legal power reside”.

– Blackstone

Sovereignty is “the commanding power of the state: it is the will of the nation organised in the state: it is the right to give unconditional orders to all individuals in the territory of the state”.

– Duguit

Sovereignty is “the supreme will of the state.”

– Willoughby

Sovereignty is “the exercise of final legal coercive power by the state”.

– Soltaire

Sovereignty is “the concept which maintains no more-if no less-than that there must be an ultimate authority within the political society if the society is to exist at all”.

– Hinsley

Sovereignty means “the political authority within a community which has the undisputed right to determine the framework of rules, regulations and policies within a given territory and to govern accordingly”.

– David Held

9.2.2 Meaning Of Sovereignty

The above mentioned definitions of sovereignty project the traditional view of sovereignty, which emphasised the following points:

- i) Sovereignty is an attribute of the state.
- ii) It is the supreme will of the state.
- iii) It is a legal coercive power of the state.
- iv) The sovereign makes the laws and extracts obedience from the people.
- v) Sovereignty lies in a person or a body of persons.
- vi) The power of the sovereign is absolute and unlimited.

9.3 DEVELOPMENT OF THE CONCEPT OF SOVEREIGNTY

Sovereignty as the supreme power of the state is a modern concept. It came into existence with the rise of the nation-state in Europe when the powerful monarchs asserted their authority. But as such, the idea of sovereignty is very old and can be traced to the ancient Greek city-states. Aristotle, the father of Political Science, defined it as the supreme power of the state. But Aristotle did not discuss the nature of sovereignty. He concentrated on the location of sovereignty. Here, Aristotle had two views. According to him, the deliberative organ of the state should be sovereign and secondly, he held that the law should be sovereign. He preferred sovereignty to be vested in law. The Romans considered sovereignty as the fullness of the power of the state. It was generally accepted that the state should be the final authority in solving the disputes among its citizens and the law of the state was binding upon them. Romans are also credited with the idea of uniformity of law, centralised administration and common citizenship.

But in the medieval ages, feudalism prevailed where there was no unified authority and it seemed that all the achievements of the Roman Empire had gone to waste. In the feudal state, the king's authority was highly restricted. It was limited by the church which claimed immunity in both civil and criminal cases. Infact, the church was the organised group during the medieval times and the head of church-the Pope-claimed superiority over the king. Besides, the feudal overlords and the local communities or commons in the town also challenged the authority of the king. Thus, the king was not sovereign. His competitors came to be known as 'Estates' and feudalism was a state of these estates. Barker calls it as "a paradise of estates" rather than a pattern of a state where the authority of the state was sidelined. Thus, there could not be the modern concept of sovereignty. Further, the law of God was supposed to be superior to human laws, which also restricted the development of sovereignty as an absolute and indivisible concept.

Jean Bodin is the first political philosopher who propounded the modern concept of sovereignty. He defined sovereignty as the supreme power over citizens unrestrained by law. He also defined citizenship as subjection to a sovereign. To Bodin, the power of sovereignty cannot be delegated; sovereignty is also perpetual and unlimited. Sovereign is the source of law and has the unconditional right to make, interpret and execute law. Bodin also discussed the location of sovereignty which, he argued, depended upon the form of government. Thus, it is located in the

king in a monarchy, while in a democracy it resides in popular bodies. But customary and constitutional law and the institution of private property limited Bodin's sovereign. Hobbes further developed on Bodin and attempted to make the theory of sovereignty perfect. To Hobbes, sovereignty is the creation of a social contract and the sovereign is that individual or assembly who is authorised to will for the general purpose of a peaceful life. Hobbes gave vast powers to his sovereign. His command is law and all laws are subject to his interpretation. His authority is absolute and unlimited and the individual cannot disobey him. Sovereignty is inalienable and indivisible. Hobbes pointed out that limited sovereignty is a contradiction in terms. But Hobbes very clearly put one limitation on sovereignty. The sovereign cannot command any individual to kill, wound or maim himself. He also made it clear that sovereignty is also limited by the purpose for which it was created. Hobbes also conceded the right to resist the sovereign in case the life of an individual is endangered. Infact, his theory of unlimited sovereignty is a necessary compliment to his individualism.

Another social contractualist, Rousseau located sovereignty in the people expressed as 'General Will'. To Rousseau, general will and sovereignty are inter-changeable concepts. Sovereignty is unlimited, supreme and absolute. It is also inalienable and indivisible. But unlike Hobbes, Rousseau's sovereignty is based upon the consent of the people. It is a free acceptance by every individual of the exercise of force by the whole group of which every individual is a part. Therefore, nobody can refuse to render obedience to the sovereign and anyone who does so may be constrained by the whole body of citizens. This means that the individual may be forced to be free. Unlike Hobbes who gave all powers of sovereignty to a monarch, Rousseau vested the power not in one individual but in the community. But both of them are one, so far as the characteristics of sovereignty are concerned. Both of them laid down the foundations of a totalitarian state. In between the two, John Locke stood for a limited government. Locke justified the results of the Glorious Revolution of 1688 which devoiced the monarchy of its absolute powers in England and advocated the doctrines of popular sovereignty, supremacy of parliament, constitutional government, limited monarchy and the rule of law. Unlike Hobbes and Rousseau, Locke stood for a limited sovereignty. His government was a government based on the division of power and subjected to many limitations. He did not accept the view that the sovereign power was indivisible. He felt that different organs of the government should exercise the legislative, executive and federative powers of the state independently of one another. His state is subservient to the society and governance cannot be done arbitrarily. But Locke is not consistent in his views on sovereignty. At times, he suggests that sovereignty is located in the people and at times, it is the legislature that is supreme. He also seems to suggest that when there is a fusion of legislative and executive powers in one person, he may be called the sovereign. The weakness in Locke's argument is that he recognised the force of political sovereignty, but failed to fully comprehend legal sovereignty.

The French Revolution is another milestone in the development of the modern concept of sovereignty. The French Revolution stood for absolute and unlimited sovereignty on the ground that people being sovereign, there is no need to restrict the supreme power. The newly emerged nation-states also claimed total sovereignty, both internally as well as externally. They also asserted their right to expand at the expense of others. The Industrial Revolution expanded the activities of the state enormously and the importance of the state as a lawmaker was asserted. These developments led to the concept of absolute sovereignty. In England, the parliament became supreme and its supremacy was unlimited.

These ideas were reflected in Hegel who stood for constitutional monarchy, but his king had the power to veto over legislation. According to Hegel, “The State is a perfected rationality, the eternal and necessary essence of spirit, the rational in itself and for itself, an absolute fixed end in itself.” Hegel combined mysticism with his state. To him, the state is the march of God on earth. He completely subordinated the individual to the state. The state has the highest right over the individual and his freedom is the gift of the state. The state not only allows, but also enlarges the freedom of the individual. But the state acts through laws that must be rational. They must be applied equally. A constitutional government provides order and security in society. The exercise of authority is according to rules that limit the discretionary powers of officials. But the state is internally and externally supreme. Hegel also glorified war and his state had the right to wage war because the state of war reflects the omnipotence of the state and the victorious state can claim to be the agent of world spirit. Thus, Hegel’s sovereignty is absolute and beyond any control. Morality and international law also do not constitute any limitation on sovereignty. Hegel was followed by Austin who nevertheless freed the state and sovereignty from all the mysticism projected by Hegel. He advocated a legal view of sovereignty in which sovereignty was absolute, unlimited, inalienable and indivisible. The pluralists later on challenged Austin’s views. We will discuss both the legal and pluralist perspectives in details. But first let us understand the meaning of sovereignty.

9.4 KINDS OF SOVEREIGNTY

The term sovereignty has been used in many ways in Political Science that makes its comprehension very difficult. Therefore, it is necessary to understand its varied uses.

9.4.1 Real and Titular Sovereignty

A distinction is often made between real and titular sovereignty. Infact, this distinction came about due to a unique development in English Constitutional system. Initially, the king was all-powerful and actually exercised his powers. But with the development of democracy, the king was devoid of his powers and the parliament became supreme. However, the English people loved monarchy and did not abolish it. Instead, the powers of the king were transferred to an institution called the Crown. The monarchy in England still exists and all the powers are exercised in the name of the king or the queen but the real sovereign is the Crown. This distinction also exists in countries where the parliamentary form of government is prevalent. Like in India, where the president is the titular head while the real sovereign is the prime minister and his cabinet. In a country like the United States of America, no such distinction exists as the president is said to be both real as well as the titular sovereign. But this distinction makes sovereignty more an attribute of the government rather than that of the state.

9.4.2 Legal and Political Sovereignty

Another distinction is made between legal and political sovereignty. The legal sovereign is a constitutional concept, which means the identification of the holder or holders of power in the legal sense. There cannot be any confusion regarding the person or persons who exercise the power of sovereignty in the eyes of law. The legal sovereign commands and makes the law and such commands and laws are to be obeyed by the people. In case of violation, it is equipped with the necessary powers to punish the offender. Legal sovereign is determinate, all comprehensive and possesses coercive powers to implement its law and command. Thus, the authority of the legal sovereign is characterised by legal sanctity in which no individual or association can claim immunity. The best example of legal sovereignty is the British King-in-Parliament which, as one

political scientist puts it, ‘may remodel the British Constitution, may prolong its life, may legalise illegalities... may give dictatorial powers to the government... may introduce communism, or fascism entirely without legal restriction’. This position of the British Parliament is also summed up in the saying that it can do everything except making a man a woman and vice versa, though it may do even that legally. Thus, the power of the legal sovereign is absolute, without any restriction.

In contrast, the concept of political sovereignty is very vague and confusing. It is pointed out that behind the legal sovereign lies the political sovereign to which the legal sovereign has to bow. Political sovereignty is not recognised by the law. It is not determinate also in the sense that its identification is a very difficult task. Yet its existence cannot be ignored. It influences and controls the legal sovereign. One writer has identified the political sovereign as the sum total of all influences, which lie behind the law. In a system of direct democracy where the people participate in law making and decision-making, the distinction between the legal and the political sovereign is blurred. But in a representative democracy, this distinction becomes obvious where people participate in law making and decision-making indirectly through their representatives. In such cases, political sovereignty lies with the electorate, which has the power to make or unmake a government at regular intervals when the elections are conducted. Infact, the elections are the best forum in which the will of the political sovereign is expressed.

9.4.3 Dejure and Defacto Sovereignty

Often the dejure sovereign and the defacto sovereign are the same because the person or persons holding power are also recognised by the law. The distinction between the two becomes real in some situations of crisis which may be the result of a coup or any other kind of violent overthrow of the government. For example in Russia, the communists overthrew the Tsarist Government. While the law recognised the latter as the holder of power, in reality the former was in command and using the authority. Similarly, during the First and the Second World Wars, many countries were defeated by Germany and the German rulers became defacto rulers, but the laws in the respective countries still recognised the overthrown government as the ruler. In 1971, as a result of liberation from Pakistan, Bangladesh became a new country but as per the law, the Pakistani President was the dejure sovereign. In such a situation, the rule of a defacto ruler is based upon force or on the fact that the situation is under his control. In contrast, the de jure sovereign has the legal sanctity to rule. However, this distinction between the two remains for sometime, and ultimately they become one. The defacto ruler makes the necessary changes in the law of the land and thus, becomes the dejure ruler also.

9.4.4 Concept of Popular Sovereignty

Modern democracy is based on the concept of popular sovereignty which means that the source of all authority is the people. J.J. Rousseau is credited with espousing it in modern times. But earlier also, the concept of popular sovereignty was not unknown. In medieval times, Cicero pointed out that the state was ‘people’s affairs’. He held that the state was a moral community, a group of persons and the authority arose from the collective power of the people. Later on, Althusius also said that the people as a corporate body held sovereignty and this power could not be transferred to any other person or organisation. Althusius forcefully argued that the people as a corporate body gave power of administration to the administrators, through a contract for specific purposes and the power would go back to the people, in case they forfeit it due to any reason. Althusius also gave the people the right to resist tyranny. Similarly, John Locke also based his civil society on the basis of consent of the people. According to him, the

government existed for the welfare of the people and there could not be any arbitrary rule. To Locke, Government was a trustee constituted through a social contract for the protection of life, liberty and property of the people. If the government failed in its duty of protecting the life, liberty and property of the people, they had a right to rebel against it and overthrow it.

But Rousseau is considered the father of the concept of popular sovereignty. According to Rousseau, men by their very nature are free and equal and the system of government has to be based upon the free will of men. This, in turn, can be achieved when the individual enters into a contract with each other, as a result of which they become an indivisible part of a body of sovereign people which has the supreme power of lawmaking. Rousseau also made a clear distinction between the state and the government. To him, the government is merely an agent of the state having a limited authority. Infact, it is the people who have delegated the power to rule to the government and this power can be withdrawn by their will. This will of the people becomes sovereign in Rousseau's state to which Rousseau gave the name of the General Will. In Rousseau's scheme, the sovereign can only act for the welfare of the people. He writes, "It is impossible for the sovereign body to hurt its members. The sovereign for its part cannot impose upon members any fetters that are useless to the community".

According to Asirvatham, the concept of popular sovereignty contains the following valuable ideas:

- i) Government does not exist for its own good. It exists for the good of the people.
- ii) If people's wishes are deliberately violated, there is a possibility of revolution.
- iii) Easy means should be provided for a legal way of expressing public opinion.
- iv) Government should be held directly responsible to the people through such means as frequent elections, local self-government, referendum, initiative and recall.
- v) Government should exercise its authority, directly in accordance with the laws of the land and not act arbitrarily.

The concept of popular sovereignty was accepted as the basic principle of governance in the American and French revolutions. The American Declaration of Independence expressly declared, "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the Pursuit of happiness—that to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed...." The Declaration clearly recognised the people's right to alter or abolish any government, which was destructive of the inalienable rights of life, liberty and pursuit of happiness. The Declaration also noted the fact that the British King had become a tyrant by his acts and therefore, unfit to be the ruler of a free people. The French Revolution declared, "Men are born and remain free and equal in rights". It also pointed out that "right to liberty, property, security and resistance to oppression are the aim of any political association and the law is the expression of general will" and all citizens have the right to take part personally or through their representatives in its formation" and that "all officials of the state are responsible to the people."

The concept of popular sovereignty is very attractive. But it is shrouded with vagueness. It is very difficult to explain it in practical terms. It is good to say that people are the basis of any political system and their will must be reflected in the governance. But the question is what does

the term people mean? How do we identify them? Obviously the entire mass living in a state cannot be identified as people because there are infants, invalids, criminals, insolvent, aliens and others who cannot have any participation in the political system. If they constitute people then the concept, as such, does not make any sense at all. Even the electorate cannot be called as people because they do not constitute a political entity. Further, all people do not participate in the election. Then the elections are won on the basis of majority. So does it mean that we should equate people with the majority of the electorate? In any case, the number of electorate in any country is very small in comparison to the total population and they cannot be regarded as legally sovereign. Infact, the more we go into the details, it is only confusion and nothing else. If we study the dynamics of modern democracy, we find that a voter is subjected to many influences and manipulations. People's choices are manufactured in the modern age of science and technology and democracy has become infected with mobocracy. Popular sovereignty may be successful in a small state with a system of direct democracy where the people directly participate in law making. It may also reflect in devices such as the referendum. But the modern state is a big state with a huge population. It is also a fact that the business of modern state has become too complex and it cannot run on the basis of referendum. The concept of popular sovereignty creates another problem. In the present system of democracy, the ruling elite as well as the opposition claim to be reflecting the will of the people and in such cases, it becomes increasingly difficult to discover the truth and if the concept of popular sovereignty is implemented legally, then it may lead to instability in the government. Yet all said and done, the concept of popular sovereignty has made a permanent contribution in Political Science because besides advocating the idea of popular control over the government, it is a strong repudiation of dictatorship and totalitarianism.

9.5 AUSTIN'S CONCEPT OF SOVEREIGNTY

The legal view, also called the monistic view or traditional view of sovereignty, was propounded by John Austin (1779-1859), a great jurist, in his book, *Lectures on Jurisprudence* (1832). According to Austin, "If a determinate human superior, not in the habit of obedience to a like superior, receives habitual obedience from the bulk of a given society, that determinate superior is sovereign in that society; and the society (including the superior) is a society, political and independent". According to Austin, following are the characteristics of sovereignty:

- i) Sovereignty is necessary for the state. Sovereignty is one of the four elements of the state. There cannot be a state without sovereignty. If state is the body, sovereignty is its spirit. The state cannot alienate itself from the power of sovereignty. The end of sovereignty means the end of state.
- ii) Sovereignty has to be determinate .It resides in a person or a body of persons. To Austin, State is a legal order in which the sovereignty can be located very clearly. It cannot be the people or the electorate or the General Will since all of these are vague expressions. It is not vested in God also. Sovereign must be a human being or a body of human beings who can be identified.
- iii) Sovereign is the supreme power in the state. He is the source of all authority in the state. His authority is unlimited and absolute. He does not take commands from any one as nobody has a right to command him. But he commands every one within the state. His authority is universal and all comprehensive. Sovereignty is independent from any internal or external control.
- iv) The Sovereign receives habitual obedience from the people. Thus, the authority of the sovereign is not casual. It is continuous, regular, undisturbed and uninterrupted. If a significant part of the population refuses to accept him and renders disobedience, then he is no longer a sovereign.

Similarly, a short term obedience is not an attribute of sovereignty. The power of the sovereign has to be permanent in society.

- v) Law is the will and the command of the sovereign. He is the source of law. Law is a command given by a superior to the inferiors who are in a state of subjection or dependence. Sovereign is above the customs and traditions of society. They exist with his permission. Whatever the sovereign permits, that alone can exist. The rights and liberties of the individual also emanate from the sovereign and do restrict the operation of the individuals' sovereignty.
- vi) Sovereignty has the legitimate physical force to exert command and obedience and enforce its laws.
- vii) The power of sovereignty is exclusive and indivisible. It is a unit in itself that cannot be divided between two or more persons. Division of sovereignty means its destruction.

Thus according to Austin, sovereignty is the supreme power of the state that is absolute, permanent, universal, inalienable, exclusive and indivisible. However, these characteristics are not acceptable to the pluralists who reject the entire thesis of Austin in toto.

9.6 PLURALISTIC ATTACK ON AUSTIN'S CONCEPT OF SOVEREIGNTY

The prominent pluralist writers are Dr.J.Neville Figgis, Paul Boncour, Durkheim, MacIver, Laski, Barker, Duguit, Krabbe, G.D.H.Cole and Miss Follet. Here we will study the pluralist attack on Austin's concept of sovereignty with special reference to Laski and MacIver.

The pluralists do not believe that the sovereign is determinate. According to them, the determination was possible in old days when the king ruled with absolute powers. But in modern times the political system is based upon the concept of popular sovereignty in which the government is responsible to the people who can make or unmake the government. The constitutions clearly proclaim the sovereignty of the people, but Austin will not accept people as sovereign. Similarly, the electorate cannot be termed as sovereign because both the terms- "people" and "electorate" are vague and do not constitute determinate human being in the Austinian sense. The task of locating sovereignty becomes more difficult in case of a federation in which the powers are divided between the centre and the units and both are supposed to be sovereign in their respective fields. In such a system, the constitution is supposed to be supreme but it is not a human being and hence, cannot be sovereign. Even in Britain where the supremacy of the parliament is the basic law of the land, the parliament cannot be termed as totally sovereign as it also works under limitations. Laski rightly points out that the real rulers of a society are not discoverable.

The pluralists believe that Austin's concept of sovereignty cannot be verified from history. According to Laski, historically, sovereignty has always been subjected to limitations except for a very small period when we really had a sovereign in Austin's sense. This was the period when the nation-state arose and the kings asserted their authority. This nation-state was the result of the religious struggle of the 16th century and the emergence of the sovereign state was a vindication of the primacy of the secular order over religion. Thus, there were certain historical factors which were responsible for the creation of absolute sovereignty of the state. And if we leave this brief period, we do not find any example of absolute sovereignty. In modern times, sovereignty is limited. The only exception could be the British King-in-Parliament but as Laski argues, 'everybody knows that to regard the King-in-Parliament as sovereign body in the

Austinian sense is an absurd'. No parliament can defranchise the Roman Catholic church or prohibit the existence of trade unions. Therefore, Laski says, "No sovereign has anywhere possessed unlimited power; and the attempt to exert it has always resulted in the safeguards." Infact, every sovereign has to work within the society and the society works through customs and traditions, which are the result of a long historical process and no ruler, no matter how ruthless he is, can violate them. It has been pointed out that internally the rights of the individual limit the sovereignty and externally, the international law restricts the operation of sovereign power. Besides the concept of popular sovereignty gives ultimate powers to the people and accordingly, the legal sovereign has to bow before them.

It will not be wrong to suggest that the pluralists have a great distrust of power and those who exercise it. That is the reason why Laski objected to the absolute powers of the sovereign. To him it is ethnically indefensible. It is ethically wrong as it retards the development of the individual and his moral stature. Austin makes the individual completely servile to the state and such an absolute sovereign would never grant any liberty to the individual. Laski stood for decentralisation and argued that the state should be responsible for its actions. The state should also protect and respect certain rights of the individual without which the individual cannot develop his personality. Laski reminded that the state is not an end in itself; rather it is merely a means to an end, the end being the enrichment of human lives and the position of the state will always depend upon its capability in achieving this end.

The Pluralists also reject the notion of law as advocated by Austin. According to Austin, law is the command of the superior and this command is from higher to inferior. Laski termed this as ridiculous. He pointed out that to call law, as a command from the higher to the inferior, is to strain its definition to the verge of indecency. Laws are universal in character and are applied on both the lawmaker as well as the subjects. But in the case of a command, the commanding authority is over and above its command and is not bound by it. Similarly, MacIver critcised Austin's concept of law as misleading as it denies two of the basic attributes which every law exhibits- its universality and formality. These attributes, MacIver argues, are necessary consequences of the structure and operation of every political system. Besides, the command belongs to the sphere of administration, as it is a means of execution. Command does not belong to legislation, as it is not a form of enactment. Infact, law is both permanent and fundamental than command. MacIver also pointed out that there are many kinds of law. For example, there are social laws, which are based on the customs and traditions of society, and some of them also become state laws. But, MacIver says, in the great book of the law, the state merely writes new sentences here and there and scratches out an old one. Much of the book was never written by the state at all, and by all of it, the state is itself bound, save as it modifies the code from generation to generation."Therefore to MacIver, the state is both the child as well as the parent of law and the authority of law is greater than the authority of state. The state is merely an official guardian of law rather than its maker. It has to uphold the rule of law. Laski stressed the fact that law is an instrument of satisfying social needs and the laws are followed not because of any coercion, but because they satisfy the requirements of the people. Duguit rightly says that, "Law is the product of our social life. We obey law because they are for social interest and that it is impossible to maintain social order without them". The absence of law would mean anarchy where no human existence would be possible.

The Pluralists also point out that there are customs and traditions in society, which were neither created by the state, nor the state has any control over them. Even the most dictatorial ruler had to bow before them. Laski gives the example of the Sultan of Turkey, who, even at the height of his power, was bound by a code of observance and it was compulsory for him to obey

them. Similarly, Sir Henry Maine gave the example of King Ranjit Singh who enjoyed absolute powers over his subjects and even the slightest violation could invite severe punishment, but even he did not violate the conventions of society. However in defense of Austin one may point out that Austin does not deny the existence of customs and traditions by saying that whatever the sovereign permits, he commands. But Pluralists do not accept this argument. Laski points out that the Sultan of Turkey had the power to change the social laws in theory only, in practice he survived by willing not to will those changes which might have proved him the sovereign of Austinian jurisprudence. MacIver forcefully asserted that the state cannot destroy the customs, because customs, when attacked by law, retaliate in return and in their retaliation, they attack not only the particular law but also the spirit of law-abidingness which is the basis of state.

The Pluralists view the state as an association. Here, firstly, they distinguish between state and society. According to MacIver, to identify the social with the political is to be guilty of the grossest of all confusion, which completely bars any understanding of society. The state exists within the society but it is not even the form of society. Infact, the society is composed of different associations and the state is one of them. There are many associations like the family and the church, which are as natural as the state and the state had no role in their formation. Legally, the state may be unlimited because it is the source of legal enactment but then the same is true of the Church because it happens to be the source of ecclesiastical law. The objective of an association is to develop human personality in the specific area for which it is formed. Thus, every association serves certain interests in society. Similarly, the state also looks after certain interests and all these associations including the state have their own distinctive identity and personality. Therefore, there cannot be one supreme power or as MacIver prefers to call, a single all comprehensive authority in society. Laski asserts that we are not a universe, but multiverse and the associations are as real as the state. The associations have their interests to promote and functions to serve and they are not dependent on the state; rather, they grow in the whole environment as a natural response to factors in that environment. They have an inner life that is as autonomous as the state itself. According to MacIver, “The difference between other associations and the state lies just in this: that the other associations are limited primarily by their objective, which is particular, whereas the state is limited primarily by its instrument, which is particular, while its objective is general, within the limits so imposed.” State laws are universal and they have coercive sanctions and therefore, the state should concern itself with those interests that are universal. Pluralists do not deny the essential differences between the state and associations. The state has a power to inflict corporal punishment over its citizens while the associations lack this power. Membership of a state is compulsory while in case of an association it is voluntary. The state is also territorial in nature while the association may cross the boundaries of different states. Similarly, unlike the associations, the state is permanent. MacIver says, “if a state dissolves, it is like convulsion of nature. If it breaks into two, it is with violence and fierce repulsion. This is not true in case of other associations”.

But nevertheless the state is an association and the above mentioned differences cannot give the state a special status. At the most, state can be, as Asirvatham suggests, first among equals and nothing more. It is only a particular group. Laski writes, “We then give to this particular group (i.e. the state) no peculiar merit. We refuse it the title of creator of all else. We make it justify by its consequences. We stimulate its activities by making it compete with the work of other groups co-extensive with or complementary to itself.” As an association, the state protects the interests of men as citizens. The state regulates the common needs in society. But it cannot control the internal affairs of other associations. It can neither determine their purposes nor (for the most part) their methods. As the human life and culture is diversified therefore, the doctrine of absolute sovereignty if actually practiced would be, in the words of

MacIver, fatal to the harmony of social life. Laski says that the structure of society is federal and therefore the authority must also be federal. It will be wrong to give all the sovereign powers to the state. Laski also felt that the allegiance to various associations depended upon their performance. Men belong to many groups at a time and a competition for allegiance is continuously possible and no group, including the state, can claim total loyalty from the individual. He wrote," The only state to which I owe allegiance is the state in which I discover moral adequacy, and if a given state fails to satisfy that condition I must, to be consistent with my moral nature attempt experiment...Our first duty is to be true to our conscience". The state, as an association, cannot regulate the total life of man. Its functions are merely to coordinate the activities of different associations in the society.

Austin's concept of absolute sovereignty has also been criticised by the pluralists on the basis of dangers that it poses to the maintenance of international peace and tranquility. The Pluralists point out that the doctrine of absolute sovereignty is incompatible with the interests of humanity as it leads to destructive wars. They believe that it is due to the notion of external sovereignty that the world had to face the two world wars that brought so much of suffering and destruction. With the stockpiling of nuclear weapons which can destroy the world many times and which can only lead to mutually assured destruction (MAD), there is an urgent need to restrict state sovereignty. Laski writes," Internationally it is not difficult to conceive the organisation of an allegiance which reaches beyond the limits of the state. To leave with a handful of men, for instance, the power to make war may well seem anachronistic to those who envisage the consequences of war. When state sovereignty in international affairs was recognised, there was no authority existent to which that type of control might be entrusted. It is atleast arguable now that an authority predominant over states may be conceived which is entrusted the regulation of those affairs or more than national interests. It involves at any rate, on the international side, abolition of state sovereignty." To Laski, international government is "axiomatic in any plan for international well-being. But international government implies the organised subordination of states to an authority in which each may have a voice, but in which also, that voice is never the self-determined source of decision". Laski firmly believed that the concept of the sovereignty of state would pass away, just as the divine rights of king had. Infact, the pluralists regard state sovereignty as an obstacle towards the establishment of international order, as such a concept has no concern for world peace and security.

Maxey sums up the major postulates of pluralism as follows:

- i) "That the state is but one of the numerous social, economic, political and other grouping through which men in society must seek to satisfy their interests and promote their welfare;
- ii) That these different groupings are not creatures of the state but arise independently and acquire power and authority not given by the state;
- iii) That the functions of such voluntary associations as churches, labour unions, trade organisations, professional societies and the like are as necessary as those of the state;
- iv) That the monistic state is not only incapable of wielding absolute authority over such bodies, but is incapable of regulating their affairs intelligently or administering them efficiently;
- v) That the monistic concept of sovereignty is a mere legal fiction which not only misses the truth but does incalculable harm in obstructing the evolution of society along more natural beneficial lines".

9.6.1 Pluralistic View of Sovereignty—A Critique

The pluralist assumptions and their critique of the legal view of sovereignty have been criticised on many grounds. Firstly, the pluralists suffer from an inner contradiction. On the one hand, they stand for decentralisation of power and autonomy of groups or associations, on the other hand, they also want the state to play a regulating role by coordinating the activities of the various associations. But the question is as to how the state will perform this function without overriding powers. Infact, by assigning the job of coordination, the pluralists give back the power of sovereignty with all its characteristics in Austin's sense to the state. Secondly, it is pointed out that modern society is highly complicated and the state must have power as the final judge in reconciliation of the interests of divergent groups. The concept of welfare state and planning has increased the activities of the state and it is dominating the entire life of an individual. No doubt, the individual is organised in groups and the groups play a commendable role in the enrichment of human personality but, that in any case, does not affect the primacy of state. Besides, various groups also perform functions that are over-lapping and the pluralists seem to have ignored this fact. These groups do not run on parallel lines and this is likely to clash and create disorder and chaos in society and the state will have to intervene to restore order. Finally, Austin himself will not object to what the pluralists stand for. He has only given a legal interpretation of sovereignty, which is the true statement of facts. International law is still in the developing stage and cannot be regarded as a limitation on sovereignty and legally speaking, customs and traditions are also no restraint on sovereignty. The inadequacy of the pluralist argument can be well understood when we find that even a strong advocate like Laski, later on, criticised the pluralist view of sovereignty. He pointed out that the pluralists failed in understanding the state as an expression of class relations. Laski accepted Austin's monistic doctrine when he said, "Legally no one can deny that there exists in every state, an organ whose authority is unlimited."

The significance of pluralism lies in its assertion of the importance of group life. As against the absolute authority of the state, the pluralists argued for democracy and decentralisation. Though it is difficult to accept the pluralistic abolition of state sovereignty, their contribution in explaining and emphasising the importance of groups or associations in the context of modern complex life can never be underestimated. As for state sovereignty, we are inclined to agree with Sabine that, "For my own part, then, I, must reserve the right to be a monist when I can and a pluralist when I must".

9.7 SOVEREIGNTY AND GLOBALISATION—NEW CHALLENGES

The modern world is often called the global village. Globalisation means the increasing interaction of the inhabitants of the world that has been hitherto unknown in the history of mankind. It is also seen as the process of integrating the national economy, culture, technology and even governance into a global system. The global interconnectedness, which is both reality as well as a necessity, has thrown many challenges to state sovereignty. State sovereignty today does not mean state autonomy or in other words, the right to do anything it likes. We know that the sovereignty of the state has never been in doubt, but it has always been under strains. It has never been absolute, except legally. The limitations on state sovereignty were recognised by Bodin, Hobbes, Hegel and Austin during the days when globalisation was not on the agenda of internationalism.

Today, globalisation has become a fact of our times, a fact that has raised many questions regarding the state and its sovereignty. The following aspects pointed out by David Held need our attention:

- i) With the increase in global connectedness, the number of political instruments available to governments and the effectiveness of particular instruments has shown a marked decline; border controls have lessened; and flow of goods and services, ideas and cultures has increased. The result is a decrease in policy instruments, which enable the state to control activities within and beyond its borders.
- ii) States can experience a further diminution in options because of the expansion in transnational forces and interactions, which reduce and restrict the influence particular governments can exercise over the activities of their citizens. The impact, for example, of the flow of capital across borders can threaten anti-inflation measures, exchange rates and other government policies.
- iii) In the context of a highly interconnected global order, many of the traditional domains of state activity such as defence, communication and the like cannot be fulfilled without resorting to international forms of collaboration. As the demands on the state have increased in the post-war years, the cooperation of other states has become necessary.
- iv) Accordingly, states have had to increase the level of their political integration with other states so as to control the destabilising effects that accompany global interconnectedness. They have to strengthen, for example, organisations like the International Monetary Fund (IMF) and the World Trade Organisation (WTO).
- v) With the growth of a vast number of institutions and organisations, a basis for global governance has already been laid. The new global politics involving among other things, multibureaucratic decision-making within and between governmental and international bureaucracies, and the like has created a framework in and through which the rights and obligations, powers and capacities of states have been redefined.

The sovereignty of the state continues, but the sovereign structure of the state is heavily influenced by global tendencies, besides those found within the boundaries of the state itself.

9.7.1 Sovereignty and Power-Blocs

The development of global system of states as it appears in the form of numerous power-blocs has immensely influenced state's authority and integrity. This is clear from the following:

- i) After the Second World War, the world was divided between the two blocs led by the U.S.A. and the USSR. Both of them exerted a great influence on their bloc-members in the operation of their domestic and foreign policy. This was the reason why India and many other non-aligned countries refused to join any of the two blocs, because in plain terms it meant putting restriction on the country's sovereignty and accepting the dictates of the bloc leader. After the disintegration of the USSR, we have a unipolar or multipolar world, in which the states are dependent on each other. The U.S.A. exerts a large measure of influence on the domestic and external policy of many states, especially the small and the weaker states.
- ii) The dominance of the U.S.A. and the USSR in their power alliances constrained numerous states from making decisions themselves or independent of their bloc leader. The NATO (North

Atlantic Treaty Organisation), the SEATO (the South East Asian Treaty Organisation), the CENTO (the Central Treaty Organisation), the OAS (the Organisation of American States), all under the American influence and the Warsaw Pact under the Soviet leadership gave meagre international choice to their respective member-states. Held says, “A state’s capacity to initiate particular foreign policies, pursue certain strategic concerns, choose between alternative military technologies and control weapon systems located on its own territory are restricted by its place in the international system of power relations.”

- iii) Each of these military alliances has its own structure, its own procedure and method of functioning and its own policy as developed by the member-states. But the influence of the leader goes unquestioned and the other member-states have limited options to operate on. Giving the NATO example, Held says, “Its (NATO’s) concern with collective security has trodden a fine line between, on the one hand, maintaining an organisation of sovereign states, and, on the other, developing an international organisation which operates defacto, if not de jure, according to its own logic and decision-making procedures.” The NATO is an example of a supranational organisation in which the USA commands while the other member states merely submit.
- iv) But even without a commitment to a NATO armed conflict, Held says, “state autonomy as well as sovereignty can be limited and checked”. This is because, he continues “the routine conduct of NATO affairs involves the integration of national defence bureaucracies into international defence organisations.” Such organisations create transgovernmental decision making systems which escape the control or even consultation of any single-member state. They lead to establish informal and yet powerful, transgovernmental personnel networks or coalitions outside the control of and accountability to any national mechanism.
- v) The membership of NATO or any other power-bloc does not abolish state sovereignty but it certainly compels the member-states to compromise on many issues.

9.7.2 Sovereignty and Global Economy

In economic field, no country can claim self-sufficiency. One sees the rise of the global economy in which national economies have no option but to readjust and redefine their priorities and goals. Here, following points need careful attention :

- i) The internalisation of production has been made possible through the organisation of multinational corporations. These corporations work across the borders and function outside the domain of national sovereignties. The Multinational Corporations (MNCs), says Held, “plan and execute their production, marketing and distribution, with the world economy firmly in mind.” Though these MNCs have a national base, the nation from where they originate, their interest is always global, as is their strategy. The states do little in controlling these corporations, while these corporations have much to do in guiding the policies of the states where they operate.
- ii) The financial organisations such as banks are becoming global progressively, no matter from where they function- London, New York or Tokyo. A greater role is being played by the new information technology in so far as it helps in the mobilisation of economic units-currencies, stocks, shares and the like-for financial and commercial organisations of all kinds.
- iii) With the technological advancement in communication and transportation, the separate market-boundaries, necessary for independent national economic policies are losing importance. Inspite of the fact that the distinctive identities are kept preserved, markets and societies are becoming

more sensitive to one another. To a great extent, the possibility of a national economic policy has, accordingly, reduced so as to suit itself to the claims of international financial and fiscal system. Likewise, as Held says, “the levels of employment, investment and revenue within a country are often subordinated to the decisions of MNCs...”

- iv) As no country is self sufficient, especially in economic matters, the states have to organise themselves regionally and globally. There are such groups, though loose, as West-West, North –South, South-South, East-West, the developed and the developing. These groups do affect the economy of each individual state.

Thus we see that the internationalisation of production, finance, management and distribution is unquestionably eroding the capacity of each individual sovereign state to do what it wants to do. No country, howsoever strong it may be, has control over its future economic policies, for it has to affect and get affected by the economic policies as they are pursued globally. There is a definite diminution of state autonomy in the face of world economy.

9.7.3 Sovereignty and International Organisations

Modern times have witnessed the growth and development of a large number of international organisations, which limit state sovereignty. The following points need attention in this context:

- i) The international organisations are making global decisions and the states have to respect them. In today's world, no state can take the United Nations for granted and each state has to function within the framework of the UN Charter. The international organisations are setting up international standards to be followed by the individual states. For example, the preamble of the UN Charter asserts its determination to affirm faith in fundamental human rights, in the equal rights of men and women and the nations, large and small. The Universal Declaration of Human Rights contains those rights which are universal and transcend national boundaries. They are very comprehensive and include all kinds of rights like civil, political, economic, social, cultural and collective rights like the rights of minorities, indigenous people and the right to development. It is becoming increasingly difficult to the states to violate these human rights. The states have to observe these rights in their dealings with the secessionist and ethnic groups also. Infact, there are many international organisations and numerous pressure groups that influence the activities and policies of the national states.
- ii) Then there are international organisations which work in technical areas and are non-controversial like the Universal Postal Union (UPU), the International Telecommunication Union (ITU), the World Meteorological Organisation (WMO). These organisations supplement the services offered by the individual states to their citizens. These non-political and technical organisations do influence some notable aspects of the foreign policies of individual states and as such do not allow them to act arbitrarily.
- iii) But then there are many controversial organisations like the International Monetary Fund (IMF), the World Bank, the United Nations Conference on Trade and Development (UNCTAD) and the World Trade Organisation (WTO) which are non-state actors and have usurped the functions of state. They even take up a supranational role in certain areas.
- iv) The operations of the IMF go a step further and almost grab the sovereign rights of a nation. While giving loan to a particular state, the IMF may insist on certain conditions such as a cut on public expenditure, devaluation of currency, a cut on welfare programmes, liberalisation and

privatisation of economy and all this diminish the sovereignty of the concerned state. The developing countries have to tolerate the intervention of the IMF, even if it leads to many internal troubles like food riots, or the fall of a government or even imposition of martial law.

- v) Another important international organisation that has become highly controversial is the World Trade Organisation (WTO). The World Trade Organisation is a permanent legislative body and acts as a watchdog in the spheres of trade in goods, services, foreign investment, intellectual property rights and in all these spheres, state sovereignty has been curtailed. The constitution of the WTO makes the provision for the further expansion of the jurisdiction of WTO activities. It has been pointed out that the WTO has emerged as a virtual parliament in economic matters and possesses power to make laws on the subjects which hitherto have been the domain of state legislation. No state can go against the decisions of WTO even if it harms their interests.
- vi) The European Union (EU) provides a bigger threat to the sovereignty of the states. Members of the EU have delegated their sovereignty in certain matters to the Union. It has an executive body in the form of the President and members of the European Commission, legislative body in the form of the European Parliament and the European Council (the Council is the main decision making body and also the union legislative body which exercises legislative power in co-decision with the European Parliament), a Court of Justice and a Court of Auditors. There is also a European Bank with the responsibility of framing and implementing monetary policies. The EU can make laws that are, or can be, imposed on the member-states. The EU has become, more or less, a supranational agency, for within it, the Council has the power to make or enact policies. It also coordinates international agreements, on behalf of the EU with one or more states or international organisations. Accordingly, the member-states of the EU are no longer the sole centres of power within their own borders. Within the Union, sovereignty is clearly divided; any conception of sovereignty, which assumes that it is indivisible, unlimited, exclusive and a perpetual form of public power-embodied within an individual state is defunct.

9.7.4 Sovereignty and International Law

International law has also affected the sovereignty of the state. This is clear from the following:

- i) By state sovereignty, we mean the right of the state to act independently and under no explicit influence of any other foreign government. It implies, among other things, two points; (a) that a state is powerful enough to protect its own autonomy in all matters of foreign policy, and (b) to prevent domestic courts from ruling on the behaviour of foreign states. Such aspects of state sovereignty are under strain. The EU laws, for example, hardly ensure national sovereignty to any of its members.
- ii) The UN Declaration of Human Rights and other conventions, which are part of international law and are increasing by becoming binding on the states, are not the results of the states acting individually. They may not take away the sovereignty of a state, but certainly fashion it.
- iii) The European Convention for the Protection of Human Rights and Fundamental Rights is a typical case, which does not fit in the framework of sovereignty. Any citizen belonging to the European Union can demand the introduction of any right included in the Convention, but not incorporated in the constitution of the concerned state. Obviously, the European Union does not leave an individual state free to treat its own citizens, as it thinks fit.
- iv) Though the international law is a law applicable for states, the individual is also becoming the

subject of international law. The International tribunal at Nuremberg stated that “crimes against international law are committed by men, not abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced”. The tribunal also made clear that when international rules concerning humanitarian values come into clash with state laws, individual laws must transgress the state laws.

- v) Infact the international law is no longer a law between the states only and exclusively. It is changing and gaining ground for itself increasingly on the norms of co-existence and cooperation. Unlike the traditional international law which assumed the separateness of the individual states, the new international law is binding itself on the concept of togetherness and closeness of the numerous states.

9.8 SUMMARY

Sovereignty is the supreme power of the state by which the state exerts its authority. Legally speaking, there cannot be any restriction to its power of exerting obedience. It also monopolises the power of using legitimate physical force. This view is best represented in Austin's concept of sovereignty in which sovereignty has been depicted as permanent, absolute, universal, inalienable, exclusive and indivisible. The state essentially functions on the basis of this doctrine only. But it is also a fact that state sovereignty has always been subjected to limitations and in practical terms, the power of sovereignty has never been supreme. The pluralists have remarkably projected this view where they conceived state as an association. They argued for a limited state and division of sovereign powers between the state and other associations. Though legally the pluralistic views cannot be acceptable, politically and socially they are very attractive since they depict modern democratic ideals. It is also a fact that time is changing very rapidly and theoretically the concept of state sovereignty still exists but very important in-roads have been made especially since globalisation has curtailed the effectiveness of the state supreme power.

9.9 EXERCISES

1. Explain the development of the concept of sovereignty.
2. Define sovereignty. What do you understand by internal and external sovereignty?
3. Differentiate between (a) real and titular sovereignty and (b) legal and political sovereignty.
4. What do you understand by de jure and defacto sovereignty? Explain the concept of popular sovereignty.
5. Discuss the characteristics of sovereignty as advocated by Austin.
6. Discuss the pluralist critique of Austin's concept of sovereignty.
7. To what extent do you think the pluralists' criticism of Austin's concept of sovereignty is justified? Do power alliances limit the sovereignty of a state?
8. Do you think that world economy, international organisations and international law have really affected state sovereignty?

UNIT 10 STATE AND CIVIL SOCIETY

Structure

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10.1 INTRODUCTION

The concept of state occupies a central place in Political Science. No discussion on political theory is complete without reference to the word ‘state’. The state, indeed, touches every aspect of human life, and this is why it has, very rightly, captured the attention of all political philosophers since the days of Plato. To understand the state as an administrative machinery ordering public life is to know its one aspect. Important though this aspect is, it is not the only aspect which explains as to what it is. The state is where it operates on. Its real meaning together with its other related implications emerges more clearly when it is understood in relation to the domain of its area of operation, which is what society is.

What is state? What is society or civil society? What is the relationship between the two or how do the two stand in relation to each other? What is so particular about civil society that gives the state a different connotation? These questions have been, and actually are, central to the themes of political theory and to these questions, answers have been addressed by numerous political theorists.

A discussion on issues relating to these two terms, the state and civil society, would help us to know their meanings, implications and the relative perspectives in which these two concepts stand to each other.

10.2 STATE AND CIVIL SOCIETY: MEANING AND CHARACTERISTICS

It is very common to address society as civil society, civil society as political society, political society as state. To understand each as one or the other is to know none of them. While the concept ‘society’ is a generic term, the term civil society denotes a type of society particular to a time and set in a particular situation. ‘Society’ refers, in general terms, to the totality of ‘social relationships’, conscious or unconscious, deliberate or otherwise. ‘Civil Society’, on the other hand, concerns itself to matters relating to ‘public’. This brings the term ‘civil society’ close to the concept of ‘political society’. Indeed, the two terms presuppose a society where civility is their characteristic feature, but ‘civil society’ extends to areas *far away* from the reach of ‘political society’. The institution of family, for example, is an area covered by ‘civil society’, but it is a domain where ‘political society’ does better to stay away from. ‘Political society’ covers a whole range of activities related to ‘political’ directly or indirectly, but it remains *wider* than the term ‘state’ when the latter is treated merely as a matter of governance.

It is indeed, important to know the meanings of these terms clearly if one seeks to understand the relationship between them, especially between the state and civil society.

10.2.1 Meaning of State

The state, as a word *stato*, appeared in Italy in the early part of the sixteenth century in the writings of Machiavelli (1469-1527). The meaning of the state in the sense of a body politic became common in England and France in the later part of the sixteenth century. The word *staatskunst* became the German equivalent of *ragione di stato* during the seventeenth century and a little later, the word *staatrecht* got the meaning of *jus publican* (see Sabine, “State”, *The Encyclopaedia of the Social Sciences* Vol. XIV). Thus, came the use of the term ‘State’.

The state has included, from the beginning, a reference to a land and a people, but this alone would not constitute a state. It refers also to a unity, a unity of legal and political authority, regulating the outstanding external relationships of man in society, existing within society. It is what it does, i.e., creates a system of order and control, and for this, is vested with the legal power of using compulsion and coercion.

A state, thus, is found in its elaborate system. It is found in its institutions which create laws and which enforce them, i.e., in institutions such as the legislature, the executive and the judiciary. It is found in the bureaucratic institutions which are attached to every executive branch of the government. It is found in the institutions which are called into operation when its will is challenged, i.e., the military and the police. The state is the sum – total of these institutions. Ralph Miliband (*The State in Capitalist Society*) writes, “These are the institutions – the government, the administration, the military and the police, the judicial branch, sub-central government and parliamentary assemblies – which make up the state...”. In these institutions lies the state power; through these institutions come the laws of the state, and from them spring the legal right of using physical force.

The state as governance is a system related to what may be called the political system or the political society. It includes, on the one hand, institutions such as the political parties, pressure groups, the opposition, etc., and on the other, large-scale industrial houses, religious and caste institutions, trade unions, etc. These institutions, existing outside of the state system, attempt to

influence the functioning of the state, somewhere even dominating it, and somewhere in collaboration with it. Skocpol (*States and Social Revolution: A Comparative Analysis of France, Russia and China*) sums up what Neera Chandhoke (*State and Civil Society*) calls the statist perspective of the state, “the state properly conceived is rather a set of administrative, policing and military organizations headed, and more or less well coordinated by, an executive authority. Any state first and fundamentally extracts resources from society and deploys these to create and support coercive and administrative organizations.... Moreover, coercive and administrative organizations are only parts of overall political systems. These systems also may contain institutions through which social interests are represented in state policy-making as well as institutions through which non-state actors are mobilised to participate in policy implementation. Nevertheless, the administrative and coercive organisations are the basis of state power.”

The other strand giving the state a meaning comes from Michael Foucault ('Truth and Power' in P. Rabinow, ed., *The Foucault Reader*, 1987) who regards the state as built on power relations already existing in society. Chandhoke writes about Foucault, “The state, he (Foucault) concluded, can only operate on the basis of existing relations of domination and oppression in society.”

Rejecting both the perspectives of the state, Chandhoke says, “The statist (Skocpol and others) concentrate on the state at the expense of society, and the theorists in the Foucauldian mode concentrate on social interaction at the expense of the state.” She concludes that the state, with a view to understanding it in relation to society, and vice-versa, “is a social relation because it is the codified power of the social formation.”

10.2.2 Meaning of Civil Society

The concept of civil society, to give it a meaning, embraces an entire range of assumptions, values and institutions, such as political, social and civil rights, the rule of law, representative institutions, a public sphere, and above all a plurality of associations. Commenting on it, David Held (*Models of Democracy*) stated that it retains “a distinctive character to the extent that it is made up of areas of social life the domestic world, the economic sphere, cultural activities and political interaction ... which are organised by private or voluntary arrangements between individuals, and groups outside the direct control of the state.” Adding to political interaction, civil society constitutes what Jurgen Habermas called ‘the public sphere’. Enlarging the view of civil society, one may include in it the structure of modern national state, economic modernization, great interconnectedness with other societies, free enterprise and what John Dunn (*Western Political Theory*) refers to as “the modern representative democratic republic.”

Chandhoke sums up the meaning of civil society “as the public sphere where individuals come together for various purposes both for their self-interest and for the reproduction of an entity called society.” “It is a”, she continues, “sphere which is public because it is formally accessible to all, and in principle all are allowed entry into this sphere as the bearers of rights.”

The concept of civil society came up as and when a social community sought to organise itself independently of the specific direction of state power. Historically, the concept, Chandhoke says, “came into existence when the classical political economists sought to control the power of the Mercantilist State”. With the passage of time, the concept of civil society moved on progressively: becoming a central plank of democratic movements in eighteenth century.

10.2.3 Characteristics of State and Civil Society

State exists within the society. This makes the state and society analytically distinct. The two are not the same. Society is a web of social relationships and as such, includes the totality of social practices, which are essentially plural, but at the same time, are relational. The hierarchically organised and maintained social practices of a given community establish, in their turn, all kinds of power equations and relations among its members. The state comes in to give these power relations a fixity, and thereby to society its stability. The state gives legitimacy to social relationships as expressed in social practices because it recognises them and codifies them through legal acts. It is in this sense that the state can be described as the codified power of the social formation of a given time.

The state, so considered, is itself a distinct and discrete organisation of power in so far as it possesses the capacity to select, categorise, crystallise and arrange power in formal codes and institutions. And this capacity gives to the state its status – power, power to take decisions, power to enforce decisions, and also power to coerce those who defy them. But the state so considered derives its power from society. It is, in this sense, a codified power, but within the framework of the society in which it operates.

The state, as a social relation and also as a codified power in a given society, would have certain characteristics of its own. These characteristics can be stated as:

- a) The state is a power, organised in itself. It has the power to legitimise social relations and gives them recognition through formal codes and institutions. This gives the state a distinct and irreducible status in society while making it autonomous from classes and contending factions existing in it.
- b) The state emerges as a set of specifically political practices which defines binding decisions and enforces them, to the extent of intervening in every aspect of social life.
- c) The state monopolises all means of coercion. No other organisation in the society has this power.
- d) The state gives fixity to social relations, and social stability to society. The social order, according to Chandhoke, “is constituted through the state and exists within the parameters laid down by the state.”
- e) The state exists within the framework of a given society. As society responds to the changing conditions compelled by numerous social forces, the state responds to the changing society. The state always reflects the changing relations of society. As society constantly re-enacts itself, so does the state.

The liberal and the marxist perspectives of civil society differ drastically. For the liberals, civil society presupposes democratic states together with the accountability of the states, the limits on state power, the responsiveness to the spontaneous life and the interactions of civil society. For the marxists, civil society is the arena of class conflicts, selfish competition and exploitation, the state acting to protect the interests of the owning classes. A definition of civil society comprising the insights of both the liberals and the marxists must take into account the following:

- a) The state power must be controlled and it has to become responsive through democratic practices of an independent civil society

- b) Political accountability has to reside not only in constitutions, laws, and regulations, but also in the social fabric or what Habermas calls the competence of the ‘political public’ which, in turn, has the following implications: (i) it implies that the people come together in an arena of common concerns, in debates and discussion and discourse free from state interference (ii) it implies that the discourse is accessible to all (iii) it implies a space where public discussion and debate can take place.
- c) Democratic norms and processes have to be imbibed in the social order.
- d) Civil society is the public sphere of society. It is the location of these processes by which the experiences of individuals and communities, and the expression of experiences in debates and discussions, affirmation and constitution are mediated. It is also a theatre where “the dialectic between the private and the public are negotiated. It is the process by which society seeks to “breach” and counteract the simultaneous “totalisation” unleashed by the state” (Bayart, “Civil Society in Africa”, in Chabal, P., ed., *Political Domination in Africa: Reflections on the Limits of Power*). It is a site where the state is forbidden to shape public opinion and perceptions.

10.3 CONCEPT OF THE STATE: AN OVERVIEW

The state, being at the very core of political theory, has been defined differently by different political philosophers since the time of the ancient Greek. For some, it is an institution of coercion, while for others, it is the custodian of the rights of the people. While some, like the anarchists, would like to abolish the state straight away, others like the socialists of the non-marxian shade would want it to stay to establish socialism.

Despite the fact that the state has meant different things to different people, one cannot ignore the central place the state has in political theory. One would do better, if one attempts to discuss the meaning of the state vis-à-vis society which has come to us by a host of eastern political philosophers.

10.3.1 The Pre-modern Tradition

In all his works in political theory, there is a strong case which Plato (428/7- 348/7 BC) builds in favour of an omnipotent rule. The problem to which Plato addressed himself was not as to how best a government could be created, but as to how the best government could be installed. It is the job of the government, Plato affirmed more than once, to help people live a complete life. It is, thus, with Plato a matter of just not a government, but a just government, just not a government any how, but a perfect government, the government that was able to deliver happiness for all who lived therein. For Plato, a state is a system of relationships in which everyone does his own business and where the job of the state is to maintain, and promote such relationships.

Following his teacher Plato, Aristotle (384-322 BC) defined the state as *polis* (the ancient Greeks used *polis* for the state) as a community, which exists for the supreme good. He says that the state is “an association of households and villages sharing in a life of virtue, and aiming at an end which exists in perfect and self-complete existence.”

Both Plato and Aristotle, and for that matter all Greeks, thought of *polis* as more than a state. It was an arrangement of administrative machinery, a government or a constitution, but was also a school, a church laying the guidelines for a way of life, which for them, was nothing but

leading a full life. For Plato and Aristotle, there was no distinction between the state and society: the state was an organ and a part of the society; it was submerged in the society itself. In addition, the Greeks thought of the polis as an ethical entity and that was why they assigned, ethical functions to be performed by the rulers of the state, i.e., good, happy and complete life. Barker writes, “It (the polis) is more than a legal structure: it is also a moral spirit”. An ancient Greek would never imagine himself without the polis, he was only a part of the polis, a part of the whole. Barker says, “Here (in ancient Greece) were individuals, distinct from the state, yet in their communion forming the state.” Wayper also says “For life to be worth living must have a meaning, and only in the polis they (the Greeks) were sure, did it acquire meaning. There was no distinction between political, social and ethical life in ancient Greece. The society was the state as the state was with Plato and Aristotle, a government: the freeman, the master was a citizen, a legislator and a member of the society; he as the ruler ruled the individual as a member of the society, all the individuals, the whole society. The slave-owing society of ancient Greek times could hardly be expected to give a theory of state, nay a theory of society, more than that of the government, precisely, the rulers”.

To Cicero’s writings would go the credit of giving a notion of the state which is not a polis, but a commonwealth. Like the ancient Greeks, Cicero also regards the state submerged in the society, a part, i.e., an integral part of the society. Cicero says, “The Commonwealth, then, is the people’s affairs, and the people is not every group of man, associated in any manner, but is the coming together of a considerable number of men who are united by a common agreement about law and rights, and by the desire to participate in mutual advantages.” From this, Cicero’s theory of state can be summed up as: (i) the state is differentiated from people’s gatherings, i.e., society (ii) the people enter the state after they agree on certain rules, giving people a ‘legal’ status, which lead them to form ‘legal community’ (iii) the state exists when people agree to participate in its affairs. In Cicero’s theory, there is a theory of state different from the theory of society; he makes a distinction between the state and the society; his theory of state is the theory of government as well as a theory of political community.

The medieval political theory in the West was mainly concerned with Christianity where social life was more a religious life regulated by the dictates of the Roman Catholic Church headed by the Pope. Christendom ruled the universe and politics was controlled by the Church. The temporal power was regarded inferior to that of the ecclesiastical, the state acting as a footnote to the wider world. The state, in the medieval European world, was thought of as a means for reaching the *City of God* (St. Augustine), and the human law was to work under the divine law, natural law and ultimately, under the eternal law (St. Thomas). It was not the society that controlled the state, but those who controlled the society— the Pope, the Church priests, the monarchs and the feudal lords— who controlled the state i.e., the state machinery.

10.3.2 The Liberal-Individualist Tradition

With the modern age ushering in the Western World during the fifteenth-sixteenth centuries, there appeared a definite theory of state. The liberal-individualist philosophers, with Hobbes (1588-1679) onward, came to make a clear distinction between the state and society by making the state a matter of mere governance. All liberals, basing their political theory on individuals, came to build political power, the state, as an instrument, some like Hobbes giving all powers to the state while others like Bentham (1748-1832) making it a non-interventionist one. All liberals argue for an autonomous individual, the degree for individual autonomy differing from philosopher to philosopher. The liberals’ laurels included “individual liberties, rights as sacred as natural, property ethos, rule of law, free, competitive and market economy … all to remain free

from the interference of the state. The early modern political theory could not make distinction between state, and government, ... All regarded state power as political power, and political power as the power of the government”.

The Machiavellian state (credit goes to Machiavelli for introducing the word ‘state’ in Political Science), whether princedom or republic, is a power state, meaning thereby that it exists for power and exists because of the power whose main interest is to maintain, enhance and enlarge its own authority. For Bodin (1530-1596), the state is “a lawful government, with sovereign powers, of different households, and their common affairs”, considering the state affairs as concerning the ‘public’. “The final cause, end, or design of men”, Hobbes says, “is the foresight of their own preservation, and of a more contented life”.

With Locke (1632-1704), the liberal theory gets impetus and the state comes to protect property, and promote a better economic life, for liberalism comes to stay as the political philosophy of the capitalist class, the democratic flavour joining it at a later stage of development. The early liberal-democratic theory restricted the role of the state to the minimal, protecting life, liberty and property of its citizens from external aggression and internal chaos on the one hand, and providing a system of justice and public works, and amenities on the other hand, with no role for the welfare of the people.

It was John Stuart Mill (1806-1873) first, and T.H. Green (1836-1882) later who expanded the positive role of the state in preparing a conducive atmosphere where the individual could enjoy a better way of life. Mill and Green introduced democratic elements in the organisation and functioning of the state, though both could hardly leave their capitalistic shackles.

To sum up, one may, therefore, conclude that the early modern political theorists such as Machiavelli and Bodin could hardly see beyond the omnipotent state. The contractualists, especially Hobbes, had thought that in order for society to come into existence, a strong state is required. The early liberals such as Locke, Smith, Bentham held the view that as the society has the capacity to reproduce and regenerate itself, the state and its power should be minimal. But the later liberals, J.S. Mill, T.H. Green, De Tocqueville felt that numerous social associations, while enhancing social ability, could become instruments through which individuals could fashion a political discourse which could limit the nature of state power. The liberal pluralistic, in the third and fourth decades of the twentieth century were able to build a strong case for the numerous associations, existing in society, to control the omnipotence of the state while balancing the latter against the claims of the society.

10.3.3 The Marxian Tradition

The Marxian theory of the state emerged, as a reaction against liberalism. For the Marxists, state and society are two distinct entities, though the state is not independent of society. The society type explains the type of state, society providing the base on which stood the superstructure. The Marxists, regarding the state as a product of a class society, believe the state to be a class institution, protecting and promoting the possessing class, and oppressing and coercing the non-possessing class. For them, the state is an engine of class rule. But it is also an instrument of social and political change, its negative function is to destroy the remains of the earlier society, while it, through its constructive functions, builds the structure and culture of the class it is manned with.

Chandhoke discerns three theoretical moments of the Marxist theory of state. The first such moment has been when Marx and Engels, in the *Manifesto of the Communist Party* (1848)

regard “the executive of the modern state ” as “a committee for managing the common affairs of the whole bourgeoisie”. Marx also writes in the preface to *Towards a Critique of Political Economy* (1859), “the totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness.” This base-superstructure model of the state was a reaction to the liberal concept of the disembodied state standing apart from society as also a reaction against the Hegelian model of the all-powerful state while subordinating civil society to it. The second moment, appearing around the 1960s and with Ralph Miliband and Hanza Alvi, questions the nature of the state and its relationship with society. In it, the state emerges as a distinct theoretical object in its own right and state-centric theory emerged as the dominant stream of political theory. The third theoretical moment was made possible through the contributions of Nicos Poulantzas and Claus Off. This moment saw political theorists preoccupied with concepts and theories. Following Gramsci, who had conceptualised the state as the political consideration of civil society, the Marxist political theorists of the third theoretical moment began a spiralling interest in civil society as the sphere where meaningful practices, both hegemonic and subversive, are generalised.

10.4 CONCEPT OF CIVIL SOCIETY: AN OVERVIEW

The concept of civil society is associated with the Western intellectual tradition. With the epochal changes in the West, the idea of civil society has grown progressively. Many factors have gone into developing the concept of the state as it has come to stay with us. These factors, to mention a few, include the emergence of secular authority, the development of the institution of property, the decline of the absolutist state, the growth of urban culture, the rise of nationalist and democratic movements, until the end of the nineteenth century and the rule of law. As the capitalist economy with its democratising features has developed, so has the concept of civil society.

10.4.1 The Pre-Modern Tradition

If the idea of civil society contains in it the idea of what relates to public, the pre-modern times may well be regarded as opposed to the concept of civil society. The Platonic rulers alone were the administrators and a large number of those who constituted ‘the producing class’ had no role to play in public affairs. The Aristotelian notion of ‘*zoon politikon*’ (man as a political animal) was elitistic in the sense that (i) the political animal was a male, (ii) he alone was a citizen and (iii) he alone was a property holder. The rest of the population, the women, the slaves etc., constituted Oikes, i.e., the private world and that could hardly be termed as constituting the civil society. As the ‘private’ was not ‘public’, it was not political and none belonging to it had any citizenship rights. The Greek society, Chandhoke points out, did not ‘possess any notion of inalienable rights of man to individual freedom which became so prominent a feature of early version of civil society.’

By developing the concept of rights, legally ordained, and especially relating to property of the individual, there did emerge the notion of ‘civil society’ in ancient Roman thinking. Indeed the notion of ‘civil society’ did need such an atmosphere to shape itself, but the ancient Roman thought could hardly rise above that, notwithstanding the attempts at making distinction between ‘private’ and ‘public’ which the ancient Romans really did.

During the whole medieval period in the West when politics took the back seat, the idea of civil

society got eclipsed. What related to ‘public’ as ‘political’ was limited to a very few people called the feudal lords, barons, dukes and counts. The idea of civil society was almost unknown.

10.4.2 The Liberal-Individualist Tradition

The early modern period with Machiavelli and Bodin saw the emergence of politics, but the period itself did not witness the corresponding growth of the idea of civil society. The civil society, as a concept, rose with the idea of individuals with rights, individuals related to the state, and individuals related to others in society.

There is the clear reference to civil society both in Hobbes and Locke when the two sought to make a distinction between the ‘state of nature’, and the ‘civil society’ or the ‘political society’ after the contract was made. Both talk about the rights-bearing individuals; both sought the state to protect these rights. It is difficult to regard the contractualists, Hobbes and Locke, as theorists of civil society because (i) their formulations on civil society are found in an embryonic form and (ii) their attempts, despite a rational and persuasive explanation on state and society, remained arbitrary (see Chandhoke, *State and Civil Society*).

The concept of civil society has emerged clearly between the seventeenth and the nineteenth century, especially with the classical political economy theorists such as Adam Smith. Classical political economy, echoing individual rights like laissez faire, freedom, equality, made the institution of state as simply irrelevant, devaluing it, and that of civil society as what Marx had said ‘theatre of history’. This helped “the civil society”, Chandhoke writes, “as a historically evolved area of individual rights and freedoms, where individuals in competition with each other pursued their respective private concern.”

The advent of the idea of civil society, coming from the writings of political economy theorists, was to have its shape vis-à-vis the state. J.S. Mill and De Tocqueville who thought that the state had become much more powerful than desired, sought to limit the power of the state through the mechanism devised in the ever developing concept of civil society. Chandhoke sums up this phase of liberalism, saying: “.... Civil society was used as a concept primarily for organizing state-society relations. The expansion of the state, it was perceptively recognized, would contribute to the shrinkage of the civil arena. State power could be limited only with the expansion of civil society.”

The process of democratisation in the west made it possible for civil society to expand itself, and in the process, restricted the area of the state. But elsewhere, the concept of the state gained prominence restricting thus, the arena of civil society. The views of Hegel, and therefore, of Marx and Gramsci should be of some interest.

10.4.3 The Hegelian, Marxian and Gramscian Traditions

There is a definite relationship between the state and civil society in the writings of Hegel (1770-1831). He views the state as the latest link growing out of the development of various institutions. Describing the state as the synthesis, representing universality, of the thesis of families and the anti-thesis of civil society, Hegel recognises the state as higher in kind than civil society. Hegel regards the state as the highest, the latest, and even the final form of social institutions. For him, civil society, as the anti-thesis of the thesis of family is “an expression for the individualist and atomistic atmosphere of middle class commercial society in which relationships are external, governed by the ‘unseen’ hand of the economic laws rather than by the self-conscious will of

persons.” So, civil society, a negative institution as it is for Hegel, belongs to the “realm of mechanical necessity, a resultant of the irrational forces of individual desires”, governed, as Sabine says for Hegel, “by non-moral casual laws and hence, ethically anarchical.” The thesis (the family) and the anti-thesis (the civil, the bourgeois society) merge into what Hegel calls the state (the synthesis). Thus, the state comes to have the universality of civil society and the specificity and the individuality of the family.

Thus, while the political economy and the liberal-democratic theorists had given primacy to civil society, and had given the state a back seat, Hegel reverses the position and puts the state in the position of civil society. According to Hegel, ultimately civil society is subordinated to the state, and the individual, to the whole. “Consequently, in Hegelian formulation”, Chandhoke says, “there can be no interrogation of the state, of its designs for universality, or of its rationale. The resolution of the contradiction of civil society is the state, and therefore, between the people and the state, there is no dichotomy, only legitimacy and acceptance.”

Marx, unlike Hegel who had made the civil society a hostage and who had idealised the state, seeks to restore the civil society to the position of making it the theatre of history. But the civil society, Marx argues, has failed to live up to its promises, had failed to create a situation where the individual could find freedom and democratic transformation, had to seek ways and means through which individuals could integrate into the society and the state.

Gramsci (1891-1937) following Marx and developing his theory of state takes into account the reality of civil society. His main proposition is that one cannot understand the state without understanding the civil society. He says that the ‘state’ should be understood as not only the apparatus of government, but also the ‘private’ apparatus of hegemony or civil society. Building on the Marxian notion of the state, Gramsci makes a distinction between the state as a political organisation (the integral state, the visible political constitution of civil society) and the state as government. The integral state keeps reproducing itself in the practices of everyday life through activities situated in civil society. It is hegemony which provides moral and intellectual leadership to practices in civil society. Hegemony, for Gramsci, works for both, for the dominant as well as the subaltern class in civil society. Each class must, Gramsci says, before seizing power, hegemonise social relations in society.

To sum up, it may be said that for both the liberals and the Marxists, civil society is primary. While the liberals argue for the separation of civil society from the autonomy of the state, the Marxists, on the other hand, create an alternative tradition of civil society, in which, the civil society, with its all potentialities, has to keep itself always reorganised and transformed.

10.5 RELATIONSHIP BETWEEN STATE AND CIVIL SOCIETY

The relationship between state and civil society is important in so far as it suggests the comparative position of each in relation to the other. In some analyses, this relationship is depicted as a zero-sum game: the stronger the state, the weaker the civil society; the weaker the state, the stronger the civil society. Obviously, the expansion of the area of state activity would help minimise the role of civil society; the expansion of the area of civil society would help, on the other hand, minimise the role of the state. In modern liberal societies of our time, the civil society ‘sphere’ is larger than that of the state, while in dictatorial regimes of any sort, the state’s ‘sphere’ is larger than that of civil society.

10.5.1 State and Civil Society: Integrative Relationship

State and civil society are not two opposite concepts. One does not stand in conflict with another. Neither is one the anti-thesis of the other. The two should not be regarded as usurping the area of each other. It is not a zero-sum game relationship between the two. Indeed, the relatively stronger state would put a premium on the role of civil society, but this, in no way, diminishes the effectiveness of civil society. The libertarian view, expressed in the writings of Hayek or Nozick, that the state is likely to oppress civil society is, more or less, ill-founded. The fact of the matter is that the relationships between state and civil society are reciprocal; the relationships are of an integrative nature, each strengthening the cause of the other. It is, in fact, difficult to conceive of civil society functioning successfully without the state. We see the citizen simultaneously constrained by the state and protected by it. It is the state which provides the integrative framework within which the civil society operates; civil society cannot function properly without the state. The integrative framework, as expressed in laws and rules, is accepted as valid by all, the framework needs to be administered neutrally and in a manner consistent with the shared culture of society. We cannot imagine life without this integrative framework, which creates a degree of coherence and without which civil society is likely to become uncivil. Civil society has to open up, in the face of the all-powerful state, to challenge the bureaucratic devices lest it ends up in rigidity. It is, thus, the reciprocity between state and civil society that is significant or at least, should be considered significant. State power is to be exercised within the larger and wider sphere of civil society, and civil society has to keep state power on its toes so that it does not degenerate into absolutism.

10.5.2 State, Civil Society and Democracy

The two concepts, state and civil society, are not in conflict with each other. Democracy integrates the two. The claims of the state get strengthened by civil society and civil society is made more stable through the state. The two have to work in a democratic frame: the democratic state within the framework of democratic civil society. In a democratic system, state and civil society can collaborate for effective functioning of each. The state has to be constituted democratically, wherein its powers are decentralised and its functions are performed within the rules and procedures already laid. Such a state has to respond to the ever-growing demands of civil society. Its role, more or less, is to coordinate, it has to interfere least in the social and economic life of the people; it has to be regulative in character.

Civil society has to be more open and diversified. It has to keep the dialogue continuous and constant with the state and within all the constituents making it. Its area has to be ordained freely and openly, devices making up public opinion and public discourse state-free.

In liberal-democratic states, there is a constant interplay of forces belonging to the state and civil society, each putting an imprint on the other. In dictatorial regimes, state power is used to control civil society and civil society gets integrated into the state: the state speaks for the civil society. Democracy alone unites the state with civil society. The state cannot exist for long if it is not democracy laden; civil society cannot exist unless it is democratically structured and functions democratically.

A democratic state cannot exist if it is restrictive, coercive, prohibitive, and imposing; it cannot exist if it does not provide the civil society frame in perfect order; it cannot exist if it does not guarantee rights and freedoms to individuals. Likewise, a democratic civil society cannot exist if it does not allow every individual to act in the public sphere, it cannot exist if each and every citizen does not have equal claim on the state, if each citizen is not respected as a human being.

10.6 SUMMARY

State is not mere governance; it is a political community as well. It is, what Gramsci says, the visible political constitution of civil society, consisting of the entire complex of activities with which a ruling class maintains its dominance, and the ways in which it manages to win the consent of those over which it rules. It is, in other words, a complex of institutions and practices resting upon the nodal points of power in civil society. It is a social relation and as such, it is the codified power of social formation.

Civil society consists of the entire range of assumptions, values and institutions such as political, social and civil rights, the rule of law, representative institutions, a public sphere and above all, a plurality of associations.

The two concepts, state and civil society, have grown over time and along with them, their characteristics also developed. They have stood in relation to each other, each giving another a corresponding value. With the emergence of political economy and liberalism, civil society got a definite connotation, especially in relation to the state.

State and civil society are closely related to each other. The state cannot be imagined without civil society, and civil society cannot be thought of without the state. The two exist in integrative relationships. The state, in democratic systems, protects civil society and civil society strengthens the state. In dictatorial regimes, the state controls the civil society.

10.7 EXERCISES

1. How did the term ‘state’ come to be used in the West?
2. Explain briefly the characteristic features of the State.
3. State briefly the ancient Greek view of the State.
4. Why do Marxists regard the state as the committee for managing the common affairs of the bourgeoisie?
5. Explain the early modern view of the state.
6. What is civil society?
7. Explain Hegel’s view of civil society.
8. Explain the relationship between state and civil society.
9. How does democracy ensure an integrative relationship between the state and the civil society?

UNIT 11 POWER AND AUTHORITY

Structure

- 11.1 Introduction
 - 11.2 Empirical Study of Power
 - 11.3 Concepts of Power
 - 11.4 Power – Marxist and Western Approach
 - 11.5 Concept of Authority
 - 11.6 Development of the Concept of Authority
 - 11.7 Summary
 - 11.8 Exercises
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11.1 INTRODUCTION

The concept of power is the key to understand and analyse politics, political institutions and political movements of the systemic process, both in the national and international arena. It is the centre of political theory. H.D.Lasswell and A. Kaplan declared, “The concept of power is perhaps the most fundamental in the whole of political science: the political process is the shaping, dissolution and exercise of power.” It is the concept of power that political science is primarily concerned with. Thinkers like Machiavelli and Hobbes advocated the study of power as the central theme of politics. Hobbes wrote: “There is a general inclination of all mankind, a perpetual and restless desire of power after power that ceased only in death.” A few decades ago, Frederick Watkins suggested, “The proper scope of political science is not the study of the state or of any other specific institutional complex, but the investigations of all associations insofar as they can be shown to exemplify the problem of power.” Perhaps this view was further strengthened by William A. Robson when he suggested, “It is with power in society that political science is primarily concerned – its nature, basis, processes, scope and results. The focus of interest of the political scientist is clear and unambiguous; it centers on the struggle to gain or retain power, to exercise power or influence over others, or to resist that exercise.”

While studying the concept of power and its various manifestations in the systemic processes, one is reminded of what Joan Woodward said in his pioneering work, *Industrial Organization: Theory and Practice*. He said, “It seems that the sociologist cannot win in his attempts to establish a rigorous experimental framework for his research.” It has, on the whole, been indeed a complex process of multi-dimensional character to analyse the operational structures of power, both as a central theme of social order and also as a factor of motivation of ambitious men, whether one looks at Hitler’s Germany or Stalin’s Russia.

Before we discuss about the various conceptual dimensions of power, it is desirable that students of politics ought to have some basic understanding of the concept of power. Let us see what Andrew Heywood in his work on *Political Theory: An Introduction* (Palgrave, 1997, P. 122) had to say in his introductory remarks on the concept of power:

All politics is about power. The practice of politics is often portrayed as little more than the exercise of power and the academic subject is, in essence, the study of power. Without doubt,

students of politics are students of power: they seek to know who has it, how it is used and on what basis it is exercised. Such concerns are particularly apparent in deep and recurrent disagreements about the distribution of power within modern society. Is power distributed widely and evenly dispersed, or is it concentrated in the hands of the few, a ‘power elite’ or ‘ruling class’? Are powers essentially benign, enabling people to achieve their collective goals, or is it a form of oppression or domination? Such questions are, however, bedeviled by the difficult task of defining power; because power is so central to the understanding of politics, fierce controversy has surrounded its meaning. Some have gone as far as to suggest that there is no single, agreed concept of power but rather a number of competing concepts or theories.

Moreover, the notion that power is a form of domination or control that forces one person to obey another, runs into the problem that in political life power is very commonly exercised through the acceptance and willing obedience of the public. Those ‘in power’ do not merely possess the ability to enforce compliance, but are usually thought to have the right to do so as well. This highlights the distinction between power and authority. What is it, however, that transforms power into authority, and on what basis can authority be rightfully exercised? This leads, finally, to the question about legitimacy, the perception that power is exercised in a manner that is rightful, justified or acceptable. Legitimacy is usually seen as the basis of stable government, being linked to the capacity of a regime to command the allegiance and support of its citizens. All governments seek legitimacy, but on what basis do they gain it, and what happens when their legitimacy is called into question?

The annals of international history are a testimony to the study of struggle for power. Power as a model of analysis has been explained and explored by various social and political scientists since the time of Machiavelli and Thomas Hobbes. One could perhaps agree with the view that the Federalists, Pareto and Mosca are power theorists. This line of thought has further been advanced by George Catlin, Charles Merriam, Bertrand Russell, Harold Lasswell, and many others. With the onset of liberalisation and the globalisation of economy, the whole area of empirical study of power has become a special sort of social theory.

11.2 EMPIRICAL STUDY OF POWER

It has never been an easy task to study and analyse the concept of power empirically. As Maurice Cowling, in his pioneering work, *The Nature and Limits of Political Science* (1963), says that there are real difficulties about access to the centres of power in modern society, even in a democracy. It may be easier to “discover the truth about contemporary power than to publish it; the difficulties are greatest for those who have been participants”.

Kornhauser has tried to analyse the difficulties involved in the methodologies to understand the various centres of power in a political system in the article, “Power relationships and the Role of the Social Scientists” in his edited book, *Problems of Power in American Democracy* (1957). According to him, these difficulties could be somewhat expressed in the form of questions such as, “What social scientist are you?”, “What parts of society want what types of knowledge, to be used by whom, towards what end?”. It is not possible to have compatible doctrines and models regarding methods and objectives in studying power. These difficulties have been beautifully presented in theoretical works of political scientists like Machiavelli, Hobbes, Locke, T.D.Weldon, Oakeshott, Butterfield, E.H.Carr and the like.

In any discussion of power, one has to keep in mind that most of the studies on power by eminent researchers are simply reflections of simplified versions of politics outside their time;

these are not the presentations of the real politics of their contemporary society and time. An objective bias in the selection of small subjects having limited ramifications could well lead to methodological conclusions that may not be true in case of the ‘great society’. In the preface to his well-known work on power studies, *Who Governs?*, Robert Dahl said, “Many problems that are almost unyielding over a large area can be relatively easily disposed of on this smaller canvas. It is not, perhaps, wholly accidental that the two political theorists who did the most to develop a descriptive political science were Aristotle and Machiavelli, who, though separated by eighteen centuries, both witnessed politics on the smaller, more human scale of the city-state.”

11.3 CONCEPTS OF POWER

Power is normally understood as the possession of control, authority, or influence over others, a relationship in which an individual or a group is able to exert influence over the minds and actions of others. According to Arnold Woofers, it is defined as the ability “to move others or to get them to do what one wants them to do and not to do, what one does not want them to do.” Authority is closely connected with power. It might take various forms such as political, economic and ideological. One might say that concepts like morality, ethics, religion, customs and traditions may operate as limitation on power. Politics as ‘authoritative allocation of values’ is deeply interlinked with power and authority.

Most of the researchers who analyse the concept of power often start with two propositions: that in any polity some people have more powers than others, and that power is an object of desire, a ‘utility’. Power is understandably associated with honour, deference, respect and dignity. One has, of course, to distinguish the power of the man from the power of the office that guarantees authority and legitimacy.

One has also to be careful about the distinction between apparent and real power. While analysing various dimensions of power, Maslow prefers to talk about the psycho –pathology of ambition as well as mental framework of some men. He says, “ Their jungle philosophy (that of authoritarians) does not change even when they grow up and come out of the jungle. It resists new facts. It is sick because it reacts to an outgrown past, rather than to the real present.” These persons are psychologically perverted ones because what they run after is nothing but an illusion. Maslow concludes that “Of course for those who actually live in a jungle-like world – and there are plenty who do so today – a jungle philosophy is realistic and reasonable.”

11.4 POWER – MARXIST AND WESTERN APPROACH

The concept of power is one of the fundamental concepts of political theory. The analysis of the nature of power in both socialist and capitalist societies is essential for understanding the nature of politics as well as the state. Lenin said, “ The question of power cannot be evaded or brushed aside, because it is the key question determining everything in a revolution’s development, and in its foreign and domestic politics”. While studying the concept of power, what often comes to mind is its use in a broad sense by the Marxist thinkers. Both Marx and Lenin highlighted the social relations in a political system as well as the relationship between man and environment. Over the millennium, in reality, nature has always been both the subject and the object of power. Earlier, nature’s control over man had given a different definition of power. With the control of man over nature because of growth in science and technology, the concept of power acquired a new definition and dimension. As a synonym of political and social domination in state structures, power assumed multi-dimensional forms.

In the Marxist approach and terminology, the concept of power is identified with the control of state power through revolutions. Lenin said, “the passing of state power from one class to another is the first principal, the basic sign of revolution, both in strictly scientific and in the practical political meaning of the term”. The basic spirit of any revolution is the question of power in the state. He said, “The class struggle becomes real, consistent and developed only when it embraces the sphere of politics. In politics too, it is possible to restrict oneself to minor matters, and it is possible to go deeper, to the very foundations. Marxism recognises a class struggle as fully developed, nation-wide only if it does not merely embrace politics but takes in most significant thing in politics-the organisation of state power”.

While differentiating between power and the state, Lenin was of the opinion that social power existed before the origin of the state, and would continue to be there long after the “state withers away”. Criticising the views of Pyotr Struve that the state would continue to exist even after abolition of classes, Lenin said “First of all, he quite wrongly regards coercive power as the distinguishing feature of the state: there is a coercive power in every human community; and there was one in the tribal system and in the family, but there was no state...the distinguishing feature of the state is the existence of the separate class of people in whose hands power is concentrated”.

According to the Marxist thinkers, the sphere of politics includes all aspects of the state; it implies all types of relationship among the classes, be it economic, ideological, semi-psychological and other. Lenin said, “it is the sphere of relationships of all classes and strata to the state and the government, the sphere of interaction between all classes.”

The term power is often used in a diverse sense, in both polysemantic and indefinite manner. According to Fyodor Burlatsky, “the natural scientist speaks of power over nature, the philosopher over the objective laws of society, the sociologist of social power, the economist of economic power, jurists of state power, psychologists of man’s power over himself, and so on.” Thus, although every expert talks about the importance of power, it is almost impossible to provide an explicit meaning of power.

The western sociologist highlights power as an essential factor in all social kinetics. The French sociologist talks of “the aura of mystery surrounding power”. Michel Halbecq writes, “At present the phenomena of power preoccupy theorists of public law and political scientists.” Francois Bouricoud emphasises that in its political form, power possesses the most formidable enigma. The sociologist Crozier opines that power is present in all processes of social life. There is indeed lack of specificity regarding the source of power. The western sociologists most often are extremely empirical, refusing the philosophical content of power, or are in love with abstract sociologising dimension of power. Maurice Duverger takes a positive view of power. He is critical of viewing power or authority from a metaphysical or philosophical point of view. He proposes that the emphasis should be given mainly to the practical methods by which power commands respect and the means by which it obtains submission. Duverger, however, is not very consistent in his observations. While discussing about some of the general indications of power, he prefers to indulge in the philosophical groundings of power.

Some of the western thinkers have also talked about the biological concept of power. Going back to the Greek days, Aristotle viewed power as a natural condition of society, nature determining the character and process of society.

Aristotle said, “For that some should rule and, others be ruled is a thing, not only necessary, but expedient; from the hour of their birth, some are marked out for subjection, others for rule. And whereas there are many kinds of both of rulers and subjects, that rule is better which is exercised over better subjects- for e.g., to rule over men is better than to rule over wild beasts. That work is better which is executed by better workmen; and where one man rules another is ruled, they may be said to have a work.”

Some of the leading western sociologists were not in favour of this tendency towards biologism. George Burdeau, for example emphasised that power and society were born together. John William Lapierre conceived power as the exclusive attribute of social organisation, as a social factor inherent in the social group, and enforces the concept of power from the fact that man belongs to a group.

Some researchers like Herbert Simon have presented a very narrow definition of power. Simon uses the concepts of power and influence as synonyms. Others like Gerard Bergeron are reluctant to use the term power and desire this term to be replaced by the concept of “control” to ensure that what they say is ideological neutral. This type of approach, in effect, may not be able to provide a scientific analysis.

A definition in “A Dictionary of Social Sciences” says: “Power in its most general sense denotes (a) the ability (exercised or not) to produce a certain occurrence or (b) the influence exerted by man or group, through whatever means, over the conduct of others in intended ways.” This definition of power is deeply influenced by Max Weber’s famous formulation: “power signifies any capacity to work one’s will within given social relations even against opposition, independent of what that capacity is based on.” This juridical conception of power was very popular among the western writers during the 1950s and 60s.

The western concept of power as the capacity to work one’s will is reflected in the writings of Engels when he said, “Authority, in the sense in which the word is used here, means the imposition of the will of another upon ours; on the other hand, authority presupposes subordination.” While analysing both the Marxist and the western approach towards the concept of power, one finds that the western approach is heavily indebted to the focus on institutional will: the dominant will of a group or organisation whereas the Marxist approach relies on class will as the basis of power. Raymond Aron and Crozier prefer to use “law” in place of “will”, and in place of domination, they would like to offer direction, influence or control.

Power is, thus, the real ability to implement one’s will in social life and political power represents the real capacity of a given class, group or individual expressed in politico-legal norms, while discussing about the nature of power one has to keep an eye on the following aspects: a class approach of power, concentration and diffusion of power accruing from the pluralistic nature of society, different aspects of power such as economic, political, social, differentiation between social and personal power, characteristics of power in different socio-political structures, and isolation of legal principles from volitional ones.

In the 1930s, politics came to be viewed as a system of relationship with respect to power. Both George Catlin and Charles Merriam were at the forefront of this trend. Later, other political scientists such as Harold Lasswell, M.A.Kaplan, and others followed suit. Lasswell’s ‘Theory of Elites’ wherein he highlighted the “distribution of values” as the base point of the political process became the source point of the majority of American students of politics, and political science came to be treated as the science of power. Thus, both western political sociology and

Marxist thinking on the growth of political systems have contributed a great deal towards the development of the concept of power.

The concept of power, one must not forget, is multidimensional. Often power and influence criss-cross each other's area of operation. Some people talk about "intentionalist" and "structuralist" understanding of power. According to the intentionalist, power is an attribute of an identifiable object such as political party, social grouping or any interest group. The structuralists understand power as a form of social system. Sociologists like Talcott Parsons and neo-Marxists such as Althusser belong to the structuralist school of thought.

Steven Lucas, in his book "Power: A Radical View (1974)" talks about three phases or dimensions of power. According to him, power has the ability to influence the pattern and the process of decision-making framework. It has also the ability to influence political agenda and control people's thoughts. Thomas Hobbes first enumerated the notion of power as having the capacity to make decisions in his major work *Leviathan* (1651). This has mostly been the basis of conventional thinking in the area of political science. Robert Dahl in his book, *A Critic of the Ruling Elite Model* (1958) has supported this concept of power, which according to him could be both objective and quantifiable. This approach was widely adopted by political scientists and sociologists, especially in America during the 1950s and 60s.

While discussing about power as the ability to influence the decision making process some researchers prefer to highlight non-decision making as the "second phase of power". In their seminal essay, "The Two Phases of Power (1962)" P. Bachrach and Baratz insisted that "To the extent that a person or group – consciously or unconsciously – creates or reinforces barriers to the public airing of policy conflicts, that person or group has power." As Schattschneider said, "Some issues are organised into politics while others are organised out."

The third dimension of power is its capacity to influence the thought process of an individual or group. The ideas and views of individuals or groups are mostly influenced and structured by factors such as family, peer groups, schools, churches, mass media, political parties, and the overall environment at the work place. Vance Packard, in his study, "The Hidden Persuaders (1960)" has analysed the factors that have the ability to influence and manipulate human behaviour in a particular direction, what Steven Lucas said, "Influencing, shaping or determining his very wants." In his book *One Dimensional Man* (1964), Herbert Mareure, the leading neo-left theorist, talks about this aspect of power in advanced industrial societies in which the needs of the society could be manipulated through modern technology. This is what he said created "a comfortable, smooth, reasonable democratic unfreedom."

11.5 CONCEPT OF AUTHORITY

According to C.J. Friedrich, concept of authority implies a root of command to which obedience is rendered without any inducement, a 'social fact', and a social conduct within an interlinked, independent social structure. This type of analysis implies that the concept of authority is basically a part of classical theory, according to which authority is invariably linked with other concepts of social behaviour such as morality, customs, law, natural law, contract, expediency, and utility.

Authority is broadly understood as a constitutional means through which one can command compliance or obedience and influence the behaviour of another. Whereas power is broadly concerned with the *ability* to influence behaviour, 'authority' is understood as the *right* to do

so. Political philosophers over the decades have differed regarding the fundamental basis on which authority rested. However, they all agreed with the view that authority has moral dimensions. Authority is a form of constitutional power and provisions by which one can influence the behaviour of others. Power is more concerned with ability whereas authority is attached with the concept of right. Power is often identified with persuasion, pressure, threats, coercion or violence. The constitutional overtone is absent in the case of power, whereas authority has both legal and moral overtones.

Modern sociologists have approached the concept of authority from a different angle. The German sociologist, Max Weber, considers authority as a form of power, a ‘legitimate power’. He analyses it as a matter of people’s belief about its legitimacy. Although theoretically, the concepts of power and authority are treated as separate identities, empirically both tend to cross each other’s boundary. While some researchers have considered authority as an essential feature of order and stability, others have looked at it as a symbol of authoritarianism.

Basically, both power and authority are mutually exclusive concepts. Authority is widely understood as a means of gaining compliance. On the other hand, power involves the ability to accomplish goals. It might take various forms such as pressure, intimidation, coercion or violence. Authority and power are intrinsically interlinked. Authority is rarely exercised in the absence of power, and power always implies some amount of authority.

Max Weber advocated three ‘ideal-types’ of conceptual models: such as traditional, charismatic and legal-rational authority. In traditional society, authority was linked with established customs and traditions. It was closely associated with hereditary systems of power and privileges. The second form of authority is linked with the power of an individual’s ‘charisma’ or personality. Some consider this type of authority as divinely ordained. Sometimes, this type of authority could be ‘manufactured’ through the media and the ‘cult of personality’. And this spectre of total power might lead to the growth of authoritarianism in political systems. This form of authority has its limitations in liberal democratic political systems. Max Weber identifies the third form of domination as legal-rational authority. This form of authority is very significant in modern industrial societies and is often regarded as the symbol of large-scale bureaucratic organisations, and it operates through a body of clearly defined rules and procedures. One must not, however, be unaware of the darker side of the onward march of bureaucratic authority, its de-personalised and inhuman social environmental dimensions.

11.6 DEVELOPMENT OF THE CONCEPT OF AUTHORITY

The concept of authority has become a highly controversial aspect of political theory in contemporary international political system. The progressive growth of individual rights and liberties, the world-wide movement for human rights and the advance of a tolerant or permissive social ethics have encouraged social scientists to look at the concept of authority from a grass-root oriented human angle. This development in the field of social science has ensured a backlash that has encouraged the defenders of authority to highlight its importance.

Beginning from the social contract theories of the seventeenth and eighteenth centuries, there has been a spate of liberal literatures in the field of social science that provided a classic justification for authority. These liberal theories emphasised that in the absence of an established legal authority to ensure order and stability as well as to protect individual liberty and rights, there could be imbalance in the growth of social systems. To neutralise the authoritarian trends in society, these liberal thinkers suggested that authority could be constrained through legal-

rational forms of constitutional provisions as the very basis of authority arising from ‘below’, the consent of the governed.

The conservative thinkers, on the other hand, always regarded authority, to quote Roger Scruton (1984) as an essential feature of all social institutions, a ‘natural necessity’ for leadership, not a result of consent from the governed.

The conservative ideas and doctrines became very popular in the late eighteenth and early nineteenth centuries. This was indeed a reaction against growing political and economic doctrines that emphasised the basic philosophy of the French Revolution. Not surprisingly, two streams of conservative ideas got reflected in the social science deliberations of the time. With the growing trends of an authoritarian and reactionary form of conservatism in continental Europe that refused to accept any idea of reform, there emerged in Britain and America, a more flexible form of conservatism that preferred ‘natural change’ or ‘change in order to conserve’, in the form of social reforms.

The conservative reforms were more in the form of traditions, history, and experience. They perceived the society as a moral community and strongly advocated a strong government to ensure the enforcement of law and order. They advocated non-ideological and programmatic interactions between the state and the individual.

Since the 1970s, conservative doctrines have been facing strong challenges from the New Right. The supporters of the New Right believe in economic liberalism or neo-liberalism and social conservatism. Neo-liberalism is often considered a backlash of the policies of liberal, socialist and conservative governments of the twentieth century. It believes that the breakdown of social structures is a result of the growth of liberal and permissive values and is in favour of traditional values, social discipline and restoration of authority.

Conservative political philosophy has always been criticised for its support for elite groups and status quo in society. However, against this criticism, conservatives argue that as human beings are morally and intellectually imperfect, it is always preferable to depend on the wisdom of tradition, authority and a shared culture than to be obsessed with abstract principles of political theory. From their stand point, authority is an intrinsic link that ensures social cohesion and strengthens the structures of society.

The advocates of conservatism are Edmund Burke, Michael Oakeshott and Irving Kristol. The advocates of authority strongly plead that an erosion of authority would lead to authoritarianism and totalitarianism. Hannah Arendt argued that a strong traditional authority is indispensable for the growth of moral and social behaviour, and provides a sense of social identity. In her book, *The Origins of Totalitarianism* (1951), she suggested that the decline of traditional values and hierarchies was responsible for the advent of Nazism and Stalinism. All said and done, the concept of authority has not always been accepted without reservations by social scientists. It has been considered a threat to reason and critical understanding. Such apprehensions have been highlighted by psychological studies. William Reich (1897-1957) in his work, *The Mass Psychology of Fascism* (1935) presented the view that the damaging repression brought about by the domination of fathers in traditional authoritarian families could have been responsible for the origin of Fascism. Theodore Adorno and others in the book, *The Authoritarian Personality* (1950) claimed to have evidence that persons having strong deference for authority have fascist tendencies. This view has been further strengthened by the psychologist, Stanley Milgram (1974) in his studies on the behaviour of guards in Nazi concentration camps and the US military during the Vietnam War.

11.7 SUMMARY

One of the major questions that often rise in any study of political science is the precise relationship between power and authority. In Cicero's phrase, "power lies with the people, authority in the Senate". His neat contrast between power and authority gets blurred as we analyse the various dimensions of these two concepts over the decades, and confront the realities behind these concepts. Interpretations of power and authority have varied with the growth of ideological dimensions of political systems. There are good reasons to suspect the exercise of 'power' and 'authority' in contemporary international systems. Although some of the researchers are very critical of Hannah Arendt's essay on Authority in her book, *Between Past and Future*, Carl Friedrich's study of Tradition and Authority, and Robert Nisbet's reflections on *The Twilight of Authority* as their reactions to radical egalitarianism and to the Marxist tradition, one must not forget to see the streams of progressivism in these writings. Hannah's revolutionary politics, Friedrich's faith in reason, and Nisbet's weakness for pluralism have revolutionised thinking in the field of social movements. Contemporary reflections on power and authority are more in tune with grass-root oriented approaches towards the process of human empowerment.

1. Power is central to the understanding and practice of politics. It can be exercised on three levels: through the ability to make or influence decisions; through the ability to set agenda and prevent decisions being made; and through the ability to manipulate what people think and want.
2. Power is the ability to influence the behaviour of others, based upon the capacity to reward or punish. By contrast, authority is the right to influence others, based upon their acknowledged duty to obey. Weber distinguished between three kinds of authority: traditional authority based upon custom and history; charismatic authority, the power of personality; and legal-rational authority derived from the formal powers of an office or post.
3. Authority provokes deep political and ideological disagreements. Some regard it as essential to the maintenance of an ordered, stable and healthy society, providing individuals with clear guidance and support. Others warn that authority tends to be the enemy of liberty and undermines reason and moral responsibility; authority tends to lead to authoritarianism.
4. Legitimacy refers to the 'rightfulness' of a political system. It is crucial to the stability and long-term survival of a system of rule because it is regarded as justified or acceptable. Legitimacy may require conformity to widely accepted constitutional rules and broad public support; but it may also be manufactured through a process of ideological manipulation and control for the benefit of political or social elites. (Andrew Heywood, *Political Theory: An Introduction* Palgrave, 1997, Page 150.)

11.8 EXERCISES

1. Explain the concept of power and its various dimensions.
2. Discuss the Marxist and western views of the concept of power.
3. Explain the difference between power and authority.
4. Explain the concept of authority.
5. Examine the concept of authority in the contemporary international political system.

UNIT 12 LEGITIMATION AND OBLIGATION

Structure

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12.1 INTRODUCTION

Legitimation and Obligation are intimately related concepts. Legitimation induces obligation, while obligation strengthens the claims of legitimation. The two concepts have captured the imagination of philosophers from the ancient Greek times onwards. Political theorists, in every age, have answered questions relating to legitimation and obligation in numerous ways. An attempt to review these questions and arguments supporting them would be both interesting and instructive.

Legitimation amounts to pronouncing what is lawful, i.e., what is in accordance with established rules, principles or standards? It is what is related to the laws and decrees of the state, sovereign or government. It is what has the sanction of force behind it. It is what is followed, if violated, by punishment. Obligation is, generally, something by which a person is bound to do certain things; something which arises out of a sense of duty; it is what binds a person to a duty, to obedience. It is, in a sense, a state of being legally indebted. The two concepts, legitimation and obligation, are so related that the former seeks to demand or pursue something while the latter seeks to accept or follow. Legitimation is a matter of seeking obedience, whereas obligation is a matter of accepting dominance.

A discussion on issues relating to these two concepts, legitimisation and obligation, would help to understand the meanings attached to it, implications relative to these terms and the arguments supportive of each in the greater part of modern western society.

12.2 WHAT IS LEGITIMATION?

Legitimisation is legalisation. This means that what is legal is what is legitimate, and conversely what is not legal, i.e., what is not in accordance with law, established rules, recognised norms, is not legitimate. It is in this sense that legitimisation is related to what is lawful. Literally, legitimisation means, “to make lawful”. To understand legitimisation within the framework of the legal system is to know it in a very narrow sense of the term. Infact, legitimisation goes beyond legalistic connotation and includes a host of processes by which an action is deemed ‘legitimate’. These processes, indeed, are fundamental not only to the power relations in a society, but to its economic, social and belief systems. That the state’s power is legitimate does not merely mean that it is lawful for the state to exercise power; it also means that its power is recognised by those on whom it is exercised.

Legitimisation is, thus, the power of the state rightfully exercised and is the acceptance so by those on whom it exercises its control. The structure of power, and the exercise of it would be legitimate if the idea of law and justice, including ethical values, social beliefs, existing productive/economic relations which underlie these, coincide with those present in the given society, over which the state exercises power, and are generally recognised by the given society as universal.

So understood, the concept of legitimisation includes, if one attempts to identify its inherent implications, in the first instance (i) the legalised patterns of state activities, (ii) the value-systems of society in which the state exercises control and (iii) the citizens’ body recognises the state’s power legitimately-based.

12.2.1 Legitimisation and the State

The state’s very strength is based on legitimisation. The structure of power, peculiar to the state, has to be legitimately derived and evolved; the exercise of the power of the state also needs to be used legitimately. What it means is that all forms of state power require legitimisation. If the state is to carry on its business, with at least a minimum amount of consent from its citizens, and if the government is to survive, it requires legitimisation/legitimacy. In the absence of legitimisation or say legitimacy, how can the will of the state be enforced? Obviously, without legitimisation of state power, the alternative is the use of physical force or terror to enforce the orders of the state. In a democratically structured society, state power is legitimate when (a) the power to rule the people is given by the people, and is exercised with the consent of the majority of the people – this would mean that those who exercise power are elected directly or indirectly by the people for a limited period only, and also when a system of control is in place (b) when the state power is exercised corresponding to the principles stated in the constitution of the land, especially those relating to legality.

The state alone possesses power, the power to rule people, the power to administer public affairs, the power to establish social order, the power to protect the system. The state alone has the responsibility to safeguard the country and promote its interests. It is because of its performance of responsibility that the state has power. Power of the state is the necessary corollary of the duty it is supposed to perform; power, thus, is the essential consequence/product of the job the state is called upon to do. That the state has the power, i.e., the lawful right of

the state to use power, is what may be called legitimisation. Legitimisation involves the use of the power of the state legitimately ordained. One aspect of legitimisation, thus, is the inherent lawful authority empowered to exercise power which means, the power of the state to exercise its authority with the provision that it has the power and more than that, the exercise of the power is legitimate, legitimately authorised.

Legitimisation is related to the state in more than one way. It is related to the state in the sense that the state alone has the legal authority to use its power. It is also related to the state in the sense that what the state does is legitimate by virtue of the fact that the state alone is authorised to do what it does. It is related to the state in the sense that the exercise of the will of the state is the legalised exercise permitted by the already framed basic rules prevailing in the political system, written, unwritten or both. Where there is, for example, no legal authorisation of the exercise of power, there is no legitimisation there.

Legitimisation, therefore, demands a set of norms, principles, rules and regulations on the basis of which the state exercises its power. If the power or the exercise of the power of the state is to be deemed legitimate, there is a need for the power of the state to fall back, for its support, on certain basic and fundamental rules, i.e., a framework from which the state derives its power and the support on which it rests. Legitimisation is not only a matter of structural rules and regulations, it is also a matter of procedure. It, therefore, requires the fundamental routes in which the power of the state has to pass through. If the power of the state is to be legitimate, it has to follow certain procedures, and has to work through certain already set procedures. Legitimisation is not a zigzag walking, it is a procedural following, walking on a well-established path already laid down.

Legitimisation, in the context of the state, also demands compliance from the people where the state exercises its power. When the power of the state is accepted by the people, there is no crisis of legitimisation. A crisis of legitimisation occurs when the power of the state, exercised as it is, is challenged by the people or a part thereof.

12.2.2 Legitimisation and Legitimacy

If legitimisation is what is ‘lawful’, and if it is what it is, it is related to the power of the state and more specifically, to the exercise of the power of the state and the way it ought to be used or at least the way, it is used. In this sense, legitimisation has much in common with the concept of ‘legitimacy’. What is true about the legitimacy of a state, is true about the legitimisation of a state; it indicates basically the people’s willingness to accept the state’s claim to rule: the people would accept the claim of the state to rule them only when they regard the state to be legitimate; nobody would obey the illegitimate state: legitimisation, and not delegitimisation, would induce obedience. Both legitimisation and legitimacy have, in themselves, the element of people’s willingness to accept the legal authority of the state to rule the people. What both legitimisation and legitimacy do not admit is ‘arbitrariness’ in any form. The arbitrariness of government officials in exerting their power may be legitimate in the legal sense of the term, but it may not be so in the sociological sense. To be legitimate is to be effective, but not necessarily arbitrary. Legitimisation and legitimacy do include the elements of acceptance and willingness. A government or state may be said to have legitimacy only when most people accept its title to rule, and not a small number of people. During a military rule most of the people, in the absence of the right to resist such a rule, accept it and obey it, but it does not make such a military regime legitimate. Legitimacy appears only if the people accept the state’s authority to rule without being forced. It is legitimisation that creates legitimacy, and it is legitimacy that induces people to accept the right of the state to rule.

Legitimation and legitimacy are complementary to each other. The former makes the ground for the latter while the latter derives its strength from the former. While legitimation is a concept related to the state intimately, it is legitimacy with which the state is primarily associated. Legitimation is only the attending feature of the state while legitimacy is the soul of the state. Between the two, legitimacy and legitimation, the former is primary while the latter is secondary. The difference between the two is that of importance which is attached to it in relation to power or its exercise by the state. The two concepts work more in association with each other than in opposition to each other.

It is legitimacy or one may say self ‘legitimation’ that turns power into authority. Power becomes authority only through legitimacy or through the process of legitimation. Power without the process of legitimation becomes arbitrariness or mere force. It is, therefore, legitimacy which converts power into authority. With no legitimation of authority, power becomes a brute force. The Apartheid regime in South Africa during the white minority rule can be cited as an example of ‘power regime’ without legitimacy. There, as is known, a white minority enjoyed all political rights, and their government ruled over the black majority. That government had no legitimate authority in the country, for it lacked legitimacy in the eyes of the vast majority of the people – the Blacks.

12.2.3 Power, Legitimation and Authority

On one side of legitimation stands power, and on the other side stands authority. It is through legitimation that power is converted to authority. Authority devoid of legitimation is brute force. Legitimisation makes power a lawful authority. It authorises the government to exercise power so as to rule the people. Without legitimation, no authority can lawfully exercise power. Authority possesses power because legitimation authorises it to exercise power.

To put the whole argument simply, it may be said that a government is government only when it is legitimate. An illegitimate government is a contradiction in itself; a legitimate government is an authority in so far as it is legitimately authorised to exercise power; power makes the government an authority after it is able to legitimise itself. Legitimisation alone makes the government/state a power; it is such a government that rules the people and extracts from the people their obedience. Legitimisation works the other way as well. Legitimisation provides an element of willingness, on the part of the people, to accept the government’s power to rule the people. It is, thus, a two-way movement – authorising the government/state to rule the people in accordance with the authority vested in it and through procedures already established therein; a willing body of citizens to accept the government’s authority to rule them. Delegitimisation, on the contrary, robs the state to have any claim over the people to rule them, and induces no respect from the people for any such state/government.

Legitimisation is the means through which power changes into authority and thus, a social order is established in the society. It is what makes the government rule over its people and it is what makes the people obey their government. Legitimisation is the meeting point between the state and the people, between the rulers and the ruled. Without legitimisation, no effective social order can be created; disorder alone would prevail where power is exercised with no legitimisation of authority. All systems of government seek obedience to the laws from the people only on grounds of legitimisation/legitimacy.

12.3 WHAT IS OBLIGATION?

Obligation means the act of binding oneself, binding oneself to some duty, to some contract, to some promise. It is binding someone to do something. Obviously, it arises out of a sense of duty. That is why, one may see an analytical connection between obligation and duty, the former having the same meaning as that of duty. To be obliged means to have a duty. An obligation can also be the act of obliging oneself or someone else. In such a case, a duty is the conception of some behaviour as the object of an obligation. People are obliged to perform their duty. There cannot be an obligation without a will imposing a duty or an obliging will.

Obligation, one may see clearly, is a two-way situation. It is a relational concept. It is used (a) for a relation between individual persons. One is, for example, under an obligation to someone else; people are, or say used to be, greatly obliged to one another. It is used (b) for a relation between a person and an institution, such as the government. To be under an obligation to someone (say individual or government) may be to owe something (in case of an individual's obligation to a government it may mean 'to owe obedience'). In case of an individual's obligation to the state or the government, what it amounts to is that the state or the government has corresponding rights over the individual.

To understand the term 'obligation' more clearly, it is better to relate the term 'obligation' to 'bound' than to 'owing'. We may be bound to perform some action without in an obvious sense owing anybody anything. To be 'bound' is not to be in bonds. What at best it means is acceptance of a submission, or say losing a certain amount of freedom. When we accept submission, we accept to work within certain limitations, and such a submission remains until obligation stays; a certain amount of lost freedom is not regained until the obligation has been discharged.

So understood, the concept of obligation includes, if one seeks to identify its inherent implications, (i) an act of binding oneself to some duty, (ii) a situation characteristic of a relational relationship, (iii) an authority, say the government with assured rights over the individuals, and the individuals, agreeing to obeying the laws of such an authority.

12.3.1 Types of Obligations: Moral and Legal

Obligations are not all alike. There are obligations of which we are conscious; for instance, not 'being in debt' is an obligation of which we are conscious; 'feeling in debt', on the other hand, is an obligation of which we may not be conscious. If, for example, a man is obliged by law to pay taxes, the obligation is no less real for his being unaware of it. If a man, to take another example, is liable for military service, he is no less obliged to accept and act upon the call for his being totally unprepared for its coming.

All our legal and political obligations, obviously, are obligations of which we are all aware of.

What may be true about legal or political or both obligations, may, and possibly may not be true, with regard to moral obligation. There are moral obligations (say the promises we make and which are expected to be kept) that cannot come into existence unknown to the persons whose obligations they are. There are, on the other hand, other obligations (of which this may not be true) of caring for one's parents in their old age and about which it may not occur to a person that it is an obligation to be attended. We may, thus, say about a moral obligation that a man cannot be said to have a moral obligation of which he is not aware. It is, therefore, the word

‘duty’ that comes close to moral obligation; and it is the word ‘obligation’ that comes close to legal/political obligation. Duty speaks of our moral obligation. It should, therefore not be concluded that duty and obligation stand opposite to each other. There is a measure of duty in obligation, and there is a measure of obligation in duty. A duty demands an obligation to be attended, and an obligation expects a duty to be attended.

An obligation, like a duty, is an obligation first, and it is, thereafter, that the obligation is *legal/political or moral*; it is *conscious* or it is *not*; it is *assumed* or it is *declared*; it is voluntary or it is involuntary. The knowledge that there does exist an obligation does not make it legal or political, for a man not in knowledge of what obligation he has would not obligate him of his moral obligation. Likewise assumption, voluntarily or involuntarily, should not be made the basis for making an obligation either legal, political or moral. Thomas McPherson (*Political Obligation*, 1967) rightly says, “We should, I think, generally be reluctant to use the expression ‘moral obligation’ for a duty not voluntarily assumed. Some cases covered by the expression ‘political obligation’ by contract are certainly cases where we have obligations that we have not voluntarily assumed.”

12.3.2 Duty, Obligation and Conflict

Duty and obligation have much in common. There is hardly anything that separates the two. There is a clear analytical relationship between the two. Obligation and duty, often, have the same meaning. To be obliged means to have a duty; to attend to a duty means to perform an obligation. An obligation can also be the act of obliging oneself or someone else. In that case, a duty is the conception of some behaviour as the object of an obligation. When one says that the people perform their duty what we, generally, mean is that they are under obligation to commit an act. It is, thus, clear that there cannot be an obligation without a will imposing a duty or an obliging will.

Obligations being of numerous sorts, there is a likelihood of these different obligations coming into conflict with one another. A moral type of obligation can come into conflict with a legal obligation; a political legitimization may conflict with a religious one. Any attempt to provide resolution may involve or invoke serious struggles of conscience. The possibility of a clash between a legal obligation and a political obligation may seem to be less real, but a conflict between a moral obligation and political obligation may, and usually is a real one. The moral obligation, for example, to help a friend in distress may conflict with my legal obligation to pay my tax in time. A compulsory vaccination or say sterilisation may be an act of political obligation, while a religious obligation may demand an almost opposite act.

A more important question with regard to numerous kinds of obligations (and this is true about the numerous kinds of duties) is where do we stand when various obligations conflict with one another? Are we to attend to a certain type of obligation and reject the other type? To be fair to these numerous types of obligations or duties, one has to attend to them and it is very rare that one likes to sacrifice/ignore one at the cost of the other. Political obligation may be more demanding at one point of time than the other; it may seek immediate redressal, for fear of punishment or otherwise, than compared to the other type of obligation.

One should note that an obligation is an obligation. That it is political or moral is a secondary thing. Attending to obligation is an act of performance. Whether we attend it today or the next day is something that depends on intensity. If we are obliged, we are obliged; accordingly, duty is a duty. If we perform our duty, we are doing our duty. Obligation is the acceptance of an act; its compliance is an act of our willingness.

12.3.3 Concept of Political Obligation

Political obligation constitutes an exterior sphere of norms and rules. It is what is found in laws and by-laws. It is what relates to a body of duties which citizens can be legally compelled to perform by the threat of punishment or other legal consequences. Political obligation assumes a set of legal duties to be performed by the citizens, their non-compliance is usually followed by punishment or prescribed by the prevailing rules/laws. This should, however, not mean that political obligation is the same as legal obligation. Political obligation goes beyond the sphere of legal obligation. Political obligation does demand compliance to the laws of the state, but it too admits means to challenge the system in order to safeguard the obligation ends. It does include the obligation of the citizens to obey the laws of the state, but it also incorporates in its sphere a wider obligation, i.e., duty to defend the country, or to fight for justice. This latter connotation of obligation is much more than what one would like to include either in moral or legal obligation. The concept of legal obligation helps only in protecting the already established legal structure, but it is for the concept of political obligation to protect the system as a whole against political disagreement, despotism and totalitarianism, injustice, exploitation and the like. The problem of political obligation is how to establish a legitimised political/social order. The creation or reconstruction of a social/political order is an obligation that is subsumed under the concept of political obligation.

Political obligation is a kind of obligation which seeks to establish a political system free from all types of injustices and laden with the promotion of common interest. The domain of political justice is neither the sphere of law entirely, nor that of ethics completely. It is a sphere situated between ethics and law. It is what is related to its grounds (why to obey?) and its content (as to what it contains so that it is obeyed).

12.4 WHY OBEY THE GOVERNMENT? AN OVERVIEW

The obedience to a government is not merely a legal phenomenon. It is also a political one. People obey a law more because of the fact that they feel it is good to obey it, as also because, they are convinced that the government issuing the laws is a legitimate one. In fact, no one would like to obey a government which one feels is not a legitimate one. The obedience to the government is more of a political phenomenon than a legal one. If one stands up to disobey the government, it is because one does not want to obey the government. If obedience is voluntary, so is the unwillingness to obey the laws.

Generally, people obey the laws. They do so because they accept the government that rules them. They do so because they accept the system wherein the government operates. And if they like to disobey the government, they do so because they hesitate to accept both the government and the system as a whole.

Legitimacy of states and governments depend on how the people look at them and also at the social world around, and what they consider to be morally right. What they consider morally proper is the product of numerous factors which influence people. The total effect of all the influences make up what may be called the 'legitimation process'. Legitimacy once evolved or grown is not a matter of all future; it is a process which goes on and on. The state goes on because the people want it to go on. The state, one must remember, goes on not because it has power. The overwhelming power does not last on its own. It has to have the acceptance and support of the people; it has to have its own strength which is much more than the physical force that it has. What it means is that the states have to have their legitimacy, i.e., the government rules over the people because it has the legitimate right to rule.

12.4.1 Legitimation and Obligation: Basis of Paternalism

There are numerous bases which make a particular type of government extract obedience from the people. In other words, legitimisation of the state and government to rule people and the obligation of the people to obey the government have their grounds in numerous theories. One such theory may be termed as ‘Paternalism’, one that can best be expressed in the divine right theory of the kings as well as the charismatic theory.

The divine right theory advocates that the power the rulers, as kings, have was given to them by god. The kings rule because god authorises them to rule. They have the right to rule the people because god has given them the power to rule. The basis of the authority of the king is religion which makes the state a divine institution. Legitimacy, in such a theory, lies in kings having power as ordained by god. The people are, the divine right theory claims, obliged to obey the kings. Their disobedience does not only constitute a crime, it also constitutes a sin. Absolute obedience is a characteristic feature of the divine right theory; political resistance is regarded as a rebellion against the divine ruler.

The divine right theory, despite its demerits, prevailed as a gospel truth constituting legitimacy of the rulers and also the obligation of the people to obey the divinely appointed rulers. Such a theory provided a framework of legitimisation and obligation. The kings ruled as the legitimate holders of powers and the people accepted them and obeyed them considering all this as a phenomenon willed by god. Religion, as the prominent factor of divine theory, legitimised both the monarchical absolute rulers and the obligation of the people to obey them.

There is a form of paternalism known as, to use Weber’s term, ‘charismatic authority’. Charismatic authority is a personal authority, related to the very personality of the person having power. Such a person has power by the sheer dint of his dominant personality. “Whoever”, Thomas McPherson says, has “power.... may be thought to have a right to it.” “We hear”, he continues, “of men with ‘magnetic personalities’ of ‘born leaders’, and so on.” The argument runs as follows: “At times, particularly times of crises, people want to be led, and will respond to someone who has the confidence to put himself forward as their leader ___Wesley, Hitler, Churchill.” History witnesses a form of charismatic authority where people, willingly, obey or confer authority on some leaders whose strength lies in the very personality of a person. Such persons are generally known as charismatic leaders. People accept them as leaders and give their obedience to them because of some extraordinary personal qualities, because they represent some ideals with extraordinary clarity. Charismatism is, as such, a form of paternalism.

Traditionalism too sounds as yet another example of paternalism. In the earliest societies, people accepted the power of some people over themselves because they would believe that these rulers have been followed from times immemorial. People obey because they have been traditionally obeying. Obedience becomes a matter of practice; acceptance of such authority is also a matter of traditionally-based belief.

12.4.2 Legitimation and Obligation: Basis of Contract

The contract theory, as advocated by the contractualists, especially Hobbes, Locke and Rousseau, offers another ground for legitimacy of the government and the obligation of the people to obey the government. To some extent, this theory sets forth a legal or a quasi-legal basis of legitimisation and obligation. We ought to obey the government because we have entered into a contract to do so. If that was really so, there would have emerged accepted obligations of obeying and ruling.

The contract theory provides a legitimization thesis which states that the government rules because of the title it has to rule – whether that title has been bestowed upon the Leviathan (in the case of Hobbes) as through an agreement that the state protects the rights of the people (as in the case of John Locke) or through a government based on the General Will (as Rousseau would want us to believe). The state has the power to rule over the people as per the contract entered into by the people. This very contract theory also provides an argument for peoples' obligation to obey the government, this too through the grounds of contract. The contract theory may not be taken too far to investigate the possibility of whether such a contract was ever made or not. What may only be inferred is a legal right of the state to rule the people, and a legal duty of the people to obey the state. There is no doubt that the state exists because it has to establish law and order. Its essence lies in the external relations it maintains among people residing in its area. There is, thus, the legal framework at its base through which people demonstrate formal relationship. The state rules in accordance with the procedure established by law and what the law of the land, i.e., the constitution, expects from it. The contract theory legalises the state and gives it legitimacy to govern the people as a matter of title. On the other hand, the contract theory also legalises the procedure of peoples' obligation to obey the state. People obey the state, for the contract demands from them an obligation that they are legally bound to comply with the orders issued by the state. What this theory establishes is the legal relationship between the rulers and the ruled, binding the former to rule the latter, binding the latter to obey the former. This theory, indeed, leaves no scope for non-compliance; non-compliance is followed by punishment. Legal and lawful authority, rule of law, legally-oriented framework and a set of legal obligation and the like are some of the characteristics of the contract theory.

12.4.3 Legitimation and Obligation: Basis of Consent

There is a close semblance between the contract and consent theories as the bases of issues relating to legitimization and obligation. The contract theory, though legal or quasi-legal, indicates to some extent, the 'consent' phenomenon, as the consent theory indicates, to some degree, the quasi-legal base of administration. In the contract theorists' argument, the element of people's consent as the basis of administration cannot be dismissed. Locke says, "Men being.... by nature, all free, equal and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent". A person, one may clearly infer, is not obliged to obey unless he has voluntarily agreed to do so. Locke seems to imply that not only does the founding of a government require consent, but that every governmental act affecting a person's life and rights requires consent. He writes, "the supreme power cannot take from any man any part of his property without his own consent." Locke's argument is that nothing should be demanded of an individual that does not accord with his uncoerced and conscious will. Rousseau's theory of General Will can be stated as another example of consent. "A government deserves," Glenn Tinder (*Political Thinking*, 1986) says, "obedience if its commands conform to what Rousseau called the general will." "The point is", he continues to sum up Rousseau's thesis, "that the theory of the general will tells us that a government has a legitimate claim to obedience only when its commands represent the true, ultimate interests of all the people." Without going into the fallacies the consent and the general will theories have, what one may be interested, in so far as the legitimization and obligation contexts are concerned, is that consent, at the base of the founding of the state, makes the government legally empowered to make laws for the people and compels the people to obey those laws for reasons of their explicit consent. The same is true about the general will theory as well. The government is legitimately authorised to govern the people for it works for the interest of the people and the people are obliged to obey the government, for their obedience leads ultimately to the attainment of the common interest.

However, the consent and contract theories help evolve a democratic spirit that brings legitimization of the governmental laws and the people's obligation closer to each other. The government rules because the people want it to rule; the people obey because the government rules for them. The democratic content itself gives legitimization to the government on one hand, and demands people's obligation to obey the government on the other.

12.5 LEGITIMATION AND OBLIGATION CRISES

No system is free from crisis. The crises occur because of one factor or the other. Because of the crises, problems with regard to legitimization and obligation spring up. Legitimacy of the government is put to question and obligation to obey the government comes to be overburdened. Crises, whether they relate to challenging the legitimacy of the government or people's obligation to obedience to its laws arise, not because of accidental changes in the environment, but because of, as Jurgen Habermas (*Legitimation Crisis*, 1976) says, "structurally inherent system imperatives that are incompatible and cannot be hierarchically integrated." Referring to the crisis in the advanced capitalist societies, Habermas holds the view that these societies experience four levels of crises: economic crisis, rationality crisis, legitimization crisis and motivational crisis. He says, "I maintain that advanced-capitalist societies ... are in danger from at least one of the possible crisis tendencies. It is a consequence of the fundamental contradiction of the capitalist system that other factors being equal, either the economic system does not produce the requisite quantity of consumable values or, the administrative system does not produce the requisite quantity of rational decisions, or, the legitimization system does not provide the requisite quantity of generalised motivations, or the socio-cultural system does not generate the requisite quantity of action-motivating meaning." It is not necessary, Habermas states, that these crises may lead to a revolutionary rupture in the system.

Referring to the legitimization and obligation crises in the post-second world war years, David Held (*Political Theory and the Modern State*, 1989) gives contrasting accounts of the crises of the state, "overloaded state" theory on one hand, and "legitimacy crisis" theory on the other. The former theory arguing from the pluralist premises (see Brittan, "The Economic Contradiction of Democracy," 1975; Huntington, "Post-industrial politics: How Benign Will It Be," 1975; Nordhaus, "The Political Business Cycle", 1975), the latter theory arguing from the Marxist premises (see Habermas, *Legitimation Crisis*, 1976; Offe, *Contradiction of the Welfare State*, 1984).

12.5.1 The Overloaded Government Theory Analysed

The overloaded government theorists characterise power relations in terms of fragmentation. According to them, power is shared and bartered by numerous groups representing diverse and competing interests. In a pluralist society, the political outcomes, thus, are determined by democratic processes and pressures, the state attempting to mediate and adjudicate between demands. The economy, following the post-war period, while generating mass affluence and general prosperity owing to booms in consumer goods, new housing, spread of television and entertainment industries, raised expectations in all fields and for all the sections of society. The politicians and political parties, in order to secure maximum votes, promise more than they can ever deliver, some promising to deliver contradictory and, therefore, impossible sets of demands. There is a continuous and constant competition among the political parties, leading ultimately to a spiral of ever-greater promises.

Such pluralist societies, pursuing democratic values through fabulous material promises made to

the people in return for their support, in political arena, work through political parties which follow strategies of appeasement. They do so because they do not want to risk their support; they do so for fear of losing future votes. Political parties attempt to avoid strict action in any field. They do not make promises to set the economy on the right path, nor do they seek the enforcement of radical steps. Appeasement strategies prevail everywhere. In administration, more state agencies relating to health, education, industrial relations, prices, and incomes increase in unwieldy proportions; bureaucracies develop which often fail to meet the ends for which they were originally designed.

The state in pluralist societies proves a failure in providing a firm and effective management. It is unable to meet the cost of its programmes which it designs to meet the ever-increasing expectations of its people in order to obtain their vote. It is unable to arrest inflation, for its public spending processes never stop. Consequently as the state expands, it destroys progressively the realm of individual initiative where the space for free and private enterprise is lost.

Democracy, in pluralist societies, becomes only a mechanism, and in the process loses its humanitarian value. The state becomes incapable of managing public affairs effectively; it becomes rather an instrument in the hands of powerful economic organised groups, and in the process, loses its role of providing an impartial and effective administration. The individual becomes sovereign, but only in the rhetorical sense of the term. Freedom becomes a set of liberties without any base of equality.

The legitimisation of the government, in pluralist societies, causes to be questioned. The obligation on the part of the people to obey the state comes under cloud. A firm and decisive political leadership, among other things, which is less responsive to democratic pressures and demands, may provide solace.

12.5.2 The Legitimation Crisis Theory Analysed

In contrast to the theory of overloaded government, the legitimisation crisis theorists, starting from the Marxists first, argue that while political parties compete for office in pluralist societies through the formal rules of democratic and representative processes, their power is severely constrained by the state's dependence on resources generated by private capital accumulation. The economy is so organised that there is a private appropriation of resources for things socially produced; production is organised for profit maximisation. Such an economy, the legitimisation crisis theorists say, is unstable where economic growth is usually and constantly disrupted by crises. The state, under such a system of economy, cannot develop adequate policy strategies, resulting in a pattern of continuous change and breakdown in government policy and planning. For Habermas and Offe, this is the 'rationality crisis' or 'a crisis of rational administration. The conservative government is unable to reduce its costs and spending for fear of trade unions; the labour government is unable to pursue strong socialist policies for fear of the capitalists' organisations to thwart its economic programmes. The state works within the limitations of planning and control, politicisation of the people stimulating greater demands on the state. As these demands are not usually met, for the system does not permit so much generosity, legitimisation and motivation crisis grow up and struggles follow thereafter.

The crises and struggles, so grown, require extensive strife intervention. While the principal concerns of the state aim at sustaining, and if possible strengthening the capitalist economy and managing class antagonisms, it seeks to ensure the support of powerful groups, both the business community and trade unions. The state, in order to avoid crises, both economic and political,

takes up the areas of the economy and civil society; it also expands the administrative structures; complexities increase, so increases the need for cooperation, and the expanding economy.

The state has to increase its finances so as to be able to meet the ever-growing expectations of the people. Finance comes up through taxation, or through loans from the capital markets which, in turn, interferes in economic growth. The permanent inflation process never ends; crisis in public finance never ends. The system is always under stress and strain; legitimacy causes to be doubted and obligation is always at stake.

David Held finds some common thread in both the theories – overload government thesis and the legitimization crisis argument. The common thread is that (i) both the theories find in governmental power a capacity for effective political action (ii) both hold the view that state power depends ultimately on the acceptance of the authority of the state (overloaded theorists) or, on legitimacy (legitimation crisis theorists) (iii) both the theories confer that state power is being progressively eroded. The state is becoming increasingly ineffective or short on rationality (iv) both the theories agree that state power is being undermined because its authority or legitimacy is declining progressively, thus putting a premium on the part of people's obligation to obey the state.

12.6 SUMMARY

Legitimation and obligation are two related concepts. Both strengthen the claims of each other. Legitimation, as a concept meaning something that is lawful, implies the legalized pattern of state activities accepted so by the citizens constituting it. It admits lawful authority empowered to exercise power, and more than that, the exercise of power is legitimate, legitimately authorised. It, in the context of the state, demands compliance from the people. When the power of the state is accepted by the people, there is no crisis of legitimation. The crisis arises when the power of the state, exercised as it is, is challenged by the people or part thereof.

Obligation means the act of binding oneself; it to a great degree, implies a duty; to be obliged means to have a duty. It is an act of binding oneself to some duty. It may well be characterised as a situation of a relational relationship; an authority on the one hand, with assured rights over the individuals; the individuals, on the other, agreeing to obeying the laws of such an authority. Obligation, in the context of state, becomes a political obligation.

“Obligation” and “legitimation”, the two concepts have captured the attention of political philosophers from times immemorial. Paternalism, traditionalism, the contract and context theories have been offered to provide the bases of the legitimacy of the governments' right to rule the people together with the obligation of the people to obey the governments.

All systems experience problems of crises relating to legitimation and obligation. No system, in fact, is free from crises at one time or the other, with one factor or several factors responsible for such crises. Crises occur, whether they relate to challenging the legitimacy of the government or people's obligation to obey the laws of the state, not because of the casual/accidental changes in the environment, but because of the “structurally inherent systems – imperatives that are incompatible and cannot be hierarchically integrated” (see Habermas, *Legitimation Crisis*). Referring to the advanced capitalist societies, Habermas says that such societies experience four levels of crises: economic, rationality, legitimation and motivation.

12.7 EXERCISES

1. What do you mean by legitimisation?
2. Distinguish between legitimisation and legitimacy. How are the two concepts related to each other?
3. What do you mean by obligation?
4. Explain clearly the concept of political obligation.
5. Why do we obey the government?
6. Briefly summarise the contract theory's argument for obeying the laws of the state.
7. State briefly Habermas's view of legitimisation crisis.
8. Analyse briefly the theory of overloaded government in relation to legitimisation and obligation.

UNIT 13 CIVIL DISOBEDIENCE AND SATYAGRAHA

Structure

- 13.1 Introduction
 - 13.2 Concept of Civil Disobedience
 - 13.3 History of the Concept of Civil Disobedience
 - 13.4 Theory of Civil Disobedience and Existentialist Philosophy
 - 13.5 Gandhian Concept of Civil Disobedience and Satyagraha
 - 13.6 Civil Disobedience in Practice
 - 13.7 Summary
 - 13.8 Exercises
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13.1 INTRODUCTION

The concept of civil disobedience movement has become an important element in the political power structure in contemporary world. This movement has spread around the world. It has been exemplified by Dr. Martin Luther King, Jr. in the civil rights movement in the United States, the ‘people’s power’ movement in the Philippines, the non-violent collapse of communism in Eastern Europe and so on. The success of Gandhi and Dr. Martin Luther King, Jr. had a lot to do with the emergence of satyagraha as an organisational power. To discuss about the history of the twentieth century, without exploring the impact of civil disobedience and satyagraha is to malign the very basis of the people’s movement and the study of social science. The Gandhian method of civil disobedience and satyagraha has given a new dimension to the concept of statecraft.

While delivering the most prestigious Gandhi Memorial Lecture on “Towards a World without war- Gandhism and the Modern World” on 11 February 1992, Dr. Daisaku Ikeda said, “As we approach the end of this century of unprecedented wars and violence, we seek as our common goal the creation of a world without war. At this critical juncture what can we – must we- learn from this great philosopher – a man whose spiritual legacy could rightly be termed as one of humanity’s priceless treasures, a miracle of the twentieth century.”

The basic aim of every political system is to assist in the process of self-actualisation of individuals to fulfil the inner requirements for a continuous moral growth. The very concept of satyagraha has provided a new meaning and orientation to the concept of politics. Dr. Martin Luther King, Jr. was so much influenced by the concept of civil disobedience and satyagraha that he said, “If humanity is to progress, Gandhi is inescapable. He lived, thought and acted, inspired by the vision of humanity evolving towards a world of peace and harmony”. The Swedish economist, Gunnar Myrdal said, “In a time of deepening crisis in the underdeveloped world, of social malaise in the affluent societies, it seems likely that Gandhi’s ideas and techniques will become increasingly relevant.”

In a violent international climate, with struggle for economic hegemonism and ever escalating

systemic process of violence, not to mention about human rights violations, poverty, and hunger, the concept of civil disobedience and satyagraha of Gandhi is gaining more and more momentum.

The concept of Civil Disobedience and Satyagraha has played an important role in the theory and practice of human liberation movements. It has, indeed, continued to inspire the social and political movements throughout the world. The Gandhian principles of non-violence and civil disobedience are rooted in his concept of Satyagraha. The anti-nuclear and Green Movements, the termination of statist communist administration in Czechoslovakia in 1987, and the popular resistance movement in Kosovo against the Serbian ethnic persecution are some of the important civil disobedience movements of the last century. The rise of racial and ethnic chauvinism, and retrogressive character of the globalisation process have again highlighted the role of civil disobedience and satyagraha as a strategy of social and political movements.

13.2 CONCEPT OF CIVIL DISOBEDIENCE

The phrase, “Civil Disobedience” which is so widely used as a strategy to ensure social justice throughout the world does not have any precise and specific connotation. Henry David Thoreau is generally credited with using this phrase as the title of an essay in 1849. Thoreau changed the title of his essay from “Resistance to Civil Government” to “Civil Disobedience”. There is, however, neither any documentary evidence to show that Thoreau himself coined this phrase nor any reason given by him to indicate as to why he changed the title of his essay.

The concept of Civil Disobedience has a long and varied history covering almost the whole stream of human thought from the Greek era to the present day. The justification and analysis of the concept has been attempted from a variety of philosophical, political and linguistic angles.

The concept of Civil Disobedience implies an act or process of public defiance of a law or policy, duly formulated and created by a governmental authority, which an individual or a group considers to be unjust and/ or unconstitutional. The defiance of the governmental law or policies must be a pre-meditated act and the movement has to be announced in advance. The defiance of law might take either violent or non-violent form. It may be either active or ‘passive’. As the basic spirit of the civil disobedience movement is to arouse public conscience, the individual or the group must be prepared to accept punishment for the violation of law or policies. The action or non-action of civil disobedience has to be openly insisted on in order to be qualified as civil disobedience. The mere non-compliance of legal provisions does not itself constitute civil disobedience.

The concept of Civil Disobedience is grounded in justice and common good, and its end must be a limited one. The basic aim of civil disobedience movement is to arouse consciousness in the adversaries and appeal to their conscience.

Although the methodology of civil disobedience is not restricted within the limited framework of either violent acts or ‘non-violent action’, for a variety of historical or psychological reasons, most of the practitioners of the civil rights movement are committed to non-violence. Some of the pacifist believers of civil disobedience even assume that a complete commitment to non-violence is ethically superior to the possible use of violence.

In contemporary literature, the concept of civil disobedience has been understood as a political strategy adopted by Mahatma Gandhi and his followers in India to oppose British colonial administration. Martin Luther King Jr., during the Civil Rights movement in the United States, also successfully used this strategy.

Referring to the concept of civil disobedience, Mahatma Gandhi said, “I shall consider it (civil disobedience) to be a public, non-violent and conscientious act contrary to law, usually done with the intent to bring about a change in the policies or laws of the government. Civil Disobedience is a political act in the sense that it is an act justified by moral principles, which define a conception of civil society and the public good. It rests then, on political convictions as opposed to a search for self or group interest. In the case of a constitutional democracy, we may assume that this conviction involves the conception of justice that involves around the constitution itself.”

13.3 HISTORY OF THE CONCEPT OF CIVIL DISOBEDIENCE

The concept of civil disobedience has a long and varied history. The concept was very popular as the Antigone theme in the Greek dramas. It was the basic theme of the anti-war motif of Lysistrata where the women, apart from leaving their men, captured the Acropolis and the Treasury of Athens. This conflict between civil law and conscience could be seen in the passive resistance of Jews to the introduction of icons into Jerusalem.

Throughout the long history of human civilisation, there has always been a conflict between individual freedom and political authorities of the state. The freedom to choose whether to obey the dictates of state law or not has always been the basic theme of civil disobedience movement.

Socrates considered obedience to and search for truth as the fundamental aim of human life. To him, justice is an element of truth. Although he strongly believed that an individual could only develop in a well ordered society, and it was his moral duty to obey the state, he was not prepared to sacrifice the realm of conscience. He strongly advocated that the state has no right to force an individual to act unjustly. This is the area in which he justified the role of civil disobedience.

The early Christians used civil disobedience movements as justification for religious and moral obedience to God. This was the first non-violent civil disobedience movement in the West. The doctrine of civil disobedience movement has been used as an instrument of socio-political transformation on a number of occasions.

The modern concept of civil disobedience had its origin in the writings of empiricists like Thomas Hobbes. The political situation of England in the seventeenth century made Hobbes espouse the doctrine of fundamental natural rights as a basis for obedience to government. He was convinced that in order to guarantee rights to the individuals, the state must ensure a climate of civil peace. He was not prepared to grant the right to dissent to the individuals in the state. The only condition under which the individuals were entitled to have the right to dissent was when the state was not strong enough to protect the rights of the individual and to ensure civil peace in society. The right to civil disobedience was indeed inherent in the specific conditionality of Hobbes.

John Locke was of the opinion that the people have a “right to resume their original liberty and to establish a new government.” Even if he was not so precise and clear about the propriety of resistance to the authorities of the state, he was convinced that the people have the right to have both non-violent and violent civil disobedience movements to ensure liberties, properties and social justice.

While analysing the empirical utilitarian approach to determine the concept of the right to resist,

Henry David Thoreau adopted an idealistic anarchist view. He strongly believed that all *civil laws* that try to encroach upon the areas of *moral law* have no moral justification to exist. The Universal Declaration of Human Rights of 1948, which emphasised humanistic foundations for man's basic rights, supports the contention of Thoreau. In his Treatise of Human Nature, David Hume provided a libertarian concept of civil disobedience.

Jeremy Bentham advocated that conscientious citizens have to "enter into measures of resistance as a matter of duty as well as interest." James Mill adopted a paradoxical attitude towards the concept of civil disobedience. He supported the right to a violent revolution while opposing the right to advocate limited civil disobedience.

All the empiricists like Thomas Hobbes, John Locke, David Hume, Jeremy Bentham and James Mill were in favour of a negative concept of individual freedom. They put emphasis on the absence of restraints as the basic requirement of individual freedom. Their views against all improper use of governmental authority provided the basic ground for the modern theories of civil disobedience.

The Idealist School was less hospitable to the concept of civil disobedience. From Aristotle to Rousseau and supporters of Hegelian as well as Marxist traditions, all have emphasised the importance of state over individuals. While emphasising the positive concept of freedom, the Idealists were of the opinion that the positive concept of freedom could only be achieved by an unconditional loyalty to a collectivity.

The Syndicalists emphasised the obedience to democratic trade union leadership only so as to have access to the areas of positive freedom. One must not forget that the Anarchists in the idealist (Tolstoy) or socialist (Bakunin, Kropotkin) tradition have always pleaded for a total rejection of state system based on the positive concept of freedom. In fact, they provided a new approach to the realisation of man's social self through civil disobedience.

Political theorists consider the idea of natural law as an important basis of the modern idea of civil disobedience. Although both Aristotle and Cicero failed to develop a theory of civil disobedience, their views on the subject have definitely paved the way for the justification of a civil disobedience movement. Aristotle said, that "unjust law is not a law." Cicero was of the view that "a true law – namely right reason- which is in accordance with nature, applies to all men and is unchangeable and eternal.". These views have provided a strong ground for the civil disobedience movement.

Thomas Aquinas considered unjust laws as "acts of violence rather than laws". To him, "such laws do not bind in conscience." However, he would not allow any disobedience to the Church at all and, disobedience to the state, only in rare cases.

Modern Neo-Thomists have adopted the same cautious attitude of Aquinas regarding the issues of civil disobedience. Pope Pius XII was criticized for not adopting a bold stand against the genocide of European Jews. Rolf Hochhuth in his play, *The Deputy* (1963), criticised the Pope for not doing enough to disobey or resist Hitler's aggression.

In recent years, the Church has taken a bold stand regarding civil disobedience. The right to disobedience is no more, limited to violation of divine laws. Pope John said, "For to safeguard the inviolable rights of the human person and to facilitate the fulfillment of his duties, should be the essential office of every public authority. This means that, if any government does not acknowledge the right of man or violates them, it not only fails in its duty, but its orders completely lack juridical force."

13.4 THEORY OF CIVIL DISOBEDIENCE AND EXISTENTIALIST PHILOSOPHY

The theme of alienation, drawn from existentialist philosophy, is an important aspect of contemporary theories of civil disobedience. Albert Camus is considered a leading contributor in this area. Although both Albert Camus and Jean Paul Sartre and other existentialist thinkers believe that there is no valid basis for any moral or political authority's claim to validity (or legitimacy) or to obedience, Camus was more forthright regarding his views on resistance to oppression. He was of the opinion that respect for the dictates of justice must precede respect for law. In his Nobel Prize address, Camus strongly advocated his 'refusal to lie about what we know and resistance to oppression'. He was not even averse to the use of physical force, although he always regarded it as a supreme evil, to counteract the worst violence of the state. He considered every power elite and authority of the state as the enemy of justice. He considered pacifists as 'bourgeois nihilists'.

13.5 GANDHIAN CONCEPT OF CIVIL DISOBEDIENCE AND SATYAGRAHA

Mahatma Gandhi is considered to be the leading theorist in the history of civil disobedience movement. The Gandhian concept of civil disobedience and satyagraha is the greatest contribution to mankind in our times. Albert Einstein said, "It is my belief that the problem of bringing peace to the world on a supranational basis will be solved only by employing Gandhi's method on a large scale." Martin Luther King Jr. said, "From my background I gained my regulating Christian ideals, from Gandhi, I learned my operational technique."

Gandhi called his concept of civil disobedience as the doctrine of 'Satyagraha' or 'Truth Force'. For him, the adjective 'civil' in the phrase 'civil disobedience' referred to peaceful, courteous, and a 'civilised' resistance. To him, the concept of passive resistance is inadequate to grasp the full implications of the concept of 'satyagraha'. He said that one must not only resist passively the injustice and arbitrariness of the government, but also must do so without any feeling of animosity.

In the earlier phase, Gandhi had spoken of passive resistance as an 'all-sided sword'. He said, "...it blesses him who uses it and him against whom it is used. Without draining a drop of blood, it produces far-reaching results....Given a just cause, capacity for endless suffering and avoidance of violence, victory is a certainty."

Subsequently, Gandhi abandoned the term 'passive resistance', and chose the term 'satyagraha'. The concept of satyagraha is devoid of any feelings of hatred and violent means. It is based on spiritual purity. Like Tolstoy, Gandhi was opposed to all forms of violence in his commitments to political actions. Arne Naess, a leading theoretician on Gandhi has stressed Gandhi's "constructive imagination and uncommon ingenuity in finding and applying morally acceptable forms of political action." Satyagraha, the unique system of non-violent resistance to the government's arbitrary methods and actions is, indeed, his greatest gift to mankind.

For Gandhi, Ahimsa (non-violence) and Truth were inseparable. He said that "Ahimsa is the means; Truth is the end." Gandhi used satyagraha as a lever for social movements.

In order to understand the Gandhian concept of civil disobedience and satyagraha, it is desirable

to know Gandhi's view on the subject in detail. Gandhi said, "Satyagraha largely appears to the public as Civil Disobedience or Civil Resistance. It is civil in the sense that it is not criminal. The lawbreaker ... openly and civilly breaks (unjust laws) and quietly suffers the penalty for their breach. And in order to register his protest against the action of the lawgivers, it is open to him to withdraw his cooperation from the state by disobeying such other laws whose breach does not constitute moral turpitude. In my opinion, the beauty and efficacy of Satyagraha are so great and doctrine so simple that it can be preached even to children."

Gandhi strongly advocated that it was the birth right of every individual to offer civil disobedience in the face of unjust laws. He wrote in 1920, "I wish I could persuade everybody that civil disobedience is the inherent right of a citizen, He does not give it up without ceasing to be a man. Civil disobedience, therefore, becomes a sacred duty. When the state has become lawless, or which is the same thing, corrupt. And a citizen that barters with such a state, shares in corruption or lawlessness."

In his evidence before the Hunter Committee that was constituted by the Government of India to enquire into the disturbances in 1919, Gandhi argued that civil disobedience would be called for and is legitimate even in a democracy. He highlighted its constitutional aspects. In his reply to the Hunter Committee as to what he would have done towards the breakers of laws if he would have been a Governor himself, Gandhi replied, "If I were in charge of government and brought face to face with a body who entirely in search of truth, were determined to seek redress from unjust laws without inflicting violence, I would welcome it and would consider that they were the best constitutionalists, and as a Governor I would take them by my side as advisers who would keep me on the right path."

Some people have questioned the efficacy of satyagraha as a universal philosophy. Gandhi's vision was not confined to the attainment of independence from foreign rule, the control of government by the Indians. He struggled for the Indian soul, not merely for a visible polity.

In the concept of 'civil disobedience and satyagraha' both 'civil disobedience' and 'satyagraha' are deeply interlinked as a theory of conflict resolution. Gandhi said, "Experience has taught me that civility is the most difficult part of satyagraha. Civility does not here mean the more outward gentleness of speech, cultivated for the occasion but an inborn gentleness and desire to do the opponent good. These should show themselves in every act of satyagraha."

This new orientation of the concept has provided a visionary dimension to the very approaches of conflict resolution in statecraft. The present threat, indeed, to the very existence of mankind could only be removed by the Gandhian approach of a revolutionary change of heart in individual human beings.

The basic aim of every political system is to create a social, political and economic climate in which the individuals can fulfil inner requirements of their continuous moral growth. The Gandhian method of civil disobedience and satyagraha alone helps in creating conditions in civil society whereby all spiritual values and methods could be appreciated in the state system as a vital necessity for progress and prosperity. Dr. King very successfully implemented this Gandhian method during the civil rights movement. He said, "A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law." In the language of Thomas Aquinas, an unjust law is a human law that is not rooted in eternal and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality.

Gandhi emphasised ‘civil’ in ‘civil disobedience’ to imply non-violence. Non-violence, as it is highlighted in the analysis, has a positive as well as a negative connotation. In its negative form, it implies ‘non-injury’ to any living being. In its positive form, it means, ‘the greatest love’ and ‘the greatest charity’. In Buddhist literature, it is highlighted as an attitude of creative coexistence.

According to Henry Thoreau, if there is a conflict between ‘higher values’ and ‘lower values’, then the citizen in no way should resign his conscience to the legislation of the state. He said that “legislators, politicians serve the state chiefly with their heads; and as they rarely make any moral distinctions, they are as likely to serve the devil, without intending it, as God. A very few serve the state with conscience also, and so necessarily resist it for the most part..., no undue respect for law is required as it will commit one to do many unjust things. Where ‘immorality’ and ‘legality’ come into conflict, the only obligation which I have a right to assume is to do at any time what I think right, what I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn”.

The Congress Party organised the Civil Disobedience Movement in pursuance of the resolution on independence passed in the Lahore session of the Congress in December 1929. It was the result of British refusal to accept the Congress demand for Dominion Status. Factors such as the Lahore Conspiracy Case, the tragic death of Jatin Das in jail in 1929, the Meerut Conspiracy Case also forced the Congress to demand independence. The civil disobedience movement got manifested in various forms such as the widespread defiance of law, boycott of British goods, withdrawal of support by the army and the police, and non-co-operation with the government. Gandhi highlighted all these demands in his letter to the government in 1930 to break the salt law.

Gandhi started his satyagraha movement in South Africa. Subsequently, on his return to India to lead the non-co-operation movement against the British administration, he used it to remove the grievances of the oppressed workers and peasants of Champaran, Kheda, and Bardoli. To quote Gandhi, “... to speak of satyagraha is to speak of a weapon... a weapon which refuses to be limited by legality. Challenge, illegality, and action – there are so many keys with which satyagraha is equippedFor though satyagraha rejects violence, it does not renounce illegality.”

Gandhi always emphasised the value of proper means. To him, “Improper means result in an impure end....One cannot reach truth by untruthfulness. Truthful conduct alone can reach truth. Non-violence is embedded in truth.”

Often Gandhi has been taken to task for his emphasis on self-suffering and satyagraha. Some trace it to the streak of masochism in the character of Gandhi, while others have gone over to Hindu scriptures to emphasise Indian spirituality. But the Gandhian approach to self-suffering and satyagraha has little to do with individual self-mortification. It is a simple condition for the success of a cause. It does not imply that there would not be any suffering in the struggle for satyagraha. It simply means the assertion of one’s freedom and one’s right to dissent. This method often works as a psychological way to change the minds of an opponent. Gandhi said, “While in passive resistance, there is a scope for the use of arms when a suitable occasion arrives, in satyagraha physical force is forbidden even in the most favourable circumstances. Passive resistance may be offered side by side with the use of arms. Satyagraha and brute force being each a negation of the other can never go together.”

The Gandhian concept of satyagraha is the product of his faith in religion and spiritual values. He was convinced that the supreme law that governs all living beings and universe is nothing but love and non-violence, and Gita carried this message of non-violence as ‘soul force’.

The Gandhian concept of satyagraha is not merely an instrument of conflict resolution or non-violent resistance to injustice. It is an integrated concept, covering the whole life process of a satyagrahi. It includes : truth, non-violence, chastity, non-stealing, swadeshi, fearlessness, bread-labour, removal of untouchability, and so on. Civil disobedience is a ‘branch’ of ‘satyagraha’. All ‘satyagrahas’ can never be civil disobedience, whereas all cases of civil disobedience are cases of satyagraha. Gandhi said, “Its root meaning is holding on to truth, hence truth force. I have called it Love Force or Soul Force.”

13.6 CIVIL DISOBEDIENCE IN PRACTICE

The Gandhian concept of civil disobedience and satyagraha has relevance in contemporary world. Rabindranath Tagore reflected the voice of the generation when he said, Gandhi was a ‘living truth’, a symbol of humanism. Gandhi used the civil disobedience method for the first time during his march to Transvaal in South Africa in 1913 to protest against the discriminatory policies of the South African government. This was the first real mass movement of civil disobedience led by Gandhi. Gandhi was not interested in embarrassing the Smuts administration. When he found that Mr. Smuts was in trouble, he called off one of his projected marches. Commenting on this action of Gandhi, Louis Fischer, a leading journalist wrote: “In the end, Gandhi had not won a victory over Smuts, he had won Smuts over.”

In 1918, Gandhi used the civil disobedience movement in India during his campaign for the textile workers of Ahmedabad. The Salt Satyagraha of 1930, the civil disobedience movement for independence in 1930, and his fast unto death for the development of social conditions of untouchables in 1939 are some of the examples of civil disobedience movements under the leadership of Gandhi in India.

The people of South Africa used the Gandhian method of civil disobedience to demand independence from the colonial administration. The civil disobedience movement against the apartheid policies of the South African Government in 1952, the Johannesburg bus boycott in 1957, and the 1960 march under the leadership of Chief Albert J Luthuli against the Sharpeville massacre are some of the historic mass civil disobedience movements.

The Civil Disobedience movement by the Buddhists in South Vietnam against the American bombing was inspired by the doctrine of non-violence. The other historic examples of civil disobedience movements were: the movement against German occupation in Denmark and Norway, Danilo Dolci’s strike in Sicily in the 1950s, nuclear disarmament campaign in Western Europe, the non-violent demonstrations in Poland, the Vorkuta prison uprising in 1953 in the erstwhile Soviet Union, the Montgomery Civil rights march in 1955, and the anti-Vietnam war march towards the army base in Oakland in 1965.

The Civil Disobedience movement is gaining momentum day by day throughout the world.

13.7 SUMMARY

The Anti-Vietnam war, Civil Rights, Draft Resistance, Anti-Nuclear Weapons movements, and a host of other movements in Western Europe, USA, and in other parts of the world have given rise to a lively debate about the Civil Disobedience strategy in a democratic setup. The issue is being debated and discussed from various angles in different parts of the world and also its relevance in contemporary international system. Although there has been a significant volume of conservative opinions that would not tolerate any opposition to the laws that have been

democratically passed by various state systems, there is also a considerable opinion of well-reasoned persons in favour of the Gandhian concept of civil disobedience movement.

John Rawls, in discussing the concept of civil disobedience movement in a contemporary democratic set-up said, “The right to make laws does not guarantee that the discussion is rightly made; and while the citizen submits his conduct to the judgement of democratic authority, he does not submit his judgement to it. And if in his judgement, the enactments of a majority exceed a certain bound of injustice, the citizen may consider civil disobedience.” He said that “Civil disobedience is a political act in the sense that it is an act justified by moral principles which define a conception of civil society and the public good.”

Burton Zwiebach said, “Democratic governments must include an agreement to respect differences of opinion concerning justice and right.”

Civil Disobedience is not inconsistent with democracy. When traditional channels of meeting public grievances are incapable of fulfilling legitimate demands, civil disobedience becomes a strategy for the attainment of goods and social justice. Amid the fury of communalism, genocide and the market oriented process of social injustice, the Gandhian method of civil disobedience and satyagraha is becoming more and more popular in contemporary society.

To a superficial observer, it might appear that the concept of civil disobedience and satyagraha goes against the very synthesis of ideals between different faiths and involves a clash of values between the activists of civil disobedience movement and the state. In fact, the Gandhian concept is a means for achieving social synthesis and harmony. It emphasises dialogues for a dialectical search for truth. T.H.Green in his ‘Lectures on the Principles of Political Obligation’ has rightly said, “The functions of government are to bring in those conditions of freedom, which are conditions of the moral life. If it ceases to serve this function it loses its claim on our obedience.” According to Barker, civil disobedience is virtually within the process of social thought; it is a method of persuasion rather than recourse to force.

13.9 EXERCISES

1. Discuss the importance of satyagraha as a method of conflict resolution.
2. What is satyagraha? In what way does it differ from passive resistance?
3. What is the relevance of satyagraha and civil disobedience in the contemporary world?
4. What is Gandhi’s contribution to the theory and practice of satyagraha?
5. What are the various dimensions of the Gandhian concept of satyagraha?

UNIT 14 POLITICAL VIOLENCE

Structure

- 14.1 Introduction
- 14.2 Meaning of Political Violence
- 14.3 Violence and State
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14.1 INTRODUCTION

Political violence in most of the modern societies is the result of social tensions, which develop in them due to different reasons. Normally, political violence is directed against the state

because the state is considered the chief source of injustice and repression. As a result, different sections of society are taking recourse to violence to solve their problems. They are following violent methods because the state has failed to secure regular obedience from the people. Violence is a purposeful political action to register protest of certain sections of society against ‘wrong’ policies of the government. In modern times, revolution as a form of political violence is carried out to change the form of government and to transform social structure.

Political violence is a deliberate political activity, which has enormous ethical implications. It is pointed out by Aristotle that men do not revolt because they catch the cold. There are serious moral issues involved in it. Therefore, he said that the honour enjoyed by a political assassin cannot be compared with that of an ordinary murderer. The supporters of political violence justify it on moral grounds. They argue that they are fighting against bad government and for a just cause. The opponents of violence condemn terrorist activities for acting against the lawfully constituted government. Hence, one country’s terrorist is a ‘freedom fighter’ for another country.

14.2 MEANING OF POLITICAL VIOLENCE

Political violence is a collective violent action of a group of people against the government to highlight its discontent. It may be a protest against a particular policy of the government, it may be used to remove a particular government from power, or it may be taken recourse to for the change of political system.

Aggression and violence have been a part of human history since long because men take to violence and aggression to secure things that they did not possess or to preserve things that they possessed. Normally, political violence is directed against the state, its property and men who manage its institutions. Political violence may begin with rioting or mass demonstrations. But it is always possible that it assumes different forms.

Aristotle was the first political scientist who discussed the nature and causes of political disorder. He pointed out that change in the balance of social forces in a particular state was responsible for political disorder. The Indian political thinker Kautilya (Chanakya) was of the opinion that change in the attitude of one’s own people is revolt. It results from a wrong policy of the government and immodest behaviour of the king. Thus, since ancient times, political violence had caused disorder in the state and in modern times, the problem of political violence has become more marked and complex.

14.3 VIOLENCE AND STATE

We have seen in our discussion that political violence is largely directed against the state and its various institutions. Therefore, it is as old as the state itself. Violence is built in the institution of the state. It has the monopoly of coercive power in its hands. The state exercises this power with the help of its repressive agencies such as the army, the police, jails and courts. It can punish people who do not obey its orders and who disturb law and order. The state claims authority to rule and it secures authority with the help of legal sanctions or popular sanctions. When the state exercises power, it is entitled to use legally sanctioned violence to enforce its order. More often than not, the state uses coercive methods, which are not sanctioned by law. The degree of use of violence differs from state to state, because ultimately it depends on the ability of the state to secure compliance of its order without using coercion.

Modern states are increasingly using violent methods because they want to bring about political integration of the country as well as to hasten the process of economic development.

14.3.1 Political Violence and Political Integration

The state is an institution of society and its prime function is to bring about social and political integration of the people. Ancient and medieval states allowed co-existence of multiple autonomous political authorities. The modern state wants to establish its total authority over people and the territory under its jurisdiction. In every state, there exist distinct cultural and ethnic groups and it is a desire of every state authority to amalgamate these cultural groups into a single political unit under a single central authority. Historically, this process has, with a very few exceptions, been one of extreme violence which has varied from the physical murder of whole sections of cultural minorities to their forced deportations, their forced religious and cultural conversion and large scale population transfers. This violence has been exercised by states on their own citizens or those it claims are its citizens and violence has been employed as an instrument of policy. The purpose of this policy was to extend state's political authority upon those who for one reason or another do not accept its authority as legitimate.

The modern state was built upon the demise of feudal and tribal communities, which were autonomous entities. Once this integration was achieved in West Europe, attempts were made there to control the arbitrary exercise of state violence by agencies of the state such as the army and the police and their immediate controllers: Kings, ministers, generals and bureaucrats. At present, most of the countries of Asia and Africa are undergoing this process; therefore, politics in these states is the most violent.

14.3.2 Political Violence and the Process of Economic Development

Historically we have seen that the state exercised violence in the early phase of economic development when there was a transition from a handicraft system based on agriculture to a relatively labour intensive factory system. During this period, a great majority of population suffered because of this change. The state used extremely violent methods to curb agrarian revolts of the farmers who were agitating against unjust policies of the government. It used its authority to protect private industries by curbing the rights of workers and by declaring trade unions illegal. For example, during the 'captain's swing troubles' in rural England in 1830, when agricultural machines were destroyed, animals killed, crops destroyed and bricks burnt, the state arrested 1976 farmers, deported 481 farmers and executed 18 farmers. Thus, transportation, imprisonment, the lash and even death were the lot of those agitating against the inhumanity of the early factory system. The process of economic development, both in the planned and unplanned economies, involved the exercise of force because the new economy required capital formation by curbing the consumption levels of working classes. Thus, the attempts to achieve higher economic standards for certain classes of society produced violent reactions from those deprived classes who suffered.

In short, in the process of political integration and economic development, the level of political violence is extremely high. The state has considerably greater potential of internal violence than its citizens.

14.4 CAUSES OF POLITICAL VIOLENCE

There are many causes that give birth to political violence. Men take recourse to violence as a last resort. It is rightly pointed out by Aristotle that men do not revolt because they catch cold.

People decide to use violent methods when they think that their survival as a community is at stake and unless they fight against it, they will have to have to suffer no end. Normally, people exhaust legally available avenues to get their grievances redressed. But if the legal methods fail to deliver goods, people take to violence.

Following are some of the causes of political violence.

- 1) General causes
- 2) The Concept of National Self-Determination
- 3) Ideology
- 4) Religious and ethnic conflicts
- 5) Political conflicts between different groups of elites
- 6) Economic conditions and the concept of relative deprivation.

14.4.1 General Causes of Political Violence

We have seen in our earlier discussion that political violence has been a result of bad government. Kautilya in his '*Arthashastra*' said that wrong policies of the government and immodest behaviour of the rulers give birth to revolts of the people. Wrong and oppressive policies of the government create resentment in the minds of the people and the people rise violently to change the wrong policies. Excessive taxation, hike in the prices of essential commodities, deliberate disregard of law and morality in the exercise of power, unjust treatment meted out to certain sections of society, deliberate neglect of certain regions of the state, political incompetence and misgovernment and excessive and tactless use of force to put down peaceful agitation are the general causes of violence. Kautilya held that impoverishment, greed and disaffection are the causes of revolt.

14.4.2 The Concept of National Self-Determination

During the last two centuries, a large number of countries of Third World came under foreign control. They became colonies of Western countries. People in the Third world countries wanted to free themselves from foreign domination. Hence, they waged violent struggles against foreign rule. In modern times, the American settlers were the first to take to arms to free their country from British rule. We have numerous examples of such struggles in Afro-Asian countries such as Vietnam, Algeria and Indonesia. Due to the pacifist ideas of Mahatma Gandhi, the Indian liberation movement remained largely non-violent, though there were certain armed revolutionaries like Sawarkar Bagha Jatin, Bhagat Singh and Subhash Chandra Bose in India also.

After the Second World War, a large number of Third World countries became independent. These countries faced the problem of nation building, as the process of political integration was weak. But there was increasing political consciousness in the minds of the people. Certain regions in these states who had a distinct cultural or religious identity demanded the right of self-determination for their provinces. The supporters of national self-determination movement called it a movement for national liberation while the opponents of these movements called them secessionist movements. In India, we are facing these type of movements in Jammu and Kashmir, Nagaland, Manipur and Assam. Most of the Third World countries are facing this problem. Even developed countries like Great Britain and Canada faced the problem of secession in Northern Ireland and Quebec respectively. The Irish Republican Army and the LTTE in Sri Lanka are the most dreaded separatist groups in the world. These movements are marked by excessive use of violence from both the sides. Thus, nationalism caused the emergence of national liberation movements as well as the movements for national self-determination.

14.4.3 Ideology

In modern times, ideology has played an important role in the spread of political violence. Ideology mobilises people and gives them a certain cause to wage struggle against the state. Ideology explains the present conditions of society and asks the people to change it to bring about a better system of governance. Most of the movements in modern times are ideological in character. Fascism and socialism were two such ideologies.

Fascist ideas became popular in Europe between the two World Wars. Fascists glorified force and violence and advocated the unity of interests of individuals with that of the nation state. Fascism in Italy and Nazism in Germany used the extreme form of violence to capture political power.

The ideology of revolutionary socialism moved a large number of people who were involved in violent revolutionary activities. The socialists stand for the abolition of the capitalist system, which is based on state violence. The socialists want to establish a classless and stateless society which would end exploitation of man by man. We have examples of successful revolutions like the Russian revolution, The Chinese revolution and The Cuban revolution. The socialists argue that they take recourse to violence to counter state violence. There are a large number of countries, which are witnessing violent socialist uprisings. India, Nepal, Indonesia, Burma are the countries that witnessed violent revolutionary activities by the socialists. In India, the Naxalites are involved in revolutionary political activities.

14.4.4 Religious and Ethnic Conflicts

Most of the countries of the world are inhabited by the people who adhere to different religious faiths and belong to different ethnic communities. Therefore, there are religious and ethnic minorities in most of the countries. Modern state is trying to bring them under a single central political authority. Religious and ethnic minorities resist this attempt because they fear that due to this political integration they may lose their separate identity. The moment force is applied to advance this policy these communities take recourse to resistance and violence.

Many of the West European countries witnessed religious conflicts during the 17th and 18th centuries. The conflict was between the Catholics and the Protestants. Now, modern European states claim that they are secular and they have achieved separation between the church and the state. But in many countries of East Europe, Asia and Africa, religious strife is common. Inter-religious conflicts take place between two religious communities, between Christians and Muslims, Jews and Muslims or Hindus and Muslims. There is intra-religious conflict within a particular religious community when a particular religious sect wants to purge the religion of corrupt practices. The fundamentalist groups, who want to purify their religion, take to an extreme form of violence. Those people who do not approve of this ‘puritan’ view of religion are considered as enemies of religion and an internecine warfare begins. Algeria, Egypt, Afghanistan and several Muslim countries are facing this problem.

Culturally and ethnically, modern societies are not homogenous. Cultural and ethnic minorities want to preserve their separate identity. Hence, they want to secure and protect their rights. These minorities are formed on the basis of race, language and culture. They take to violence if they feel threatened. Quebec province in Canada, Nagaland in India, Northern Ireland in Great Britain, the Chechens in Russia, Tibetans in China and Kurds in Iraq and Iran are examples of this. Minorities are concerned about their identity and majorities question their

political loyalty. In some cases like Srilanka, the struggle of minorities assumed the form of separatist violence, which culminated in insurrection.

14.4.5 Political Disputes between Different Groups of the Elite

Governing elite in each state consists of groups, factions, and these groups and factions are involved in power politics. These groups and factions use violent methods to secure support of the people by organising street demonstrations, communal riots and sabotage. A group, well established in the government uses coercive powers of state institutions to curb this violence. Political disputes among the elite may result in splits and divisions in the ruling group. The dissident group many incite violence against the ruling group or take help of a faction in the army to capture political power. Sometimes, the disgruntled leaders may support the secessionist movements. Many a times, the military take over is the result of such disputes. The Afghan history after 1972, military take overs in Pakistan and Bangladesh are examples of this type of politics. These military takeovers are often very violent and cause a large-scale bloodshed.

14.4.6 Economic Conditions and the Concept of Relative Deprivation

Economic conditions give birth to different types of political violence because they generate resentment in the minds of the people. It is the wrong policies of the government that favour certain sections of the society and push a large section of the people below poverty line. Due to the wrong policies of the government, there is growing inflation, declining living standards of the people, price rise, unemployment and non-availability of essential commodities in the market. These factors force people to take to streets and participate in violent demonstrations against the government. Workers, farmers, students and other sections of the society take part in demonstrations to protest against the policies of the government.

But it must be remembered that poor living conditions alone do not constitute a sufficient cause to give birth to violence. The workers and farmers must develop consciousness about it in their minds. When a section of people begins to believe, that it is being deliberately deprived of the valued goods to which it is entitled, it takes recourse to agitation. The sources of deprivation lie in social processes, which cause a gap between what people are entitled to and what they receive. In modern times, due to education, learning of new skills, new consumption levels and advertisements create a feeling of deprivation in the minds of the people. The feeling of relative deprivation thus gives birth to political violence. Low level of economic growth causes considerable resentment in the people. Even rapid economic development may lead to resentment if the fruits of growth are not fairly distributed among the different strata of society.

14.4.7 Support by Neighbouring Countries

Political violence, especially sustained political violence in a state always gets support from the neighbouring countries, which are hostile. The foreign country gives support in the form of arms, money, training and shelter. For example, political violence in Jammu and Kashmir is supported by Pakistan. America gave support to rebels in Cuba and Nicaragua and Libya and Iraq are accused of supporting the Islamic terrorist network.

14.5 FORMS OF POLITICAL VIOLENCE

There exist different forms of political violence, which people use to show their resentment and dissatisfaction against the government. It can assume a form of a violent demonstration or it

can be an epoch making revolution like the French revolution of 1789. We see the emergence of political violence in the following forms :

- 1) Violent protests by the people against the government
- 2) Terrorism
- 3) Military revolts and take overs
- 4) Revolts and Rebellion
- 5) War

14.5.1 Violent Protest by the People against the Government

Normally, people take recourse to violence when all the constitutional means available to them fail. The violent protests of the people assume different forms. The violent protests of unorganised mobs cause a large scale damage because they attack the symbols of government authority such as government offices, railways and buses. They try to disrupt normal functioning of the government. This type of violence is sporadic in nature and it dies down after registering protest. But, due to the violent riotings, the governments tend to amend their policies to avoid the spread of violence.

Those groups which are well organised mobilise people against the government and use different methods of resistance. They declare strikes, 'bandhs', and hartals. Sometimes, they organise violent demonstrations and morchas. If the central authority of the government is weak and it lacks legitimacy, a well organised demonstration may cause the downfall of the government. But this rarely happens. Otherwise, the impact of violent protests of the mobs is temporary in nature because the government uses repressive measures to control it.

14.5.2 Terrorism

In modern times, terrorism has become one of the important forms of political violence as a large number of young people join terrorist groups to bring about change in the government. The weapon of terrorism is used by terrorists because they know that they cannot launch an open war against the state as the state has a superior force at its command. But terrorists are determined to use violent methods because it is their opinion that opponents understand the language of the gun. Their power in society is also based on the gun. Terrorists use all sorts of methods to teach a lesson to the state authorities. Their activities start with blowing up of a bridge or breaching a wall of a dam. But in the process, they expand the area of their operation. They get involved in activities of sabotage, murder, killing a large number of people in sudden gun fire, hijacking of an aircraft or a bus, holding people for ransom, kidnapping, political assassinations, extortions, setting fire to places of worship and markets, inciting caste and communal riots etc. They succeed in harassing the state authorities because there is an element of surprise in their actions. The Irish Republican Army, the Liberation Tigers of Tamil Eelam, various Palestine Guerilla outfits, Al Qaeda militants are some of the most violent and dreaded terrorist organisations. In India, we have witnessed activities of terrorists in Jammu and Kashmir, Punjab, Nagaland, Assam, Manipur, Tripura and Mizoram. The Naga militants have been continuing their terrorist activities for the last 4 years. Through their activities, the terrorists want to establish a well-trained armed wing to carry forward insurrectionary activities. But most of them do not succeed. It is true that some terrorist organisations succeed in setting up their

own militias but they cannot fight a well-oiled regular army of modern state which is often supported by a super power. Guerilla warfare succeeds when the state authorities are extremely weak and when their writ does not run beyond the capital. In South Vietnam, the Viet Cong guerillas succeeded because of the weakness of the South Vietnamese state.

Terrorists take recourse to crime, but they are not ordinary criminals because they are ideologically motivated and they have a vision of establishing a better society. Terrorist activities are legitimised by their ideology. We can see three distinct phases of ideological orientation of terrorism. In its first phase, national independence was its goal. In the second phase after the Second World War, most of the terrorists owed their allegiance to revolutionary socialism and at present, their orientation is religious fundamentalism or ethnic separatism. Every terrorist movement has its own group of intellectuals who rationalise the use of violence.

14.5.3 Military Revolts and Take Overs

In modern times, the military or the armed forces of the country are playing an important role in the politics of the third world countries because they are the only well organised force available in societies which have not undergone the process of state and nation building. Involvement of military in political violence assumes two forms 1) the mutiny of soldiers and 2) military take over or ‘coup d'état’.

All over the world disgruntled elements in the armed forces rebel against the government. This revolt is called mutiny. Due to some economic or political reasons, the soldiers take to arms and get involved in violent activities. For example, in 1857 the Indian soldiers of the army of British East India Company revolted against the British rule and killed a large number of their British officers. Normally, a mutiny is always taken very seriously by the state authorities because soldiers possess arms and training and they are in large numbers. But if a mutiny has no ideological base, sooner or later it is brought under control by the state authorities.

The second form of political violence is the military take over by engineering a ‘coup d'état’. Military takeover is a sharp armed insurrection by a group of army officers to capture political power by establishing control over key installations of the state. It is a well organised operation in which masses are bypassed. If coup leaders are confident of controlling the situation, they may not take recourse to violence. For example in Pakistan, most of the military takeovers were bloodless. But if the coup leaders are not confident of their success, they indulge in an extreme form of violence to strike terror in the minds of the people. For example, in Bangladesh in 1975, President Sheikh Mujibur Rehman and his entire family were wiped out. The military coup in Indonesia in 1965-66 was extremely violent. All military takeovers in Afghanistan after 1973 were violent. In the military takeover, the masses are not involved and in many of the Afro-Asian and Latin American countries, the military displaces the democratic government and usurps power. Most of the dreaded dictators in these countries are military generals.

14.5.4 Revolts and Rebellions

We have seen that terrorist violence or even military revolts do not need the support of the masses. It is essentially an action carried out by a determined group of people. But revolts and rebellions take place because of popular disaffection. Revolts represent the anger of certain sections of society and they are aimed at changing the policy of the government or change in the government. The revolts may take place in different parts of the country and the demands of the rebels may be very specific. If the revolts are accompanied by a high degree of

organisation and with the tacit approval of wide sections of the population, one can say that they have assumed a serious form. It includes large scale terrorism and civil war. The revolt may develop into a rebellion.

Rebellion is the second stage of revolt in the sense that in this phase, the rebels are ideologically committed and they have developed a vision of future society. Due to the normally socialist or the nationalist ideology, they are supported by a large number of people. If the rebels are able to concentrate in a geographically peripheral area or the areas outside the efficient control of the state and if foreign support is available to them, the rebellion assumes the form of armed insurrection, which cannot be easily put down. The rebels normally use the tactics of guerilla warfare because they lack the military strength to counter state forces. To circumvent the armed superiority of the state, the guerillas try to win the support of the people through the ideological exhortations or through the promises of redistributive policy. They promise land to the landless, regional autonomy for ethnic minorities and political equality through the end of foreign domination. The revolutionary guerilla warfare succeeded in countries like China, Vietnam and Cuba but it failed in Greece, Philippines and Iran. Near perfect intelligence, mobility, freedom from fixed logistic bases and surprise are the characteristics of successful guerilla operations but increasingly due to strengthening of the state organisation and state forces guerillas have not been able to achieve the successes that they had achieved against weak states immediately after the Second World War.

14.5.5 War

War is the culmination of political violence in the sense that war brings forth two contending forces face to face with each other and settles the issue on the basis of balance of armed forces. War is as old as human history and violence and bloodshed are at the heart of it. There are two types of wars : 1) war with the external enemy of the country and 2) internal war, which takes place between the state forces and the rebels (civil war).

The external war causes widespread damage and destruction because both the parties use massive armies, modern weapons of mass destruction and air force. The First World War accounted for a million deaths and the Second World War was the most destructive of all wars. Atomic weapons were used by the USA to settle the issue.

Internal war is fought between the forces of a central government and the secessionist forces. It could be a revolt by a certain sections of the people or a rebellion by the broad mass of people. In the 1860s, the USA witnessed a civil war between the northern and the southern states on the issue of the abolition of slavery. Internal war is equally destructive and it may cause widespread destruction and massacres. We have examples of violent internal wars in Lebanon, Yugoslavia, Nigeria and India.

Thus, political violence assumes different forms in modern times. Revolution is also a particular form of political violence.

14.6 REVOLUTION

Revolution is essentially a modern phenomenon because it wants to bring about a total transformation of society. Revolutions are marked by widespread violence, social unrest and ideological commitment. The new revolutionary ideology is radical, rational, democratic and universal.

Modern revolutions are not confined to replacing a bad ruler with a good one but they have a modernist agenda of restructuring the entire socio-political order by the legitimate representatives of the community.

14.6.1 Meaning of Revolution

As we have seen, revolutions are aimed at changing the basic structure of society. They want to bring about a rapid transformation of the society's state and class structures. This is accompanied and carried through by the class based revolts from below. Modern revolutions differ from the earlier revolts in the sense that the latter did not think of basic changes in society and state and they were more interested in change in the government. Modern revolution has its goals clearly defined and its leaders use violence to consummate it. Its leaders are backed by a well-defined theory which seeks to legitimise revolutionary violence.

14.6.2 Three Phases of Revolution

We can say that there are three distinct phases of revolution. The first phase of revolution is the classical phase. The second phase of revolution is the socialist phase and the third phase of revolution is revolution in the Third World countries.

The classical phase of revolution began in England during the British Civil War of the 17th century that destroyed royal absolutism in England. It was followed by the French Revolution of 1789, which witnessed unprecedented violence and bloodshed. It destroyed feudalism in France and paved the way for the emergence of the modern capitalist society. The American Revolution ended foreign domination and established a modern constitutional democracy in USA. All these three revolutions transformed state organisations, class structures and dominant ideologies. The classical revolutions were followed by the socialist revolutions of the 20th century. It began with the October Revolution of 1917 in Russia. It was succeeded by the Chinese Revolution in 1949 and the Cuban Revolution in 1961. Ideologically, the leaders of these revolutions were more radical in the sense that they wanted to have a total transformation of social, economic and political structures. Though all socialist revolutionaries believed in Marxist philosophy and Leninist politics of international proletarian revolution, they followed different methods to bring about the revolution.

In the third phase, revolutions were witnessed in the third world countries. The Egyptian revolt of 1953 paved the way for the emergence of new politics in Arab countries. The Islamic revolution of Iran in 1979 was the last of the great revolutions, which tried to reorder Iranian society on the principles of radical Islam.

14.6.3 Theories of Revolution

There are three distinct theories of revolution. These theories probe causes, goals and consequences of revolution and throw light on the ideology that wins adherence of the people. The first theory of revolution is expounded by Ted Robert Gurr in his book '*Why Men Rebel!*' He says that revolution is a form of political violence and it challenges the monopoly of force possessed by the state. He is of the view that turmoil, conspiracy and internal war are the three features of revolution. The main cause of disaffection and rebellion is relative deprivation of the people. The more intense the deprivation, the greater is the degree of violence. He thinks that at first, there is discontent of the people, then there is politicisation of discontent and finally, its actualisation in violent action against the state. He holds that the discontented elite plays a major role in revolution.

C. Johnson tried to understand revolution as a systemic imbalance. He is of the opinion that revolution takes place due to the development of social imbalances and systemic disequilibrium. These imbalances are caused because of the changes in the values of people. The changes may also occur because of the environment within which the social system is located. These changes must be particularly sudden and intense. He points out that disequilibrium does not cause revolutions, as the systems can repair damage by taking corrective measures. He thinks that the first cause of revolution is power deflation. The process of power deflation takes place when the system fails to fulfill its obligations and it loses confidence and legitimacy. It has to use force to maintain law and order. Second cause is the inability of the legitimate leaders to effect 'synchronisation' to overcome power deflation. If they are unable to restore confidence, the ultimate loss of authority ensues and the use of force by the state is no longer considered legitimate. As a result, the state cannot justify its monopoly over the use of force. There is a sudden break in the effectiveness of the armed forces and commencement of special operations against the rebels.

The third theory of revolution is the Marxist theory, which believes in class warfare. According to Marx, our known history is a history of class struggle between haves and have nots and the contradiction between them come in the open in the capitalist state of development. The capitalists exploit workers by extracting surplus value from their labour and cause widespread poverty and misery. As a result, class struggle between the capitalists and workers becomes intense. In this struggle the state as an instrument of class rule supports the capitalist classes. The workers bring about a violent revolution. The purpose of the proletarian revolution is to overthrow the capitalist system and replace it with the socialist system. Establishment of a classless and stateless society is the ultimate goal of the socialist revolution.

All these three theories point out that violence plays an important role in revolution because the revolutionaries want to challenge and end the state's monopoly over the use of force and they want to establish their own control over the state.

14.7 METHODS OF OVERCOMING POLITICAL VIOLENCE

In our preceding discussion, we have seen the nature and causes of political violence. In this part, we shall study methods of overcoming violence. The state uses three different methods to overcome violence which are as follows: 1) the remedial method of liberals which believes in reforms 2) the method of force and 3) the method of carrot and stick policy.

14.7.1 Methods of Reforms and Remedies

The liberals and reformers are of the opinion that political violence can be overcome by following necessary reforms in the social and political system. They argue that political violence is a part of our social and political process and it is built in the system as an antidote to the violence of the state. Hence, it is necessary that the government should take remedial measures to reduce dissatisfaction and anger of the people. Social and economic grievances could be remedied by initiating basic reforms in social and economic fields. It includes giving equality of opportunity to the people, reducing the tax burden, equitable distribution of wealth and removal of all disabilities imposed by the state and society. Just treatment to all sections of society is important.

The liberals believe in the method of education and they want to tell people that ultimately, the use of violence is irrational in the sense that it brought out the base elements in man. Human

beings have registered spectacular achievement, because they have learnt to control violence. Man has developed a new set of rules to resolve the conflicts peacefully. The economic compulsions in national and international economy would convince people that they could gain more in peace than in war. Violence cannot resolve the basic problems of society. Hence, the liberals want the people to learn the operation of constitutional machinery to resolve conflicts. They want minimum use of state violence to curb violence. They hold that the basic problems of society could only be resolved by consensus and contract.

14.7.2 The Method of Force

Those people who take recourse to the method of force believe that the rebels have consciously chosen the path of violence and they cannot be persuaded to abandon it. Violence of rebels can be countered by superior violence of the state, because if you cannot kill rebels, they will kill you. The state should strengthen its intelligence and try to penetrate the inner rings of terrorists. It should follow the policy of dissension and punishment and isolate and confuse the rebels. Kautilya in his *Arthashastra* suggested that the king should initiate action against the leaders of the revolt because it is the leaders who provide leadership to a revolt. In no case should he use force against the multitude of people because it may result in a widespread bloodshed. He should devise his response taking into consideration, the position of different classes of the people and should see to it that foreign support to the rebels is cut off. Though he suggested the use of force against revolt, he was quick to point out that the cause of revolt must be addressed.

14.7.3 The Policy of Carrot and Stick

The ‘carrot and stick’ policy is a dual policy, which aims at driving a wedge between the moderate and extremist elements in the opposition. The government can offer rewards and concessions to the moderates but at the same time, it can continue its military operations against the extremists. If the moderates are able to generate support for a deal with the government, the extremists lose the support and in the process, they become ineffective. But if moderates fail to generate support, the extremists may brand them as the agents of the government and destroy their support base. Hence, the method of carrot and stick has to be used very carefully.

The state can use different methods to overcome violence, but it must first try to remove the causes of revolt. Kautilya said that by merely killing the rebels, rebellion cannot be stopped. It is necessary to remove the cause that is giving birth to new rebels.

As we have seen, it is the state practices that give birth to violence because it is not rebels or terrorists who divided Ireland or drove Palestinians to exile or imposed white rule in South Africa or killed thousands of innocent men in Iraq. State violence is the womb of terrorism, betrayal and humiliation is its cradle and revenges its mother’s milk. Therefore, the states, which are committed to their imperial interests by force, are unlikely to recognise that political violence and terrorism are both a response to their policies as well as an imitation of their style. The states should reorganise their policies on the basis of justice and fair play and stop continuing the oppression of classes, nations and ethnic communities so that the root cause of violence is removed.

14.8 SUMMARY

In this unit, you have studied different aspects of political violence in modern times. Political

violence is built in the political process itself, because the state seeks to monopolise the use of force. There are different causes of political violence, but loss of legitimacy of the government and inability of the political system to accommodate demands of different sections of society are the important causes. Religious and ethnic differences also play an important role in encouraging violence. Political violence assumes different forms including turmoil, sporadic violence and internal war. In modern times, revolution is an important form of political violence because it seeks to restructure basic social, economic and political institutions of the society. The state uses different methods to overcome violence. Those who support the democratic system argue that political violence can be overcome by redressing grievances of the people, by reforming the system and by devising constitutional remedies, which provide for peaceful resolution of social and political conflicts.

14.9 EXERCISES

1. What is the nature and scope of political violence?
2. How do the problems of political integration produce violence in modern society?
3. Why does economic development cause political violence?
4. What are the general causes of political violence?
5. Discuss briefly the role of economic conditions in the rise of political violence.
6. Bring out the main features of terrorist violence.
7. Briefly discuss the nature of military involvement in political violence.
8. Write a short note on war as a form of political violence.
9. Write a note on the theories of revolution.
10. What is the liberal method of overcoming political violence?

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COURSE INTRODUCTION

The most central concern of Political Science is the study of state. It has four closely inter-related aspects or dimensions. One aspect of the study of state relates to the definition and meaning of state, its elements, different theories about the origin of state, forms and functions of the state and the nature of sovereignty which makes the state the sole supreme power in the society. There are several dimensions of each of these issues. For example, with regard to sovereignty there can be many questions. Where does sovereignty actually reside? Does it reside in the king (the ruler) or does it reside in the people or does it reside in the constitution? Similarly, about the origin of the state, different questions arise. How did the state originate? Did it originate because of divine will or did it originate in a social contract or did it originate because of force or is it merely the expansion of family?

The second aspect of the study of state relates to issues about the relation between the state and the individual. What are the areas of individual's activities in which the state can interfere and which are the areas in which the individual must be left alone? This brings in the question of individual's rights and liberties. What rights can the individual demand from the state and on what basis are such demands justified? What rights must the state grant to the individual and why? Closely related with the question of the individual's rights is the question of individual's duties and obligations towards the state. What is the notion of duty? What is meant by political obligation? What are the individual's duties towards the state and why must the individual perform these duties? Why must the individual obey the authority of the state? What are the moral and the prudential bases of political obligation? Can the individual refuse to obey the state and if so, under what circumstances and on what grounds?

Closely related with the question of rights and duties of the individual is the issue of citizenship. What should be the criteria for the grant of citizenship by the state? In what respect does the status of citizens of a state differ from the status of aliens? Can a state (or should a state) treat all citizens alike or can it treat different categories of citizens – women, tribals, scheduled castes and scheduled tribes – differently? There is also the question of a citizen's right to rebel against the state. Has the citizen any right to rebel against the state? Conversely, how far is the use of violence by the state against its citizens justified? What violent and non-violent methods can the state use to impose its will and assert its supremacy over them? What are the various ways in which the citizens can protest against the wrong policies of the state? What is meant by civil disobedience? How far it is effective as measure of protest by the citizen and subjects?

The third issue relates to the relationship between the state and civil society. This issue also has many dimensions. What is society and how does it differ from the state? What is justice and what are its various conceptions? What is individual justice and how does it differ from social justice? How can a just society be brought about? To what extent liberty and equality are the necessary ingredients of a just society? What is the most ideal mix of liberty and equality for a just society? To what extent liberty and equality are complementary and to what extent are they contradictory?

The fourth issue relates to the legitimacy of the state. What makes governance by the state legitimate? In other words, how does power become authority? What are the various modes of governance? What is democracy? Is the democratic mode of governance more legitimate than the other forms of governance like monarchy, aristocracy and dictatorship? What leads to legitimization crises of the state and what are the consequences of such crises? What is a revolution? Why do revolutions occur? Do legitimization crises necessarily lead to a revolution?

To what extent civil disobedience and passive resistance are effective as measures of protest? Is revolution more effective as compared to civil disobedience?

These and several other related questions are discussed in this book on Political Theory. It aims at familiarising you with some of the most seminal ideas of political thinkers of the West on these questions. There are two objectives of this book. The first objective is to help you in clearly understanding the meaning of various concepts like state, sovereignty, justice, liberty, equality, power, authority, rights and obligations, citizenship, democracy, civil disobedience and revolution etc. Secondly, you should be able to comprehend the various dimensions of each of these concepts. For example, in the discussion on justice you should be aware of the notion of individual justice and social justice and the dichotomy, if any, between the two. Alongwith it, there is a need for you to understand the procedural and the substantive notions of justice as also the legal and moral conception of justice. Similarly, in liberty you should be clear about its two aspects: negative liberty and positive liberty, while in equality you should be able to clarify the notion of absolute (or arithmetic) equality and proportionate (or geometric) equality and notions of political, social and economic equality. While discussing the concept of sovereignty, you should be clear about its various types: legal, political, popular, defacto, de-jure, real and titular sovereignty. You should also understand the monist theory of sovereignty (Austin) and the pluralist theory of sovereignty (Laski and others). In the discussion on rights, you should understand the different types of rights – political, economic, social and cultural rights as also different theories of rights or the basis on which rights are justified: the historical theory, the legal theory, the social welfare theory and, the will theory of rights etc. While discussing political obligation, the distinction between the moral and the prudential basis of obligation must be clearly understood.

At the conceptual level, one should be able to distinguish between obligation and duty. In what way they are the same and in what way different? How is the notion of duty related to the ultimate ends or purposes that a society has chosen for itself? Since the question of a good political social and political order is a value question, it necessarily implies that the conceptions of duty will hinge on how this good is conceived. To what extent, there is mutuality of right and duties in the sense that rights have corresponding duties and to what extent, there could be rights without corresponding duties and duties without corresponding rights?

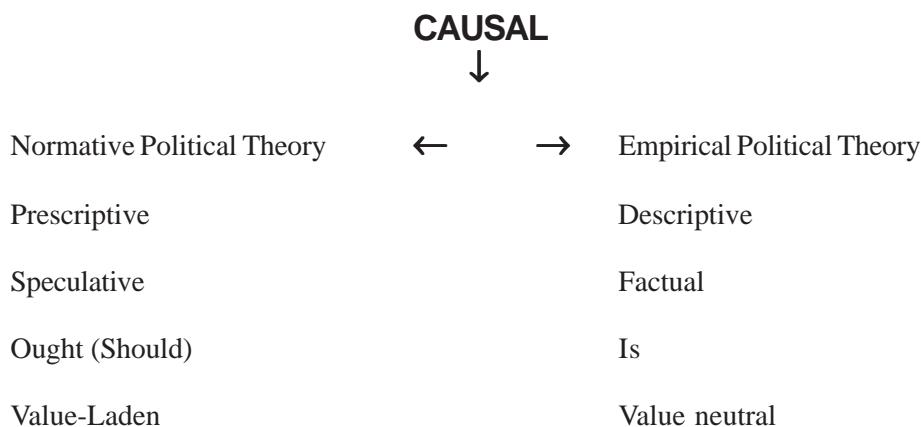
In the discussion on democracy, it is necessary for you to understand the various models of democracy – direct (or participatory), indirect (or representative). There is also the need to understand the various empirical images of theory of democracy (Schumpeter and Sartori), the pluralist theory of democracy (Robert Dahl) etc. Alongwith it, there is also the need to understand the marxist notion of democracy and the Maoist conception of people's democracy. In the discussion on authority, you should understand the difference between the term power and authority. Also, how they are different from influence, persuasion, etc. on the one hand, and force, coercion etc. on the other. Various types of authority – traditional, legal – rational and charismatic – as formulated by Max Weber also need to be understood. In the unit on revolution, you should not only be able to discuss the typology of revolution, but also the etiology of revolution. There is also the need to understand the difference between civil disobedience and passive resistance and also how civil disobedience has been used as a weapon by Mahatma Gandhi, Martin Luther King Jr. and others. This will also bring in the notion of satyagraha and its relevance in the contemporary world. This book contains a gist of the ideas of major political thinkers and political philosophers of ancient, medieval, modern and contemporary period on the various political issues mentioned above.

The title of this course is ‘Political Theory’. Therefore, at the very outset you must understand the meaning of the term ‘political theory’ and its various connotations. Let us examine what do

we mean by the term ‘theory’? Broadly speaking, theory is a generalisation about a particular phenomenon based on observation and reflection. We must, however, remember that the nature of generalisations in the physical or natural sciences (Mathematics, Physics etc.), is of a different order (quality) than the nature of generalisations in the social and behavioural sciences (Psychology, Economics, Sociology and Political Science etc.). Even within the social sciences, the quality of generalisation differs from one subject to another and even in the same subject (say Political Science) different areas of the discipline have different qualities of generalisation. However, the nature of theory (generalisation) in natural and social sciences are *fundamentally* different. The theories in natural sciences are more exact, more certain and more universal than the theories in social sciences. The theories in the latter are not only approximate, probabilistic but also time-space specific, In other words, we can say that political theory consists of generalisations about the state, the civil society and the individual and their relations with one another. Similarly, the theories of justice, liberty, equality, rights and duties, etc. are generalisations on these themes.

While you go through the various parts of this course, you will notice that a theory has mainly three kinds of ingredients. Firstly, there are broad reflections of the various political thinkers about politics, reflections about the state and justice etc. Such reflections which are generally of a philosophic nature constitute a definite tradition in Political thought right from the days of ancient Greeks to the present. This strand of political theory constitutes what may be called political philosophy or *normative* political theory. This component of political theory consists of statements which are *prescriptive* in nature. They are *valuational* in so far as they reflect the value preferences of various political thinkers about the political phenomenon. They are normative in character because they seek to provide moral norms for the society. Their main thrust is not on “*is*” (what exists) but on “*ought*” or “*should*” (what is desirable or what ought to be). There is a second strand in political theory which includes accounts of major political institutions as they have actually existed and functioned from time to time and the relations of individuals and groups with these institutions. Such accounts are largely *factual* or *empirical* in nature. The statements in this brand of political theory (which may be called empirical political theory) are claimed to be value neutral. The third strand in political theory consists of statements about political phenomenon which are *causal* in nature. They attempt to explain the political events in terms of ‘if... then’ manner. For example, one may say that *if* there is injustice in society, *then* revolution is most likely to occur or we may say that *if* there is large scale participation of people in governance, *then* the regime is likely to have greater legitimacy.

Actually, if we were to try to place all the strands of political theory along a continuum, it would extend from empirical end of the spectrum to the normative end like this:



You should remember that this differentiation between empirical and normative political theory is only analytical. In actual practice, there may not be any political theory which deals exclusively with “is” (a factual account of political reality) without an element of “ought” (in what way this reality ought to be changed or ought to be retained). Similarly, there is no political theory which purely deals with ‘ought’ only without any reference to ‘is’. In other words, what distinguishes ‘normative political theory’ from ‘empirical political theory’ is the ratio of “is”, “ought” mix. Normative political theory contains a greater element of ‘ought’ and lesser elements of ‘is’. On the other hand, empirical political theory has a larger component of ‘is’ and lesser component of ‘ought’.

Secondly, it is also possible that some works of a thinker may be more empirical than normative while some other works of the same thinker may be more normative than empirical; and still others may be in the nature of causal explanation of political reality. For example, Karl Marx’s analysis of eighteenth century capitalism in Europe is more descriptive, empirical and factual in nature; while his vision of a socialist and communist society is more normative, speculative and prescriptive. Thus, one part of his writings may be categorised as empirical political theory while the other may be treated as normative political theory. Not only this, while explaining the mechanism of exploitation of the working class by the capitalist class, Marx formulated his theory of surplus value which is more causal in nature.

This is just one way of distinguishing normative political theory from empirical political theory. There are several other ways in which the distinction has been made between the two. Leo Strauss, for example, has used the term *political philosophy* for normative political theory and the term political theory for the empirical accounts of political reality. He has argued that political theory tells us only about the *nature of political things*, while political philosophy is a *quest of wisdom*. In other words, he has used the term political theory for descriptive accounts of political things and political philosophy for normative reflections about the political phenomenon. At a more sophisticated level, it is sometimes argued that what we call empirical political theory tells us only about *part* of political reality, while political philosophy (normative political theory) tells us about the *whole*. Another dimension of this argument is that political theory gives us an idea of the *particular*, while political philosophy gives us knowledge of the *universal*. It is further argued that what empirical political reality gives us is only *opinion* about the political phenomenon, while political philosophy or normative political theory enables us to comprehend the essence of political reality.

Bhikhu Parekh has highlighted another dimension of political philosophy as distinct from political theory. According to him, the distinction between the two centres around the way we study political phenomenon. Political philosophy (Normative Political Theory) is the study of the phenomenon which is “political” in a “philosophic way”. Philosophic way implies a self-consciously critical inquiry and interpretation of the phenomenon, while the empirical way is only description of the phenomenon. The above discussion would show that the differences between normative political theory (political philosophy) and empirical political theory are not only epistemological, but also ontological.

In Unit 1 of this book, the whole discussion is aimed at clarifying the concept of political theory and its various shades ranging from scientific (empirical) to normative political theory. The units that follow will help you to understand how the notions of democracy, justice, equality, liberty, rights and duties, political obligation, power, authority, legitimacy have been discussed both from normative and scientific angles, depending on the way different thinkers have treated these issues. This book will help you in identifying the thinkers whose account of these concepts is largely philosophical and the ones whose analysis is largely scientific (empirical).

The second issue raised in Unit I is why do we study political theory? Here, we must remember that, it is an attempt to find out solutions to these problems. It helps us to comprehend in a historical perspective the values which human societies have cherished and the different ways in which state and society have responded to these demands. The ultimate objective of all knowledge is human good and political theory as a branch of knowledge tries to familiarise us with the diverse ways in which human good has been and ought to be achieved. In other words, while the first part of Unit I seeks to clarify political theory, its different strands and its scope etc the second highlights its importance.

The next six units (Unit 2-7) describe the basic concepts of political theory and their relevance in the globalised world viz; democracy, rights, liberty, equality, justice and idea of duty have been discussed.

The following seven units (Unit 8-14) are focussed on the basic concepts of contemporary political theory, viz; citizenship, sovereignty, state and civil society, power and authority, legitimisation and obligation, civil disobedience and satyagraha and political violence.

At the end, the list of books and articles on many of the themes dealt in this course are appended so that users of the print material could supplement their study by reading as many of the works cited to gain further insights on the various studies and understanding of political theory.

UNIT 7 IDEA OF DUTY

Structure

- 7.1 Introduction
- 7.2 Significance of Duty
- 7.3 Meaning
- 7.4 Duties and Rights
 - 7.4.1 Distinct Spaces of Duties and Rights within Liberal Thought
 - (i) Interest Theory
 - (ii) Choice Theory
 - (iii) Autonomy
 - (iv) Justice
 - 7.4.2 Duties and Rights in the Conservative Perspective
 - 7.4.3 Duties and Rights in the Communitarian Perspective
 - 7.4.4 Duties and Rights in the Gandhian Perspective
- 7.5 Types of Duties
- 7.6 Summary
- 7.7 Exercises

7.1 INTRODUCTION

Rights discourse has been one of the most prominent features of contemporary political philosophy and political agendas. It argues that persons, mainly as individuals, are the bearers of a body of claims, liberties and powers which the rest of the society has to acknowledge and public life should be based on such acknowledgement and support. Such an exaltation of rights has led to a deep unease regarding duties and obligations that are called for the maintenance and reproduction of a just and sane social order or for fostering and promoting an ideal society. The criticisms regarding privileging of rights in the constitution of a good society has brought to the fore the role of duties, denoting a shift in perspective, which, while seeing duties as complementary to rights, also construes duties as marking a space of their own. Such an endeavour has led to spelling out the role of duties much more clearly in recent literature.

7.2 SIGNIFICANCE OF DUTY

It has been argued by several scholars that the rights discourse focuses much more and often exclusively, on individuals without drawing attention to cultures and communities which enable people to be claimants and bearers of such rights. This stream of thought stresses on duties and obligations to sustain culture and communities without which it would be impossible for people to make claims on and sustain a regime of rights.

Sometimes, denial of certain rights may make people rise in revolt against a system which is by and large fair. Discourse on duty has drawn attention to the need to preserve a system which is overall fair and one cannot rebel against such an order.

While rights discourse has seen itself as universally holding good, there have been currents of thought upholding the significance of reasonable, yet diverse, ways of life and ideals which qualify such a universal claim to different degrees. They have sought from their followers commitment and duties to uphold ways of life and ideals distinctive to themselves. Given the deep pluralism in which societies are being caught today, we cannot ignore such duty based evocations present in our public life.

Thinkers, like Mahatma Gandhi, have felt that the rights discourse has been fed into the service of an unending chain of satisfactions and gratifications and this discourse has not been sensitive to authentically human pursuits, i.e., pursuits characteristic of human beings qua human. It has led to wanton exploitation of earth's resources, breeding conflicts and violence closely bound up with such an endeavour. They have drawn attention to the need to foreground a conception of the human person and moral duties if we have to sustain civilised ways of life.

At the same time, we cannot ignore that fascist and authoritarian orders have stressed on the duty to contend against liberal stress on rights and the Marxist pursuit of a non-exploitative and just social order. By stressing on duty they have attempted to instal their interpretation on several cherished values and strivings, such as self-respect and culture.

Given such a deployment of the understanding of duty, it necessarily makes this idea a deeply contested one susceptible to different pulls and pressures. It is also deeply caught in the contexts of analysis and frameworks and deployed to subserve different ends and purposes. It is, therefore, important to understand concepts and values that foreground duty. The concept of duty has to be understood in relation to other values and strivings. This is particularly important for us in India as duty is often associated with *dharma* and the latter is related to duties associated with *varna* and caste orders. Foregrounding duty without being sensitive to its associations may lead us to endorse uncritically social grading and ranking and the deep inequalities and subordination they endorse.

7.3 MEANING

A duty generally prescribes what we ought to do and what we ought not do. It is a reason for action. Duty specifies the terms that are binding on individuals and groups in their social practices. It has been suggested that our conscious practices can be seen as motivated by right-based, duty-based or goal-based perspectives (Dworkin, 1978 and Weldron, 1984). While our practices might be governed by all these perspectives, one of them might be fundamental. A duty-based perspective appeals to duty and the reasons embedded therein to uphold and justify our practices. Duty-based propositions need not deny rights or satisfactions that the other two perspectives suggest, but they necessarily assert the priority of the former over the latter as in an argument of the kind below: "A citizen should vote and participate in shaping and forming public life. His civic and political rights must depend upon the extent to which he participates in public life. He cannot demand rewards and benefits from public life unless he has extended such support and participation".

7.4 DUTIES AND RIGHTS

Duties are closely associated with rights in liberal thought. The nature and degree of this association, however, has greatly differed. In pre-liberal societies where persons were caught in social roles, and people were not free to pursue their choices, duties ordered their lives.

Liberal transportation led to stress on rights and duties were seen as correlated to rights. If a person possessed rights, then others – be it individuals, groups or the state as the case may be, were invested with a determinate set of duties to protect and promote those rights. If I have a right to physical security, others have a duty not to violate or assault such security and if it was violated or assaulted, the state is duty bound to come to my protection. This correspondence between rights and duties which led to the effective collapsing of duties within rights has been challenged from within liberal thought as well as from outside its framework.

7.4.1 Distinct Spaces of Duties and Rights within Liberal Thought

Within the liberal tradition, broadly defined as invoking centrality of rights, we can identify five distinct positions with respect to the relation of duties and rights.

i) Interest Theory

This theory was initially stated by Jeremy Bentham who saw rights not as natural or moral, but as products of law. He argued that the law by creating duties stipulates rights. He said, “It makes me liable to punishment in case of my doing any of those acts which would have the effects of disturbing you in the exercise of that right (Hart, 1978).” There is no right if there is no corresponding duty sanctioned by law. This understanding of the relation is sometimes called as ‘sanction theory’. It makes possession of a right as another’s legal duty and it becomes a legal duty only if it is liable for punishment. This way of constructing duties need not preclude social sanctions of a kind. Individuals as members of non-state organisations may be subject to rules and to the imposition of sanctions, if they break those rules. Being subject to sanctions means having duties and those who benefit from those duties can be said to have rights.

However, legal provisions on one hand and social disapproval on the other, may beget an impasse in the framework of interest theory unless there is a natural or moral grounding to this relation. But interest theory does not subscribe to the priority rights as natural or moral principles. A case in point is when the law states that its citizens have the right to preach and practice its religious beliefs and whenever it does so, it is restrained by threats and actual use of force by a well organised gang and society does not establish conditions where such practices are met with approval. In such a case we can scarcely say that the minority has a legal right to practice its religion. A duty which has to be constantly shored up by force and coercion has little reason in built into it why an action ought to be performed or to be avoided. Therefore, J.S. Mill was to say, “To have a right is to have something which society ought to defend one in the possession of. (Mill, 1910)” Even if we conceive duty as corresponding to rights, it cannot be borne on the back of force and sanctions.

ii) Choice Theory

The choice or will theory counter poses itself against the interest theory stipulating the relation between rights and duties. One of the important proponents of this theory is H.L.A. Hart. He suggested that a right is a form of choice. The essential feature of a right is that the person to whom the duty is owed is able to control the performance of that duty. The duty-right relation is a chain which binds one individual, the bearer of the duty, and whose other end is in the hands of another individual, the bearer of the right to use it according to his will. It could beget the following relations:

- (a) The right holder may waive or extinguish the duty or leave it in existence.

- (b) After a breach or threatened breach of a duty, the right holder may leave the duty unforced or may reinforce it by suing for compensation.
- (c) The right holder may waive or extinguish the obligation to pay compensation resulting from the breach of duty.

The choice theory invokes duties primarily with reference to rights. But the space of duty need not be marked by reference to rights only. Duty-acts need not always correlate to right-acts. Further several rights may not have corresponding duties.

iii) Autonomy

Autonomy is the capacity for reflection and to formulate and revise our preferences, desires, values and ideas. The philosopher Immanuel Kant advanced a theoretical formulation of this notion and put forward a specific conception of duty in relation to this capacity. He suggested that the behaviour of the non-human world is governed by nature. Non-human beings did not will to act, but acted subject to natural forces and instinct. To the extent human beings acted on the basis of their appetites and emotions, they too acted heteronomously, i.e. according to laws and dictates given externally and not by themselves. The characteristic mark of human beings is their reason, which enabled them to deliberate the way they should act and will to act accordingly. In following this reason, they acted autonomously; they acted in accordance with their duty. The morality prescribed by reason was a matter of ‘practical necessity’. Moral agents understood this necessity and acted accordingly. Through his capacity for autonomy, an individual acted according to a law that he had prescribed for himself rather than on external dictates.

For Kant, human beings have a duty to cultivate this autonomy and to act towards others as beings possessing this capacity. The rights that people possess are expressions of this autonomy as well as means to nourish the same. Persons possess intrinsic value and should not be used as the instruments of others’ purposes. He defends right on the grounds of duty which comes not from nature, but “is apriori, regardless of all empirical ends.”

His famous formulation in this regard was “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.”

The Kantian notion of autonomy can be seen as cherishing a valued end and constructing a preference scheme of values based on it for duties to be pursued. Mainstream contemporary liberalism, however, does not propose any such valued ends and purposes and remains neutral to them. The ends and purposes are the products of choices rather than given. It is stated in a principle, interestingly, drawn from Kant himself: Right is before Good.

One of the recent scholars who upholds the valued end of autonomy on liberal grounds is Joseph Raz. According to him, not merely the abilities of autonomous conduct needs be considered, but also the desirability of the autonomous life they beget. Personal autonomy consists in appropriate mental abilities, availability of adequate range of options to choose from and freedom from coercion and manipulation. Personal autonomy makes people to control, to some degree, their own destiny expressed through successive decisions throughout their lives. But the good of autonomy lies not in these abilities and conditions as such, but in the autonomous life they promote. It does not lie merely in the act of choosing. Autonomy is valuable only if exercised in the pursuit of good. He thinks that there are multiplicity of good forms of life and it is choice

among those many good forms that makes autonomy both meaningful and valuable. Freedom understood both as the absence of coercion and manipulation and as the presence of worthwhile options has value because it promotes autonomous lives. Rights to freedom are justified to the extent they contribute to such an ideal.

Raz sketches the following relation between rights and duties:

- (i) An individual X has a right if and only if X can have rights and other things being equal, an aspect of X's well-being is a sufficient reason for holding some other person to be under a duty.
- (ii) Rights do not entail duties which merely correlate with or correspond to those rights. Rights are grounds of duties. Rights are the reasons for the duties to which they give rise. This does not mean that only rights give rise to duties. Duties might be invoked by other considerations as well.
- (iii) One has a right not merely if one is an intended beneficiary, but only if one's interest is a sufficient reason for holding another to be under a duty.

In this consideration, the value of autonomy is qualified by rights and rights invoke a specific set of duties although there are types of duties other than invoked in terms of rights.

Raz insists upon the importance of the general structure and culture of a society for the possibility and viability of personal autonomy. According to him, an autonomous life can be lived only in the context of shared institutions, values and opportunities.

It requires such things as a culture of tolerance and a range of career options. He insists upon duties to cherish such a cultural ambience. Raz also argues that the state should be committed to promote the good of autonomous life and its constitution and laws and policies should seek to promote that good. In promoting such a good, the state may avow many individual rights, although many of the goods that the state promotes may be collective goods bound up with the performance of specific duties.

iv) **Justice**

John Rawls proposes a set of principles to inform a just society which, he argues, all reasonable people will concur. These principles establish a fair and equal basis for collective life expressed in terms of rights. These principles of justice lead to two sorts of principles: Principles for institutions which apply to the basic structure of society, and principles for individuals which set the duties and obligations of persons with respect to institutions and one another. Citizens are duty-bound to support just institutions as they themselves concur to them.

For Rawls, persons are bound to abide by social practices upholding a just society on the basis of natural duty or obligation. He, therefore, makes the distinction between duty and obligations. Persons may be bound by natural duty or obligation. Natural duties are those moral claims that apply to persons irrespective of their consent such as to help others in distress, not to be cruel etc. Such duties are not tied to particular institutions or social arrangements, but are owed to persons as persons. They are prior to social agreement or choice. Obligations, unlike duties, describe those moral ties we voluntarily incur whether by contract, promise or other expressions of consent. The latter by themselves are not enough to create obligations. They should be just too.

The liberal tradition on the relation between rights and duties remains profoundly complex. A great part of this complexity has to do with the kind of values prioritised under different tradition of liberalism. Those perspectives which give priority to rights tend to make duties supportive to rights. Those traditions which insist on certain perfectionist values that a society should promote tend to be more emphatic on duties.

This emphasis on duties becomes significant when we move out of liberal tradition and begin to focus on other traditions of thought. Three of them will be considered here on account of their emphasis on duty.

7.4.2 Duties and Rights in the Conservative Perspective

Conservatives stress on duties and the grounds they adduce for the same vary markedly. Their mainstream arguments, however, are clear. Social institutions and mores are formed through the efforts of several preceding generations. The thoughts and efforts of generations have gone into the making of these institutions and mores. Such endeavours have often resulted in separating the chaff from the grain retaining only those elements which can be retained. Weight of generations lie behind efforts which have furthered certain institutions and led to the decay of others.

It is important that every generation be inserted into the culture, mores and institutions of society rather than every individual think that he has the right to choose culture, mores and institutions of his choice. Traditions and legacies assign to people definite tasks and responsibilities to be fulfilled. By performing such tasks and responsibilities, one furthers the purposes of institutions enabling new generations to be inserted into the collective life of societies. It is by performing such duties that everyone comes to fulfil himself or herself. Such a fulfilment contributes to further the purposes of society and reinforce its mores and institutions. On the other hand, insistence on rights undermines age-old and cherished institutions and hallowed ways of life. It breeds deep insecurity and uncertainty in life prompting and promoting widespread dissatisfactions.

Conservatives argue that the arrogance of the rights-bearing individual suggests that he has access to all the knowledge that has gone into the making of social life and that he has access to absolutely certain knowledge to change and transform such social life. They believe that both these claims are unfounded and hold the prospects of a far worse kind of life than the one embodied in the ways of life they strove to alter.

Conservative perspectives often urge members of society to look at its institutions and ways of life with awe and respect rather than through critical scrutiny. The performance of one's duty acquires greater purposefulness and satisfaction, if such a perspective is internalised by the concerned social agent.

Conservatives link duty with a set of values such as trust, loyalty, dedication, cooperation, obedience and satisfaction with one's station in life. They stress the limitedness of human understanding and the reach of human reason and scrutiny. Maintenance of the existing social order and its preservation often remains their battle cry. They may not be against certain reforms, but such reforms need to be firmly based upon existing order and its continuation.

Conservatives, by focussing on centrality of duty, have decried the stress on rights in liberal and radical thought-currents.

7.4.3 Duties and Rights in the Communitarian Perspective

While the idea of autonomy is deeply influenced by Kant, communitarians are influenced by certain ideas underscored by Aristotle and Hegel. Communitarians argue that right-based theories ignored the fact that our capacity to conceive and exercise rights and pursue autonomy can only develop in society, in and through relations and interactions with others. They argue that prioritisation of rights neglects the social conditions that enable us to exercise choices. They accuse those who accord priority to rights as subscribing to atomism, wherein individuals are seen as self-sufficient agents outside the society.

The communitarians, therefore, reject the notion of primacy of rights, i.e., the moral stand that individual rights have primacy over duties, virtue or collective good. They stress on duties and duty to sustain institutions which can promote virtue and collective good.

Communitarians reject the notion of neutral political concern, central to right-based perspectives wherein the state remains neutral to different conceptions of good life that may prevail in a society whether such conceptions are held by the majority or by a minority. Communitarians feel that neutral political concern vetoes collective pursuit of aims shared by the majority. They argue that the promotion of a society sharing common values must be prior to the rights of individuals within that society. Promotion of culture and shared values necessarily insists upon duties to be performed rather than rights to be enjoyed. Scholars like Charles Taylor have argued that given our dependence on the culture of freedom for our individual liberty, we must have ‘not only negative duties of non-interference’, but also ‘positive duties to sustain such a culture’.

Such a culture of freedom requires public support which can come forth only from public institutions, which are stable and effective. This requires that such institutions enjoy legitimacy in the eyes of its citizens. Such legitimacy can come forth only if society is organised around shared concerns.

Communitarians argue that even if rights are upheld, they will not enjoy respect if people are not bound together by shared conceptions and ways of life sustained by duty. It is through duties that we not merely reach out to others, but also sustain an appropriate milieu for the exercise of rights.

There are different types of communitarians. All of them do not necessarily reject the significance of rights. However, they all argue that duties are significant not merely in relation to rights, but in protecting and promoting common good.

7.4.4 Duties and Rights in the Gandian Perspective

M.K. Gandhi is well known for his stress on duties and his identification of dharma as the path of duty. He also upheld the values of ‘swaraj’, i.e. self-rule. Such a fusion of dharma and swaraj, or duty and freedom, is a characteristic mark of Gandhian thought.

Gandhi argues that all men and women are equal. The doctrine of *advaita* upholds it. “If I am That and besides That there is none else”, being characteristic of advaita, every being has to be regarded as supreme. The same principle dwells in each and every one of us. By realising this principle in us, we will be able to wholly determine our lives. This belief in equality, he says has led him to fight “against the Brahmins themselves whenever they have claimed any superiority to themselves either by reason of birth or by reason of their subsequently acquired knowledge.” (Iyer, 1979)

Swaraj for Gandhi is a pursuit within the reach of everyone. It involves the duty of self-discipline and a transformation on that basis. It is the rule of the mind over passions. Self-rule enables one to pursue *Artha* and *Kama* within the bounds of *dharma*.

The notion of self-rule for Gandhi implied the voluntary internalisation of our obligation to others which will be obstructed by our placing ourselves at the mercy of our selfish desires. Our civil duties flow from such self-cultivation. For Gandhi, real rights were the results of the performance of duty.

At the same time, Gandhi opposed domination. He held that freedom is necessary for moral growth. He said, “no society can possibly be built on the denial of individual freedom; it is contrary to the very nature of men.”

For Gandhi, equality is one of the greatest good to be cherished. Other goods like dignity and integrity were closely interwoven with it. Gandhi rejected considerations such as gender, birth, class, caste, education and nationality as justifying unequal treatment.

At the same time, Gandhi upheld the path of *dharma* and he considered the *Varnashrama* dharma as the appropriate path of duty. But unlike the prevailing belief, he argued that the *varna* system upholds, “absolute equality; although the way it is presently expressed it is a monstrous parody of the original.” For him *varna* is not the ranking of status based on inherited division of labour, nor is it the division of labour in accordance with innate abilities. For him, “*Varna* is nothing more than an indication of a duty that has been handed down to each one of us by our forefathers.” He argued that the law of *varna* meant that everyone followed as a matter of *dharma*, duty, the hereditary callings of his forefathers in so far as it was not inconsistent with fundamental ethics. The authentic culture for man was to free himself to spiritual pursuits. *Varna* helped one to conserve one’s energy by making him expand little in the cultivation and pursuit of his occupation of his livelihood as it is passed on from generation to generation, thereby freeing men for higher pursuits.

He argued that *varna* set human-beings free for extending the field of spiritual research and spiritual evolution. It also curbed material ambitions.

Gandhi argued that *varna* is binding as far as the mode of acquiring one’s livelihood is concerned. It does not prevent any one from acquiring knowledge and skills one might wish to pursue. Therefore, he said, “A *Sudhra* has as much right to knowledge as a Brahman, but he falls from his estate if he tries to earn his livelihood through teaching.”

Gandhi related the concept of *Swaraj* and *dharma* to his other concepts such as non-attachment and non-violence. One sets oneself free towards self-realisation and self-rule through non-attachment to material possessions and belongings and by being free from the entanglements of desires and passions. Non-violence rests upon extending the principle of respect and equality towards others. The autonomy that Gandhi envisaged was not on the basis of the availability of abundant material resources, but on the basis of conscious control, regulation and denial of such resources. The latter set people free to make truly authentic choices while entanglement in material possessions vitiates such choices.

7.5 TYPES OF DUTIES

Often a distinction is made between negative duties and positive duties. While the former requires other people to merely refrain from acting in certain ways, to do nothing that violates

the related rights, the second requires that people act positively to do something. The first calls for refraining from action or non-interference, while the latter calls for action or intervention. However, such a distinction is far too naïve. Often the so-called negative duties call for extensive positive action. For instance the right to security does not merely call for abstinence from injury or assault, but involves contributions in terms of taxes and public supports to maintain an extensive system of public security. Sometimes, the so-called positive duties might be embroiled in a complex set of abstentions and interventions. Subsistence rights, for instance, involve the duty to support the deprived as well as extending the enabling support to the deprived to be self-supporting on the basis of their own work. The latter may call forth a series of interventions and non-interventions.

We have to distinguish between the duty not to violate a right and the duty to prevent violation of rights. For instance, duty not to assault others is not the same as the duty to prevent a third person from assaulting someone when one could protect the victim from such an attack. The first is of greater import than the second.

There is no one to one pairing between kinds of duties and kinds of rights. The fulfilment of rights may call for multiple kinds of duties. For every basic right, three types of duties are suggested:

- i) Duties to avoid depriving
- ii) Duties to protect from deprivation
- iii) Duties to aid the deprived.

For example, with regard to personal security everyone has the duty:

- i) Not to endanger a person's security
- ii) To protect people against deprivation of their security by other people
- iii) To provide for the security of those unable to provide for their own.

It is impossible for any right to be fully guaranteed unless all three types of duties are fulfilled, although different types of duties have differential binding force. Duties to avoid depriving demand that one refrains from making an unnecessary gain for oneself by means detrimental to the claims of others. Such duties bind us not to undertake a course of action that deprives others of a means which, without such action, would have provided a satisfaction. Further, such an action was not called for to meet one's basic rights as the only realistic option in the context.

The duty to protect arises when the duty to avoid is not fulfilled. It is a secondary duty enforcing the primary duty of avoiding deprivation to others. It calls upon, sometimes individuals and at other times groups or institutions, to enforce this duty. In many societies, the governments acting on behalf of common interest enforce such duty.

There are three sub-categories of duties to aid which beget transfer of resources to those who cannot provide for their own survival:

- i) There are duties to aid attached to certain roles or relationships. Such duties are the concern of only those who are in a particular relationship and are directed towards specific persons.

Duties of parents towards their young children and duties of grown up children towards their aged parents come under this category.

- ii) Suppose some people have acted in such a way as to eliminate the last available means of subsistence and the responsible government has failed to protect the victims, the duty to aid the latter falls on those responsible for the deprivation. In such cases, there is failure to perform duties and the victims were harmed by both actions and omission of actions by other people.
- iii) A third kind of deprivation is not on account of failure in duty but is, in a sense, natural such as in situations of hurricane or earthquake. The victims in this instance are helpless in the face of truly great obstacles to their existence. They are, however, able to maintain themselves if they are provided with protection and if they are left alone, they will die due to lack of the means of subsistence.

One of the major expressions of duty to aid is the duty to design social institutions that do not exceed the capacity of individuals and groups. If duties to avoid and to protect are fulfilled, duties to assist may not be urgently called for, but in the event of failure to avoid deprivation and to extend protection, duty to aid could assume a great deal of importance.

The above explanation goes to suggest that the scope of duty is significantly different from that of right, although one cannot speak of duties without eventually relating them to rights.

As the scope of duty gets markedly varied as we move beyond their immediate correspondence to rights, there are rights which are not immediately tied up with duties:

There are four kinds of rights that are generally spoken of:

- I. **Claim Rights:** They are the demands that one party has upon another. In such instances, while 'A' has a right, 'B' has a reciprocal duty. Those who argue for the mutualities of rights and duties often restrict rights to claim rights. For example, workers have claim rights on their wages; their employers have a duty to pay them wages mutually agreed upon.
- II. **Liberty Rights:** Often they are simply called as liberties. They do not immediately suggest duties, for e.g., my right to wear a dress does not invoke a corresponding duty from others in an immediate sense.
- III. **Powers:** Laws and customs invest certain distinct capacities on people which might be possessed by all, such as the right to vote, or confined to a select few, such as the power to adjudicate invested in the judges. Such powers do not necessarily have corresponding duties.
- IV. **Immunities:** Immunities are counter-posed to powers and, therefore, are protections against the reach of powers. For instance, the power of conscription may be vested in some authorities in a state, but immunity provides safety valves against such powers. Again, they are not correlated with a set of duties.

Liberties, powers and immunities do not have correlated duties marking an enlarged space for rights.

7.6 SUMMARY

Although rights and duties are often correlated, different theories and perspectives may apportion

different weights to rights and duties. Duties are prioritised in perspectives which valorise substantive conception of what is good and what is bad. Within liberal tradition itself, there might be distinct perspectives on rights and duties. While dictatorships, authoritarian regimes and fascist leaders have underscored duties and decried rights, there are other perspectives which have argued that rights can be honoured only if an ambience for the same is sustained through duties. Mahatma Gandhi prioritised duties and argued that only those have claims on rights who have performed their duties. Even if there is a correlation between duties and rights, they cannot be paired with each other one to one. Although rights and duties often invoke each other, their ambitions markedly vary. There are rights which have no immediate correlated duties. There are duties which, as they distance themselves from their immediate correlation with rights, lead to sustenance of common good.

7.7 EXERCISES

1. Highlight the reasons for the growth in concerns associated with duty.
2. Formulate an argument or present a narrative that reflects a duty based perspective.
3. Distinguish between understanding of duty in interest and choice theory.
4. Give two reasons why Conservatives stress on duties over rights.
5. Relate the notion of Swaraj to the notion of Dharma.
6. Outline different types of duties and suggest their implications.

UNIT 8 CITIZENSHIP

Structure

- 8.1 Introduction
- 8.2 Significance
- 8.3 Nature of Citizenship
- 8.4 Liberal Democracy, Citizenship and Civic Culture
- 8.5 Marxism and Citizenship
- 8.6 Persons and Citizens
- 8.7 Group-Differentiated Citizenship
 - 8.7.1 Citizenship as an Attribute Independent of Cultural Identity
 - 8.7.2 Citizenship as a Group Differentiated Identity
 - i) Citizenship based on Polyethnic Rights
 - ii) Special Representation Rights
 - iii) Self-Government Rights
- 8.8 Summary
- 8.9 Exercises

8.1 INTRODUCTION

A distinctive relation that people share in common among relative equals in public life and the rights and privileges it confers and the duties and obligations that arise therefrom, has been noted and given expression to in several societies in the past. Citizenship denotes membership of a political community expressing such a relation. Such a relation often deeply marks other social relations in general and public life in particular. Some societies such as the Greeks, the Romans and the city-states of Medieval Europe gave definitive legal and political expression to this relation. With the rise of modern liberal states citizenship which was confined to a small fraction of the permanent residents of a polity came to be demanded and progressively extended to larger and larger segments of the population within such states. The demand for equality came to be mainly expressed as equal citizenship. Further citizenship became the normative tool for socio-political inclusion of groups struggling against prevalent forms of inequality, discrimination and exclusion.

Today, everyone is the citizen of one or another state and even where citizenship is in dispute, several international and domestic provisions ensure a modicum of basic rights and obligations. While citizenship entitlement has become universal, there are unresolved contestations regarding the criteria that should inform inclusion and exclusion of claimants to citizenship; the rights and resources that should accompany it and duties and obligations expected of the citizen; the relation of the citizen to the state on one hand and to the community on the other; the relationship of citizenship to other cherished values such as freedom and equality and the civic and civilisational values and practices that should inform citizenship. Further, an activated citizenship is seen by many as offering solution to several ailments of the polity in our times. Given these complex

demands, pulls and pressures the understanding of this notion remains deeply contested in the prevailing literature on the subject.

8.2 SIGNIFICANCE

The growing significance of citizenship has not put to rest the theoretical ambiguity associated with this notion. The importance of the concept of citizenship to engage with a series of political processes and values and therefore, as a major normative and explanatory variable has undergone significant changes over time. T.H. Marshal employed it initially to explain the striving for legal, political and social rights among the excluded social groups with particular reference to the working class. He traced the development of citizen rights and connected this development to the situation of the bourgeois on one hand, and the working classes on the other. Citizenship concerns, however, are much larger and ethnic groups and minorities of all sorts have resorted to it as a sheet-anchor. Bryan Turner explores the link between social movements and conflicts and citizenship identity. There are some writers who argue that citizenship rights in their origin are closely linked to elite structures. Antony Giddens and Ramesh Misra draw our attention to the deep ambiguity surrounding citizenship rights. Janoski regrets the missing link between citizenship rights and obligations and the absence of micro studies relating the two. In recent years, there have been major attempts to link citizenship with group identity and to defend a group differentiated conception of citizenship against a conception of citizenship based on individual rights. Sociologically, there are few studies to demonstrate how marginalised people are brought within the vortex of citizenship rights and how nations integrate strangers from other countries and cultures. Further, we know little about the causes that drive people towards the ideals of citizenship. There are wide differences in this regard from Marshall's attribution of the same to *class* to Maslow's *hierarchy of needs*. Further ideological predilections deeply qualify understanding and significance of citizenship. These are just a few highlights and concerns of the growing literature on citizenship in our times.

There was no significant discussion on citizenship in social science literature in the recent past. However, in the last decade and a half, citizenship has suddenly emerged as a central theme in social science literature, both as a normative consideration and social phenomenon.

Certain recent trends in the world and in India have increasingly suggested citizenship as a nodal concern. Increasing voter apathy and long-term welfare dependency in the Western World; the nationalist and mass movements which brought down bureaucratic socialist regions in Eastern Europe and the Soviet Union; the backlash against welfare regimes in the West and centralized, often, one-party regimes in the Third World and the demographic shift in the Western World towards multicultural and multiracial social composition have increasingly drawn attention to the significance of citizenship. While the decline of authoritarian regimes which curbed citizen-agency greatly highlighted the importance of the latter, governmental attack on welfare state brought to the fore threats to social rights so central to the inclusionary practices of citizenship. Critics of the welfare, socialist and authoritarian regimes have brought to the fore the importance of the non-state arena constituted of citizenship-agency. Philosophically the decline of positivism, which provided little scope for the free-play of citizenship-agency, has greatly heightened the significance of the choices that citizens make discretely and collectively. In India, an active citizenship is suggested as the need of the hour for the prevalent authoritarianism, lack of accountability of public offices, widespread corruption, intolerance of dissent, violation of fundamental rights, lack of citizens' grievance ventilation and redressal, lack of public spiritedness and work culture, transparency in administration and intolerance towards other citizens.

Overall, there is greater appreciation today of the qualities and attitudes of citizens for the health and stability of modern democracy. Their sense of identity and their relationship to regional, ethnic, religious and national identities is very important to ensure political stability in complex and plural democracies. Certain qualities like the ability to tolerate and work together with others who are different are important ingredients of successful democracy. Galston suggests that together with these qualities, the desire of the citizens to participate in the political process in order to promote the public good and hold political authorities accountable; their willingness to show self restraint and exercise personal responsibility in their economic demands and in personal choices which affect their health and their environment and their sense of justice and commitment to a fair distribution of resources are called for in any healthy democracy. He says that in their absence “the ability of liberal societies to function successfully progressively diminishes”.

Today, there is a greater consensus than ever before that mere institutional and procedural devices such as separation of powers, a bicameral legislature and federalism will not ensure the health and probity of a polity. Civic virtue and public spiritedness which are integral to citizenship are required for the purpose.

8.3 NATURE OF CITIZENSHIP

Definitions of citizenship are galore. It has also been approached from different perspectives. Tentatively, we can consider citizenship as membership of a political community with certain rights and obligations broadly acknowledged and shared in common. The membership that citizens enjoy is both passive and active. Considered passively, citizens are entitled to certain rights and obligations without their conscious involvement in shaping them. But citizenship also involves active engagement in the civic and political life of communities and this is reflected in the rights and obligations related to it.

While increasingly certain rights are conceded to all human beings in normal times by states, citizens have certain specific rights which non-citizens do not possess. Most states do not grant the right to vote and to stand for public office to aliens. The same can be said about obligations too. What we regard as rights of citizens today were initially a preserve of the elite. However, eventually the great democratising processes led the large masses of residents – the marginalised, the ethnic groups, minorities, women and the disabled persons to the benefits and burdens of citizenship.

Just the fact that one is a citizen gives access to many rights which aliens do not enjoy. Aliens become naturalised as citizens with attendant rights and obligations. Passive membership often is associated with limited legal rights and extensive social rights expressing redistributive arrangements. The state plays a major role in devising and sustaining them. Active membership highlights citizen-agency and is closely linked with democracy and citizen participation. Most political communities of which citizens are members today are nation-states. Therefore, when we talk about membership of political communities, we primarily refer to membership of nation states.

Citizenship rights are universal in the sense that they pertain to all citizens and in all relevant respects. They are sought to be implemented accordingly. Universality of rights need not preclude enjoyment of group-related rights and to the extent that citizens belong to relevant groups, they are increasingly conceded such rights. Minorities and disadvantaged groups in many societies do enjoy certain special rights. However, often equal rights of citizens are seen as running into conflict with group-rights and cultural belonging of subgroups.

Citizenship invokes a specific equality. It may admit a wide range of quantitative or economic inequalities and cultural differences, but does not admit qualitative inequality wherein one man or woman is marked off from another with respect to their basic claims and obligations. If they are marked off for special consideration, it is on account of the disadvantages they suffer relative to others or due to their distinct collective identity. Citizenship invites persons to a share in the social heritage, which in turn means a claim to be accepted as full members of the society in which they have a claim. Therefore, it provides for equal access to and participation in the public fora and institutions which arbitrate on social heritage. Citizenship is supposed to be insulated from class and status considerations. However, to the extent that citizens have equal access and participation in public life, they collectively decide to a great extent the framework and criteria that determines public life. Therefore, undoubtedly it has a levelling impact. In this context, one of the most important questions that comes to the fore is whether basic equality can be created and preserved without invading the freedom of the competitive market. However, in spite of the role of the market there has been an undeniable sociological tendency wherein citizenship in recent years has been inevitably striving towards social equality and it has been a significant social tendency for over 300 years now.

There is a profound subjective dimension to citizenship. It involves a conscious agency, reflective and deliberative, qualifying his or her pursuits with public interests. It is a way of life growing within a person and not something given from outside. Legal perspectives on citizenship, therefore, have their necessary limitations.

Citizenship involves duties as well as rights. Over the years, an array of rights have been associated with it. The same cannot be said about the duties associated with citizenship. It has had long term consequences in terms of increasing the role of the state and shrinking citizen-initiative.

Citizenship can be divided into three dimensions:

- (i) Civil
 - (ii) Political and
 - (iii) Social
- i) The civil dimension is composed of the rights necessary for individual freedom such as liberty of the person, freedom of speech, thought and faith, the right to own personal property and to conclude valid contracts and the right to strive for a just order. The last are the rights to defend and assert all one's claims in terms of equality with others under rule of law. Courts of justice are primarily associated with civil rights. In the economic field, the basic civil right is the right to work i.e., the right to follow the occupation of one's choice and in the place of one's choice subject to limits posed by other rights.
 - ii) The political dimension consists of the rights to participate in the exercise of political power as a member of the body that embodies political authority; to vote; to seek and support political leadership; to marshal support to political authority upholding justice and equality and to struggle against an unfair political authority.
 - iii) The social dimension consists of a whole range of claims involving a degree of economic welfare and security; the right to share in full the social heritage and to live the life due to one as per the standards prevailing in one's society. The social dimension also involves the right to culture which entitles one to pursue a way of life distinctive to oneself.

In feudal society that prevailed in large parts of the world prior to the onset of modernity, status was the mark of class and was embedded in inequality. There were no uniform standards of rights and duties with which men and women were endowed by virtue of their membership of society. Equality of citizens did not qualify inequality of classes. The caste system in India too ranked castes unequally in terms of rights and obligations, although the nature of inequality prevalent here differed in significant respects from that of the feudal society. These ineqlitarian orders were progressively displaced by a system based on the civil rights of the individual, not on the basis of local custom, but the common law of the land. The evolution of different institutions representing and embodying different dimensions of rights was uneven. In Europe, the trajectory of the evolution of these rights can be marked as civil rights in the eighteenth century, political rights in the 19th century and social rights in the 20th century. However, in the colonies, particularly in India, we find the national movement and the independent regime that followed it invoked all these threefold dimensions together.

8.4 LIBERAL DEMOCRACY, CITIZENSHIP AND CIVIC CULTURE

In liberal democracy, public authority is exercised in the name of free and equal citizens. The free and equal citizens who are ruled are ruled in their own name, or in other words, they rule themselves. At the same time, the state is expected to play some role in the making of free and equal citizens in whose name it rules. Public education and other fora of culture supported by the state help form and sustain such an identity.

The mode of education and other cultural institutions of liberal democratic society define its citizens as free and equal individuals who are incidentally members of particular ethnic, class and religious communities. Ethnic class and religious relations often beget hierarchical relations. Liberal democracy suggests that the hierarchies generated by such communities are irrelevant to the state in its treatment of citizens. Marxists and in recent years, the communitarians have found that such an understanding of citizenship is idealistic and narrow and does not take seriously the embedded nature of citizens.

However, public education in a liberal democracy till recently had the effect of relativising the hierarchies and ranking systems generated by particularistic cultural communities. It suggested that the identities of citizens should not be wholly or exclusively governed by the principles and values underlying those hierarchies. Civic education which was integral to the building up of citizenship attempted to inculcate certain normative standards such as the ideal attitudes, dispositions and values proper to citizens. Such a civic culture was seen as supportive of citizenship. However, it has to be noted that public education, in turn, created hierarchies distinctive of its own where institutions and disciplines came to be ranked according to the valorisation they enjoyed in the market. Therefore, the civic culture that liberal democracy threw up was profoundly ambivalent.

Civic culture as a specific form of culture pertaining to public life proposes world-views, ways of life, ideas of nature and standards of excellence that shape human behaviour and self-understanding. It is created, transformed and reproduced by processes of persuasion. The norms proper to civic life are expected to be internalised by citizens in their interface with civic culture. However, while offering a normative order, ranking and directing citizen activity, a civic culture permits significant spaces for contestation and to propose alternative ways of life. It may, therefore, beget a widely plural understanding of citizenship. Therefore, civic culture itself needs to be wetted by the rule of law.

However, civic culture has with it certain resources by which the pluralism that it begets remains, normally, within certain limits. Civic culture lays down a civic moral ideal before its members based on the stand point of free and equal individuality. Further, given the fact that the self-understanding of members of a society are shaped by the moral standards of the particularistic cultural communities to which they belong, civic culture has a strong ‘contravailing edge’. The impact of the former begins to tell strongly from birth itself, through the rituals and practices of the community while civic educational processes have their impact relatively late.

8.5 MARXISM AND CITIZENSHIP

The Marxist tradition has not engaged with the citizenship issue consistently but to the extent it does there is a deep ambivalence about it. Marxism feels that the ideology of the capitalist state, by and large, recasts social relations as relations between citizens, putting a gloss on them as class relations. At the same time the human agency that citizenship furthers is appreciated as it sharpens the contradictions within capitalism itself. Marxism has not adequately reflected on how an older notion such as citizenship has been deployed under capitalism and made to play a role which is central in capitalist ideology. Such a perspective, therefore, makes certain notions closely bound with citizenship such as rights, justice and freedom ambivalent.

For Marxism the basic social relations in all class divided societies are class relations. It is the relation between the peasantry and landlords under feudalism and between the working class and the bourgeoisie that decisively shape the social relations under feudalism and capitalism respectively. If class relations project themselves as basic, then social relations would be mired in class-struggle endangering social unity that is worth relying on, and bringing to the fore, the coercive character of the state to the full to hold classes and class-struggle at bay.

The ideology of the state plays a major role in containing class-struggle and in reconstituting social relations on a basis other than class relations. Under capitalism, Marxists argue, social relations are formulated by this ideology as relations between citizens. The citizens are declared as free and equal and sometimes, as rooted in a cultural ethos and civilisational bond. The freedom and equality of citizens has its counterpart in the exchange relations of the market where from a one-sided view, equals gets exchanged for equals and the agents of such a system of exchange are free to exchange the products they have. However, such an ideology formulated by the state can be seen as superficial and partial when understanding and analysis is not confined to the surface. In such an exercise, social relations are marked as class-relations that are caught in an irreversible struggle between basic classes.

For Marxists, however, state ideology has a real basis in all societies including capitalism, although that real basis lies in an exclusive and one sided projection of social reality. It is not mere chimera. Social agents irrespective of the classes they belong to come to locate their role and place in society in and through this ideology. In capitalist society, the force of this ideology remains persuasive and pervasive due to the massive institutional and ideological complexes of the state through which it is disseminated such as public education, the media, civic associations, political parties, trade unions, legal and juridical organisations and sometimes, religious organisations as well. The French philosopher, Louis Althusser, called them the ideological apparatuses of the state. The consciousness of social agents, routinely and prominently, under conditions of this ideology remains consciousness of citizens, unless and as long as it is not challenged by the contradictions of capitalism and class struggle to overcome them.

Marxism, therefore, calls for a double critique of the notion of free and equal citizenship avowed

by liberal democracy without denying the worth of the notion itself. First, it expresses only the superficial face of the market related freedoms of the bourgeois society and hides the profound contradictions in which social relations under capitalism are caught. An entire array of public institutions rest on this notion and in their turn reinforce it. Secondly, rights and duties associated with citizenship are important and necessary to lay bare the contradictions of capitalist relations and mount struggles to overcome them. Social classes cannot organise themselves, if the basic freedoms associated with citizenship are denied to social agents.

8.6 PERSONS AND CITIZENS

Philosophically, human beings are conferred attributes and prerogatives that mark them off from other beings, but communities and states have given them little positive consideration unless they are insiders or they are brought within the larger civilisational matrix of which states and communities are parts. In modern times, however, there have been certain attempts to confer a set of rights on all human beings qua human beings. The universal declaration of rights is an apt example of the same. Citizens, however, have always been endowed with special rights be it with the Greeks, the Romans or members of city-states. In modern times, however, large social movements have striven towards an inclusionary understanding of citizenship. These movements have also striven to bring about a social order where everyone enjoys equal rights. According to Turner, citizenship rights are “the outcome of social movements that either aim to expand or defend the definition of social membership.” These movements, he feels, have been able to expand and universalise citizenship rights for an ever widening number of persons. At the same time, citizenship is an act of closure about a group of people it calls citizens. Consequently, states are very particular about whom they call citizens.

Hoffman and Janoski suggest that (i) there are four categories of citizens who have been either excluded from citizenship or had to put up a relentless struggle to be accepted as citizens:

- i) **Stigmatised Humans:** They are supposed to be those who suffer from a social defilement or infirmity. They include the class based poor, gender disqualified women, racial or ethnic groups who are attributed low status, gender despised homosexual groups etc. They are also the most common category of candidates for citizenship. These groups are seen as unable to perform the duties and accept the rights of citizenship due to their narrow interests which are unlikely to benefit the community. They are often charged by their social superiors as selling their votes, being in the control of their husbands or caretakers and not having enough education or mental capacity to make a decision. Cultural and value dissensions have sometimes brought religious minorities and gay groups too within this category. These groups had to put up relentless struggles for equal citizenship and the battles are still on.
- ii) **Impaired Humans:** They may hail from established citizen groups but their competence to fulfil rights and obligations may be questioned due to physical or mental disabilities that preclude action or good judgement and make them dependent upon others. The inclusion movement in many countries, however, has brought about significant changes in the condition of the mentally and physically challenged.
- iii) **Potential Humans:** They include the foetus in the womb, accident victims in a permanent coma, unconscious patients or aged citizens who have lost all thought and activity processes other than involuntary life sustenance. They, of course, have their rights but we can speak little of their obligations.

- iv) **Human-like Non-Humans or Quasi Humans:** Nations, ethnic and even religious groups could be included in this category. They are endowed with certain group rights which we will discuss shortly. There are a second type of social actors who fall in this category such as corporations and offices whose claim for being treated as corporist units are significantly different from nations, ethnic groups and religious communities. Corporate rights lead to systematic class and size bias and place them in contention with the notion of free and equal citizenship.

8.7 GROUP-DIFFERENTIATED CITIZENSHIP

Till recently, for many liberals citizenship is by definition a matter of treating people as individuals with equal rights under the law. This they felt distinguished democratic citizenship from feudal and other pre-modern views that determined peoples' political status by their religious, ethnic or class membership. However, it is increasingly admitted today that mere avowal of equal rights may not ensure equal access and opportunities to certain groups who are culturally different. In fact, equal rights without certain safeguards to cultural minorities may tend to reinforce majoritarian domination over minorities. Group differentiated citizenship qualifies citizenship by *cultural belonging*. It sees citizenship as constituted of both equal rights and differences. A society avowing group differentiated citizenship appreciates the cultural differences in which equal and free citizens are anchored.

While understanding of cultures are widely varied, Will Kymlicka has suggested that the pertinent notion of culture in terms of group-differentiated rights is societal culture; that is, "a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres". It is not merely shared memories or values, but also common institutions and values. Societal culture, according to him, is expressed in everyday vocabulary of social life and embodied in practices covering most areas of human activity such as in schools, media, economy, government etc. He argues that culture has the capacity to survive in modern times only by becoming a societal culture. Citizenship is deeply bound with such societal culture, and citizens through their activity shape and reshape this culture. Societal cultures play a major role in enabling and promoting contexts of freedoms. Kymlicka has suggested that "freedom involves making choices amongst various options and our societal culture not only provides these options, but also makes them meaningful to us". It is with reference to culture that the value of practices comes to be underscored. It is in the background of cultural narratives that certain authoritative lines of appropriate conduct is marked for us, conduct which, of course, can be subsequently revised by the exercise of our freedoms. This requires according to the famous philosopher of law, Ronald Dworkin, protection of our culture from "structural debasement or decay". The availability of meaningful options to people largely depends upon access to societal culture.

Cultures are modes of life which are much more enduring. While there are instances of people making a successful transition from one culture to another, this is not a reasonable option for a vast number of people. Of course, cultures are not sterile waters. They do undergo significant changes over time, but across these changes they remain the self-same cultures. With liberalisation and globalisation, there has been a greater interface between cultures, but it cannot be said that the coming together of cultures have made people less aware of their own. If anything, it has been just the contrary.

Margalit and Raz have advanced two major reasons for the endurance of cultures. The first,

cultural membership provides meaningful options. According to them, familiarity with a culture determines the boundaries of the imaginable and if a culture decays, the options and opportunities open to its members will shrink, become less attractive and their pursuit less likely to be successful. The second reason is that self-identity and recognition by others at a fundamental level depend on “criteria of belonging” and not as much on personal ‘accomplishment’. Social identification and belonging that arises from it is important to people. Dignity and self-respect are deeply bound up with it.

Cultural membership too makes one’s accomplishments not as isolated instances, but bonded with and reproducing an entire tradition. When institutions are leavened by culture, the participation of people in them becomes spontaneous and lively too. It begets relationships of solidarity and trust.

However, people employing their freedoms do revise their attachments and belonging and for a vast majority of people, the matrix of such a zone of belonging and exercise of their freedoms remains the nation-state informed by societal culture.

A societal culture is not uniform. It is constituted of diverse streams and autonomous cultures. Often people access societal cultures through such streams and autonomous cultures. The distinct identities embedded in these streams are shaped by such a culture as they in turn shape it as a whole.

Two types of relationships are suggested between citizenship and its cultural embeddment.

- i) Citizenship as an attribute independent of cultural identity.
- ii) Citizenship as a group-differentiated identity.

8.7.1 Citizenship As An Attribute Independent of Cultural Identity

Cultural identities constituted as communities uphold moral ideals that are supposed to hold good to all its members. Often they propose a comprehensive way of life which is supposed to be the embodiment of what good life should be for one and all. It revolves around certain definitive conceptions of what is important and what is not important in life with regard to such fundamental issues such as sex, friendship, work, suffering, sin, death and salvation. It provides definitive order and meaning to such issues. It ranks human qualities and orders aspirations in terms of a hierarchy of ends.

Communities assign stable and well known duties and responsibilities. There are unambiguous standards to evaluate conduct. Communities orient human desire to definitive channels. Communication in such communities acquires clarity and effectiveness due to sharing in common a range of background assumptions. Communities do not entertain questions on meaning, purpose, value and responsibility on a whole range of activities they are constituted of.

Inspite of such community anchoring, this conception of citizenship is defined independent of community. Citizenship is limited to membership and participation in political community and it does not aspire to uphold any comprehensive conception of good life or subscribe to any particular comprehensive conception of the good upheld by any specific community. It may encompass a multiplicity of diverse cultural communities holding ideals of good life distinctive to themselves. In such a situation, citizenship proposes the ideal of working with others to design public life without taking into account the separate ideals and values cherished by the respective

communities, but at the same time acknowledging the need to work with their members. In such a conception, while a citizen is committed to his communitarian identity and moral ideal, she at the same, respects and acts in consent with fellow citizens whose communitarian identities and ideals greatly differ from her.

To move from the stand point of a member of community to a conception of a citizenship of this kind, a person needs to acquire the capacity for freedom, the capacity to define him or her independently of the specific community of anchor. However, citizenship itself may not provide cultural resources rich enough for a comprehensive life ideal. To affirm equality, a citizen is required to employ a double framework, one appropriate to the community and as a citizen extending equal consideration to all citizens. For the later purpose, there need to be a space, independent of social hierarchies, where citizens treat each others as equals. It involves forging civic friendship to ensure reproduction of this space and institutions characteristic of it. It is not enough that citizens merely cultivate an attitude of live and let live, a posture of benign mutual indifference.

Such a double framework can be difficult for many who have strong commitments to their community ideals. Beliefs and practices alien to us can be deeply threatening. Such a threat to deeply held beliefs and hallowed practices in interface with such an understanding of citizenship may give rise to parochial, sectarian, exclusivist, authoritarian and fundamentalist tendencies.

8.7.2 Citizenship as a Group-Differentiated Identity

This perspective on citizenship lays greater stress on group differentiated identities whose internal resources are called upon to constitute an overlapping consensus expressed in a political community. The different cultural communities included within such a political community identify and cultivate within their own traditions resources supportive of citizenship, i.e., civic freedom and equality. Such a normative standpoint is addressed to citizens who have been shaped in their understanding and desires by the standards of the particularistic cultural communities to which they belong. The later process virtually begins at birth. Grooming into citizenship is experienced relatively late. The language associated with civic moral ideals is not designed to replace community moral ideals. Citizenship pursuits do not involve a process of conversion from a comprehensive ideal and way of life to another, but a reordering of community identity itself, given the fact of the existence of plurality of such community identities.

In this conception, citizenship means very different things to different communities. The rights that different communities enjoy and the obligations they are expected to shoulder differ, although the principles on which they are grounded are the same. These principles are the significance of community for the constitution of the self and the need to ensure political stability under conditions of freedom and equality.

Three types of rights are suggested under a differentiated understanding of citizenship, although it is possible to suggest a much more complex typology in this regard, considering the kind of deep diversity that prevails in countries like India, Russia, Indonesia and China.

- i) **Citizenship based on Polyethnic Rights:** A large number of states are polyethnic in their composition today, although non-western societies have a much longer experience of such a composition. Western Societies have experienced major shifts in their ethnic composition following their colonial expansion and in the post-colonial period. Such ethnic groups have challenged the demand that they should abandon significant aspects of their ethnic heritage

and assimilate themselves to the mainstream culture. Initially, they demanded the right to freely express themselves without discrimination in the larger society of which they were a part. It resulted in changes in educational curriculum and opened to them the arena of music and arts distinctive to them. Such a demand however did not make significant difference to such visible ethnic minorities, such as the Blacks in the U.S., except a small stratum within them. In recent years, these ethnic groups have demanded funding of ethnic associations, magazines and festivals as integral part of the funding of arts and museums. They have sought exemption from Sunday closing or animal slaughter legislation, motor-cycle helmet laws and official dress-codes, ban on wearing headscarf (turban) and so on. These are stronger ethnic claims.

- ii) **Special Representation Rights:** Special representation rights are demanded by certain groups because the prevailing political process may subject them to some systematic disadvantage whereby they are not able to effectively represent their views and interests. In India, Dalits have demanded special representation rights on this ground, while the Adivasis have demanded them along with ethnic rights.
- iii) **Self-Government Rights:** Self-Government rights are a case of an extreme demand for the group-differentiated right. They tend to divide people into separate political spaces with their distinct history, territory and powers attributing to themselves the status of a separate political community. They may arrogate to themselves the loyalty of the members and make wider citizenship claims secondary.

Liberals have strongly expressed their apprehension about group-differentiated citizenship. In the American context, Nathan Glazier has argued that if groups are encouraged by taking into account their difference as constitutive of citizenship, then “the hope of a larger fraternity of all Americans will have to be abandoned”. It has been argued that cultural or group rights are dangerous as they violate the primacy of individual rights. Some people have argued that group differentiated citizenship ceases to be “a device to cultivate a sense of community and a common sense of purpose”. Such a notion of citizenship is inherently particularistic and may become discriminatory. It is felt that if citizenship is differentiated, it no longer provides a shared experience or common status. Group differentiated citizenship requires representation of the group and group leaders rather than citizens themselves being invested with such rights. The privileging of ethnic groups under group-differentiated citizenship may lead to seeking self-determination and liberation through secession. Thereby, such a notion of citizenship is a clear threat to the state and the larger society advocating universal citizenship. It may foment civil wars and irreconcilable conflicts. Infact, liberals have argued that participatory structures, allowing for greater democratic control over local and regional resource distribution is a better way of handling empowerment of excluded groups than through differentiated citizenship. Some people fear that group-based claims are likely to erode public spiritedness further. They are likely to impede the integration of minorities and immigrants keeping them in “their different origins rather than their shared symbols, society and future”.

Most of these criticisms apply to extreme cases and on a doctrinaire understanding of citizenship rights and obligations. The primary issue that group-differentiated claims raise is whether a group is included within a political community as an equal or not. If they are excluded or partially excluded, members of such groups cannot lay much claim to equal rights. Often exclusion and discrimination precipitate self-government claims among people inhabiting a common territory and shared culture. Self-government and self-determination demands are largely confined today to cultural groups claiming a distinct nationhood. Sometimes, however, the border line between excluded groups occupying a distinct territory making demands for self-government and national self-determination remains very thin.

8.8 SUMMARY

Citizenship is a highly valorised theme in recent political writings and concerns. A number of political developments of our times have contributed to this heightened interest in citizenship. While the notion of citizenship may go along with a great deal of economic and social inequalities, the level playing field it suggests on the basis of equal rights may make such inequalities an issue of target of concerned citizens. Many social movements of modern times have striven not merely for the inclusion of excluded social groups into the body of citizens, but also for extending and expanding the zone of equal rights. Inspite of such strivings, the notion of citizenship remains deeply ambivalent. Liberals tend to stress on the equality and freedom of citizens. Marxists, however, are not very enthusiastic regarding citizenship as they feel that it is a device employed by the capitalist state to restate social relations of classes as relations of citizens. They, however, feel that citizenship as a political device can be of immense use in activating social agents to subject public institutions to a critique and search for alternatives. Inspite of the ambiguities in which this concept is caught, there is a widespread agreement that the zone of citizenship be enlarged. This concern for the expansion of the zone of rights has brought within its fold, cultural communities and political minorities who have sought a range of rights, specific to their predicament. They have argued that along with equal rights, their specific differences be taken into account in ordering political communities and their institutions.

Citizen -concerns are closely related to some of the most important issues under public debate today such as civil society, participatory democracy and civic responsibility. The altered role of the state under conditions of globalisation and liberalisation invokes citizenship for the health of polity. Further, the horizon of citizenship is no longer limited to membership of nation-states any longer. Cultural and doctrinal attachments are increasingly brought in to mark a level playing field to citizens otherwise deeply divided in terms of their cultural attachments.

8.9 EXERCISES

1. Explain the natural significance of citizenship in democratic societies.
2. Discuss liberal democracy and its relation with citizenship.
3. Discuss the Marxist conception of citizenship.
4. Explain the distinction between persons and citizens.
5. Discuss the relationship between citizenship and cultural identity.
6. Explain the various perspectives of citizenship in contemporary societies.

UNIT 9 SOVEREIGNTY

Structure

- 9.1 Introduction
- 9.2 What is Sovereignty?
 - 9.2.1 Some Definitions of Sovereignty
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9.1 INTRODUCTION

Generally, we say that the state is our state and it is for our benefit. All of us have rights given by the constitution and the state has to respect them. We also know that the government is responsible for the maintenance of peace and security. For this purpose, the government makes laws and it has a right to punish those who disobey them. But the question is why do we obey the law and what is state authority? We experience state authority everywhere in our routine life; for example, when we demand some favour from the authorities and the authorities refuse to grant us the same, we protest. We do it because we feel that we have a right to get what we think, we deserve and the government is duty bound to work for us. If all this is well known, then why, you might say, we have to study what we already know. But are we sure that we know it properly or our knowledge is just scanty? The fact is that we only have a dim view of the state power or sovereignty. It seems to be very simple, but the fact remains that it is one of the most complicated notions in Political Science and a rudimentary understanding has no meaning because state power is not something which is theoretical and confined to books. We have to face it especially, when our friends and we find the government unresponsive or

even insensitive. Therefore, while studying political theory, we need to go into details to study the concept of sovereignty very clearly and precisely; for after all it is with this and other basic concepts and definitions that we would later try to understand the great complexities of the societies we live in.

9.2 WHAT IS SOVEREIGNTY?

Sovereignty is a key concept in traditional political theory. It constitutes one of the four elements of the state without which statehood remains incomplete. Derived from the Latin term *Superanus*, which means supreme, sovereignty denotes the supreme power of the state to extract obedience from the people who inhabit it. It means that the power of the state is unquestionable and the state has a right to demand allegiance from its citizens. It also means that the violation of the command of the state would invite penalties or other punishment. This is also called ‘internal sovereignty’. Internally, the state is supreme to any individual or organisation, living or functioning, within its boundaries, and they have to function under the laws and command of the state. None can claim superiority over or immunity to the state. The power of the state over them is original, total, unlimited and all comprehensive. Sovereignty also has an external connotation, which means that in the comity of states, every state is supreme and is free to cast its destiny. No other state or any international organisation can claim superiority to a state. The state may be subjected to certain treaties or other obligations, but they are self-imposed obligations on the part of the state. None can compel or enforce any obligation on the state, which it is not willing to accept. Thus, the state is equipped with internal and external sovereignty that gives it over-riding powers over individuals, groups and organisations and makes it absolute.

9.2.1 Some Definitions of Sovereignty

Sovereignty is “the supreme power over citizens and subjects unrestrained by law”.

– Bodin

Sovereignty is “the supreme political power vested in him whose acts are not subject to any other and whose will cannot be overridden”

– Grotius

Sovereignty is “the supreme irresistible absolute, uncontrolled authority in which the supreme legal power reside”.

– Blackstone

Sovereignty is “the commanding power of the state: it is the will of the nation organised in the state: it is the right to give unconditional orders to all individuals in the territory of the state”.

– Duguit

Sovereignty is “the supreme will of the state.”

– Willoughby

Sovereignty is “the exercise of final legal coercive power by the state”.

– Soltaire

Sovereignty is “the concept which maintains no more-if no less-than that there must be an ultimate authority within the political society if the society is to exist at all”.

– Hinsley

Sovereignty means “the political authority within a community which has the undisputed right to determine the framework of rules, regulations and policies within a given territory and to govern accordingly”.

– David Held

9.2.2 Meaning Of Sovereignty

The above mentioned definitions of sovereignty project the traditional view of sovereignty, which emphasised the following points:

- i) Sovereignty is an attribute of the state.
- ii) It is the supreme will of the state.
- iii) It is a legal coercive power of the state.
- iv) The sovereign makes the laws and extracts obedience from the people.
- v) Sovereignty lies in a person or a body of persons.
- vi) The power of the sovereign is absolute and unlimited.

9.3 DEVELOPMENT OF THE CONCEPT OF SOVEREIGNTY

Sovereignty as the supreme power of the state is a modern concept. It came into existence with the rise of the nation-state in Europe when the powerful monarchs asserted their authority. But as such, the idea of sovereignty is very old and can be traced to the ancient Greek city-states. Aristotle, the father of Political Science, defined it as the supreme power of the state. But Aristotle did not discuss the nature of sovereignty. He concentrated on the location of sovereignty. Here, Aristotle had two views. According to him, the deliberative organ of the state should be sovereign and secondly, he held that the law should be sovereign. He preferred sovereignty to be vested in law. The Romans considered sovereignty as the fullness of the power of the state. It was generally accepted that the state should be the final authority in solving the disputes among its citizens and the law of the state was binding upon them. Romans are also credited with the idea of uniformity of law, centralised administration and common citizenship.

But in the medieval ages, feudalism prevailed where there was no unified authority and it seemed that all the achievements of the Roman Empire had gone to waste. In the feudal state, the king's authority was highly restricted. It was limited by the church which claimed immunity in both civil and criminal cases. Infact, the church was the organised group during the medieval times and the head of church-the Pope-claimed superiority over the king. Besides, the feudal overlords and the local communities or commons in the town also challenged the authority of the king. Thus, the king was not sovereign. His competitors came to be known as 'Estates' and feudalism was a state of these estates. Barker calls it as "a paradise of estates" rather than a pattern of a state where the authority of the state was sidelined. Thus, there could not be the modern concept of sovereignty. Further, the law of God was supposed to be superior to human laws, which also restricted the development of sovereignty as an absolute and indivisible concept.

Jean Bodin is the first political philosopher who propounded the modern concept of sovereignty. He defined sovereignty as the supreme power over citizens unrestrained by law. He also defined citizenship as subjection to a sovereign. To Bodin, the power of sovereignty cannot be delegated; sovereignty is also perpetual and unlimited. Sovereign is the source of law and has the unconditional right to make, interpret and execute law. Bodin also discussed the location of sovereignty which, he argued, depended upon the form of government. Thus, it is located in the

king in a monarchy, while in a democracy it resides in popular bodies. But customary and constitutional law and the institution of private property limited Bodin's sovereign. Hobbes further developed on Bodin and attempted to make the theory of sovereignty perfect. To Hobbes, sovereignty is the creation of a social contract and the sovereign is that individual or assembly who is authorised to will for the general purpose of a peaceful life. Hobbes gave vast powers to his sovereign. His command is law and all laws are subject to his interpretation. His authority is absolute and unlimited and the individual cannot disobey him. Sovereignty is inalienable and indivisible. Hobbes pointed out that limited sovereignty is a contradiction in terms. But Hobbes very clearly put one limitation on sovereignty. The sovereign cannot command any individual to kill, wound or maim himself. He also made it clear that sovereignty is also limited by the purpose for which it was created. Hobbes also conceded the right to resist the sovereign in case the life of an individual is endangered. Infact, his theory of unlimited sovereignty is a necessary compliment to his individualism.

Another social contractualist, Rousseau located sovereignty in the people expressed as 'General Will'. To Rousseau, general will and sovereignty are inter-changeable concepts. Sovereignty is unlimited, supreme and absolute. It is also inalienable and indivisible. But unlike Hobbes, Rousseau's sovereignty is based upon the consent of the people. It is a free acceptance by every individual of the exercise of force by the whole group of which every individual is a part. Therefore, nobody can refuse to render obedience to the sovereign and anyone who does so may be constrained by the whole body of citizens. This means that the individual may be forced to be free. Unlike Hobbes who gave all powers of sovereignty to a monarch, Rousseau vested the power not in one individual but in the community. But both of them are one, so far as the characteristics of sovereignty are concerned. Both of them laid down the foundations of a totalitarian state. In between the two, John Locke stood for a limited government. Locke justified the results of the Glorious Revolution of 1688 which devoiced the monarchy of its absolute powers in England and advocated the doctrines of popular sovereignty, supremacy of parliament, constitutional government, limited monarchy and the rule of law. Unlike Hobbes and Rousseau, Locke stood for a limited sovereignty. His government was a government based on the division of power and subjected to many limitations. He did not accept the view that the sovereign power was indivisible. He felt that different organs of the government should exercise the legislative, executive and federative powers of the state independently of one another. His state is subservient to the society and governance cannot be done arbitrarily. But Locke is not consistent in his views on sovereignty. At times, he suggests that sovereignty is located in the people and at times, it is the legislature that is supreme. He also seems to suggest that when there is a fusion of legislative and executive powers in one person, he may be called the sovereign. The weakness in Locke's argument is that he recognised the force of political sovereignty, but failed to fully comprehend legal sovereignty.

The French Revolution is another milestone in the development of the modern concept of sovereignty. The French Revolution stood for absolute and unlimited sovereignty on the ground that people being sovereign, there is no need to restrict the supreme power. The newly emerged nation-states also claimed total sovereignty, both internally as well as externally. They also asserted their right to expand at the expense of others. The Industrial Revolution expanded the activities of the state enormously and the importance of the state as a lawmaker was asserted. These developments led to the concept of absolute sovereignty. In England, the parliament became supreme and its supremacy was unlimited.

These ideas were reflected in Hegel who stood for constitutional monarchy, but his king had the power to veto over legislation. According to Hegel, “The State is a perfected rationality, the eternal and necessary essence of spirit, the rational in itself and for itself, an absolute fixed end in itself.” Hegel combined mysticism with his state. To him, the state is the march of God on earth. He completely subordinated the individual to the state. The state has the highest right over the individual and his freedom is the gift of the state. The state not only allows, but also enlarges the freedom of the individual. But the state acts through laws that must be rational. They must be applied equally. A constitutional government provides order and security in society. The exercise of authority is according to rules that limit the discretionary powers of officials. But the state is internally and externally supreme. Hegel also glorified war and his state had the right to wage war because the state of war reflects the omnipotence of the state and the victorious state can claim to be the agent of world spirit. Thus, Hegel’s sovereignty is absolute and beyond any control. Morality and international law also do not constitute any limitation on sovereignty. Hegel was followed by Austin who nevertheless freed the state and sovereignty from all the mysticism projected by Hegel. He advocated a legal view of sovereignty in which sovereignty was absolute, unlimited, inalienable and indivisible. The pluralists later on challenged Austin’s views. We will discuss both the legal and pluralist perspectives in details. But first let us understand the meaning of sovereignty.

9.4 KINDS OF SOVEREIGNTY

The term sovereignty has been used in many ways in Political Science that makes its comprehension very difficult. Therefore, it is necessary to understand its varied uses.

9.4.1 Real and Titular Sovereignty

A distinction is often made between real and titular sovereignty. Infact, this distinction came about due to a unique development in English Constitutional system. Initially, the king was all-powerful and actually exercised his powers. But with the development of democracy, the king was devoid of his powers and the parliament became supreme. However, the English people loved monarchy and did not abolish it. Instead, the powers of the king were transferred to an institution called the Crown. The monarchy in England still exists and all the powers are exercised in the name of the king or the queen but the real sovereign is the Crown. This distinction also exists in countries where the parliamentary form of government is prevalent. Like in India, where the president is the titular head while the real sovereign is the prime minister and his cabinet. In a country like the United States of America, no such distinction exists as the president is said to be both real as well as the titular sovereign. But this distinction makes sovereignty more an attribute of the government rather than that of the state.

9.4.2 Legal and Political Sovereignty

Another distinction is made between legal and political sovereignty. The legal sovereign is a constitutional concept, which means the identification of the holder or holders of power in the legal sense. There cannot be any confusion regarding the person or persons who exercise the power of sovereignty in the eyes of law. The legal sovereign commands and makes the law and such commands and laws are to be obeyed by the people. In case of violation, it is equipped with the necessary powers to punish the offender. Legal sovereign is determinate, all comprehensive and possesses coercive powers to implement its law and command. Thus, the authority of the legal sovereign is characterised by legal sanctity in which no individual or association can claim immunity. The best example of legal sovereignty is the British King-in-Parliament which, as one

political scientist puts it, ‘may remodel the British Constitution, may prolong its life, may legalise illegalities... may give dictatorial powers to the government... may introduce communism, or fascism entirely without legal restriction’. This position of the British Parliament is also summed up in the saying that it can do everything except making a man a woman and vice versa, though it may do even that legally. Thus, the power of the legal sovereign is absolute, without any restriction.

In contrast, the concept of political sovereignty is very vague and confusing. It is pointed out that behind the legal sovereign lies the political sovereign to which the legal sovereign has to bow. Political sovereignty is not recognised by the law. It is not determinate also in the sense that its identification is a very difficult task. Yet its existence cannot be ignored. It influences and controls the legal sovereign. One writer has identified the political sovereign as the sum total of all influences, which lie behind the law. In a system of direct democracy where the people participate in law making and decision-making, the distinction between the legal and the political sovereign is blurred. But in a representative democracy, this distinction becomes obvious where people participate in law making and decision-making indirectly through their representatives. In such cases, political sovereignty lies with the electorate, which has the power to make or unmake a government at regular intervals when the elections are conducted. Infact, the elections are the best forum in which the will of the political sovereign is expressed.

9.4.3 Dejure and Defacto Sovereignty

Often the dejure sovereign and the defacto sovereign are the same because the person or persons holding power are also recognised by the law. The distinction between the two becomes real in some situations of crisis which may be the result of a coup or any other kind of violent overthrow of the government. For example in Russia, the communists overthrew the Tsarist Government. While the law recognised the latter as the holder of power, in reality the former was in command and using the authority. Similarly, during the First and the Second World Wars, many countries were defeated by Germany and the German rulers became defacto rulers, but the laws in the respective countries still recognised the overthrown government as the ruler. In 1971, as a result of liberation from Pakistan, Bangladesh became a new country but as per the law, the Pakistani President was the dejure sovereign. In such a situation, the rule of a defacto ruler is based upon force or on the fact that the situation is under his control. In contrast, the de jure sovereign has the legal sanctity to rule. However, this distinction between the two remains for sometime, and ultimately they become one. The defacto ruler makes the necessary changes in the law of the land and thus, becomes the dejure ruler also.

9.4.4 Concept of Popular Sovereignty

Modern democracy is based on the concept of popular sovereignty which means that the source of all authority is the people. J.J. Rousseau is credited with espousing it in modern times. But earlier also, the concept of popular sovereignty was not unknown. In medieval times, Cicero pointed out that the state was ‘people’s affairs’. He held that the state was a moral community, a group of persons and the authority arose from the collective power of the people. Later on, Althusius also said that the people as a corporate body held sovereignty and this power could not be transferred to any other person or organisation. Althusius forcefully argued that the people as a corporate body gave power of administration to the administrators, through a contract for specific purposes and the power would go back to the people, in case they forfeit it due to any reason. Althusius also gave the people the right to resist tyranny. Similarly, John Locke also based his civil society on the basis of consent of the people. According to him, the

government existed for the welfare of the people and there could not be any arbitrary rule. To Locke, Government was a trustee constituted through a social contract for the protection of life, liberty and property of the people. If the government failed in its duty of protecting the life, liberty and property of the people, they had a right to rebel against it and overthrow it.

But Rousseau is considered the father of the concept of popular sovereignty. According to Rousseau, men by their very nature are free and equal and the system of government has to be based upon the free will of men. This, in turn, can be achieved when the individual enters into a contract with each other, as a result of which they become an indivisible part of a body of sovereign people which has the supreme power of lawmaking. Rousseau also made a clear distinction between the state and the government. To him, the government is merely an agent of the state having a limited authority. Infact, it is the people who have delegated the power to rule to the government and this power can be withdrawn by their will. This will of the people becomes sovereign in Rousseau's state to which Rousseau gave the name of the General Will. In Rousseau's scheme, the sovereign can only act for the welfare of the people. He writes, "It is impossible for the sovereign body to hurt its members. The sovereign for its part cannot impose upon members any fetters that are useless to the community".

According to Asirvatham, the concept of popular sovereignty contains the following valuable ideas:

- i) Government does not exist for its own good. It exists for the good of the people.
- ii) If people's wishes are deliberately violated, there is a possibility of revolution.
- iii) Easy means should be provided for a legal way of expressing public opinion.
- iv) Government should be held directly responsible to the people through such means as frequent elections, local self-government, referendum, initiative and recall.
- v) Government should exercise its authority, directly in accordance with the laws of the land and not act arbitrarily.

The concept of popular sovereignty was accepted as the basic principle of governance in the American and French revolutions. The American Declaration of Independence expressly declared, "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the Pursuit of happiness—that to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed...." The Declaration clearly recognised the people's right to alter or abolish any government, which was destructive of the inalienable rights of life, liberty and pursuit of happiness. The Declaration also noted the fact that the British King had become a tyrant by his acts and therefore, unfit to be the ruler of a free people. The French Revolution declared, "Men are born and remain free and equal in rights". It also pointed out that "right to liberty, property, security and resistance to oppression are the aim of any political association and the law is the expression of general will" and all citizens have the right to take part personally or through their representatives in its formation" and that "all officials of the state are responsible to the people."

The concept of popular sovereignty is very attractive. But it is shrouded with vagueness. It is very difficult to explain it in practical terms. It is good to say that people are the basis of any political system and their will must be reflected in the governance. But the question is what does

the term people mean? How do we identify them? Obviously the entire mass living in a state cannot be identified as people because there are infants, invalids, criminals, insolvent, aliens and others who cannot have any participation in the political system. If they constitute people then the concept, as such, does not make any sense at all. Even the electorate cannot be called as people because they do not constitute a political entity. Further, all people do not participate in the election. Then the elections are won on the basis of majority. So does it mean that we should equate people with the majority of the electorate? In any case, the number of electorate in any country is very small in comparison to the total population and they cannot be regarded as legally sovereign. Infact, the more we go into the details, it is only confusion and nothing else. If we study the dynamics of modern democracy, we find that a voter is subjected to many influences and manipulations. People's choices are manufactured in the modern age of science and technology and democracy has become infected with mobocracy. Popular sovereignty may be successful in a small state with a system of direct democracy where the people directly participate in law making. It may also reflect in devices such as the referendum. But the modern state is a big state with a huge population. It is also a fact that the business of modern state has become too complex and it cannot run on the basis of referendum. The concept of popular sovereignty creates another problem. In the present system of democracy, the ruling elite as well as the opposition claim to be reflecting the will of the people and in such cases, it becomes increasingly difficult to discover the truth and if the concept of popular sovereignty is implemented legally, then it may lead to instability in the government. Yet all said and done, the concept of popular sovereignty has made a permanent contribution in Political Science because besides advocating the idea of popular control over the government, it is a strong repudiation of dictatorship and totalitarianism.

9.5 AUSTIN'S CONCEPT OF SOVEREIGNTY

The legal view, also called the monistic view or traditional view of sovereignty, was propounded by John Austin (1779-1859), a great jurist, in his book, *Lectures on Jurisprudence* (1832). According to Austin, "If a determinate human superior, not in the habit of obedience to a like superior, receives habitual obedience from the bulk of a given society, that determinate superior is sovereign in that society; and the society (including the superior) is a society, political and independent". According to Austin, following are the characteristics of sovereignty:

- i) Sovereignty is necessary for the state. Sovereignty is one of the four elements of the state. There cannot be a state without sovereignty. If state is the body, sovereignty is its spirit. The state cannot alienate itself from the power of sovereignty. The end of sovereignty means the end of state.
- ii) Sovereignty has to be determinate .It resides in a person or a body of persons. To Austin, State is a legal order in which the sovereignty can be located very clearly. It cannot be the people or the electorate or the General Will since all of these are vague expressions. It is not vested in God also. Sovereign must be a human being or a body of human beings who can be identified.
- iii) Sovereign is the supreme power in the state. He is the source of all authority in the state. His authority is unlimited and absolute. He does not take commands from any one as nobody has a right to command him. But he commands every one within the state. His authority is universal and all comprehensive. Sovereignty is independent from any internal or external control.
- iv) The Sovereign receives habitual obedience from the people. Thus, the authority of the sovereign is not casual. It is continuous, regular, undisturbed and uninterrupted. If a significant part of the population refuses to accept him and renders disobedience, then he is no longer a sovereign.

Similarly, a short term obedience is not an attribute of sovereignty. The power of the sovereign has to be permanent in society.

- v) Law is the will and the command of the sovereign. He is the source of law. Law is a command given by a superior to the inferiors who are in a state of subjection or dependence. Sovereign is above the customs and traditions of society. They exist with his permission. Whatever the sovereign permits, that alone can exist. The rights and liberties of the individual also emanate from the sovereign and do restrict the operation of the individuals' sovereignty.
- vi) Sovereignty has the legitimate physical force to exert command and obedience and enforce its laws.
- vii) The power of sovereignty is exclusive and indivisible. It is a unit in itself that cannot be divided between two or more persons. Division of sovereignty means its destruction.

Thus according to Austin, sovereignty is the supreme power of the state that is absolute, permanent, universal, inalienable, exclusive and indivisible. However, these characteristics are not acceptable to the pluralists who reject the entire thesis of Austin in toto.

9.6 PLURALISTIC ATTACK ON AUSTIN'S CONCEPT OF SOVEREIGNTY

The prominent pluralist writers are Dr.J.Neville Figgis, Paul Boncour, Durkheim, MacIver, Laski, Barker, Duguit, Krabbe, G.D.H.Cole and Miss Follet. Here we will study the pluralist attack on Austin's concept of sovereignty with special reference to Laski and MacIver.

The pluralists do not believe that the sovereign is determinate. According to them, the determination was possible in old days when the king ruled with absolute powers. But in modern times the political system is based upon the concept of popular sovereignty in which the government is responsible to the people who can make or unmake the government. The constitutions clearly proclaim the sovereignty of the people, but Austin will not accept people as sovereign. Similarly, the electorate cannot be termed as sovereign because both the terms- "people" and "electorate" are vague and do not constitute determinate human being in the Austinian sense. The task of locating sovereignty becomes more difficult in case of a federation in which the powers are divided between the centre and the units and both are supposed to be sovereign in their respective fields. In such a system, the constitution is supposed to be supreme but it is not a human being and hence, cannot be sovereign. Even in Britain where the supremacy of the parliament is the basic law of the land, the parliament cannot be termed as totally sovereign as it also works under limitations. Laski rightly points out that the real rulers of a society are not discoverable.

The pluralists believe that Austin's concept of sovereignty cannot be verified from history. According to Laski, historically, sovereignty has always been subjected to limitations except for a very small period when we really had a sovereign in Austin's sense. This was the period when the nation-state arose and the kings asserted their authority. This nation-state was the result of the religious struggle of the 16th century and the emergence of the sovereign state was a vindication of the primacy of the secular order over religion. Thus, there were certain historical factors which were responsible for the creation of absolute sovereignty of the state. And if we leave this brief period, we do not find any example of absolute sovereignty. In modern times, sovereignty is limited. The only exception could be the British King-in-Parliament but as Laski argues, 'everybody knows that to regard the King-in-Parliament as sovereign body in the

Austinian sense is an absurd'. No parliament can defranchise the Roman Catholic church or prohibit the existence of trade unions. Therefore, Laski says, "No sovereign has anywhere possessed unlimited power; and the attempt to exert it has always resulted in the safeguards." Infact, every sovereign has to work within the society and the society works through customs and traditions, which are the result of a long historical process and no ruler, no matter how ruthless he is, can violate them. It has been pointed out that internally the rights of the individual limit the sovereignty and externally, the international law restricts the operation of sovereign power. Besides the concept of popular sovereignty gives ultimate powers to the people and accordingly, the legal sovereign has to bow before them.

It will not be wrong to suggest that the pluralists have a great distrust of power and those who exercise it. That is the reason why Laski objected to the absolute powers of the sovereign. To him it is ethnically indefensible. It is ethically wrong as it retards the development of the individual and his moral stature. Austin makes the individual completely servile to the state and such an absolute sovereign would never grant any liberty to the individual. Laski stood for decentralisation and argued that the state should be responsible for its actions. The state should also protect and respect certain rights of the individual without which the individual cannot develop his personality. Laski reminded that the state is not an end in itself; rather it is merely a means to an end, the end being the enrichment of human lives and the position of the state will always depend upon its capability in achieving this end.

The Pluralists also reject the notion of law as advocated by Austin. According to Austin, law is the command of the superior and this command is from higher to inferior. Laski termed this as ridiculous. He pointed out that to call law, as a command from the higher to the inferior, is to strain its definition to the verge of indecency. Laws are universal in character and are applied on both the lawmaker as well as the subjects. But in the case of a command, the commanding authority is over and above its command and is not bound by it. Similarly, MacIver critcised Austin's concept of law as misleading as it denies two of the basic attributes which every law exhibits- its universality and formality. These attributes, MacIver argues, are necessary consequences of the structure and operation of every political system. Besides, the command belongs to the sphere of administration, as it is a means of execution. Command does not belong to legislation, as it is not a form of enactment. Infact, law is both permanent and fundamental than command. MacIver also pointed out that there are many kinds of law. For example, there are social laws, which are based on the customs and traditions of society, and some of them also become state laws. But, MacIver says, in the great book of the law, the state merely writes new sentences here and there and scratches out an old one. Much of the book was never written by the state at all, and by all of it, the state is itself bound, save as it modifies the code from generation to generation."Therefore to MacIver, the state is both the child as well as the parent of law and the authority of law is greater than the authority of state. The state is merely an official guardian of law rather than its maker. It has to uphold the rule of law. Laski stressed the fact that law is an instrument of satisfying social needs and the laws are followed not because of any coercion, but because they satisfy the requirements of the people. Duguit rightly says that, "Law is the product of our social life. We obey law because they are for social interest and that it is impossible to maintain social order without them". The absence of law would mean anarchy where no human existence would be possible.

The Pluralists also point out that there are customs and traditions in society, which were neither created by the state, nor the state has any control over them. Even the most dictatorial ruler had to bow before them. Laski gives the example of the Sultan of Turkey, who, even at the height of his power, was bound by a code of observance and it was compulsory for him to obey

them. Similarly, Sir Henry Maine gave the example of King Ranjit Singh who enjoyed absolute powers over his subjects and even the slightest violation could invite severe punishment, but even he did not violate the conventions of society. However in defense of Austin one may point out that Austin does not deny the existence of customs and traditions by saying that whatever the sovereign permits, he commands. But Pluralists do not accept this argument. Laski points out that the Sultan of Turkey had the power to change the social laws in theory only, in practice he survived by willing not to will those changes which might have proved him the sovereign of Austinian jurisprudence. MacIver forcefully asserted that the state cannot destroy the customs, because customs, when attacked by law, retaliate in return and in their retaliation, they attack not only the particular law but also the spirit of law-abidingness which is the basis of state.

The Pluralists view the state as an association. Here, firstly, they distinguish between state and society. According to MacIver, to identify the social with the political is to be guilty of the grossest of all confusion, which completely bars any understanding of society. The state exists within the society but it is not even the form of society. Infact, the society is composed of different associations and the state is one of them. There are many associations like the family and the church, which are as natural as the state and the state had no role in their formation. Legally, the state may be unlimited because it is the source of legal enactment but then the same is true of the Church because it happens to be the source of ecclesiastical law. The objective of an association is to develop human personality in the specific area for which it is formed. Thus, every association serves certain interests in society. Similarly, the state also looks after certain interests and all these associations including the state have their own distinctive identity and personality. Therefore, there cannot be one supreme power or as MacIver prefers to call, a single all comprehensive authority in society. Laski asserts that we are not a universe, but multiverse and the associations are as real as the state. The associations have their interests to promote and functions to serve and they are not dependent on the state; rather, they grow in the whole environment as a natural response to factors in that environment. They have an inner life that is as autonomous as the state itself. According to MacIver, “The difference between other associations and the state lies just in this: that the other associations are limited primarily by their objective, which is particular, whereas the state is limited primarily by its instrument, which is particular, while its objective is general, within the limits so imposed.” State laws are universal and they have coercive sanctions and therefore, the state should concern itself with those interests that are universal. Pluralists do not deny the essential differences between the state and associations. The state has a power to inflict corporal punishment over its citizens while the associations lack this power. Membership of a state is compulsory while in case of an association it is voluntary. The state is also territorial in nature while the association may cross the boundaries of different states. Similarly, unlike the associations, the state is permanent. MacIver says, “if a state dissolves, it is like convulsion of nature. If it breaks into two, it is with violence and fierce repulsion. This is not true in case of other associations”.

But nevertheless the state is an association and the above mentioned differences cannot give the state a special status. At the most, state can be, as Asirvatham suggests, first among equals and nothing more. It is only a particular group. Laski writes, “We then give to this particular group (i.e. the state) no peculiar merit. We refuse it the title of creator of all else. We make it justify by its consequences. We stimulate its activities by making it compete with the work of other groups co-extensive with or complementary to itself.” As an association, the state protects the interests of men as citizens. The state regulates the common needs in society. But it cannot control the internal affairs of other associations. It can neither determine their purposes nor (for the most part) their methods. As the human life and culture is diversified therefore, the doctrine of absolute sovereignty if actually practiced would be, in the words of

MacIver, fatal to the harmony of social life. Laski says that the structure of society is federal and therefore the authority must also be federal. It will be wrong to give all the sovereign powers to the state. Laski also felt that the allegiance to various associations depended upon their performance. Men belong to many groups at a time and a competition for allegiance is continuously possible and no group, including the state, can claim total loyalty from the individual. He wrote," The only state to which I owe allegiance is the state in which I discover moral adequacy, and if a given state fails to satisfy that condition I must, to be consistent with my moral nature attempt experiment...Our first duty is to be true to our conscience". The state, as an association, cannot regulate the total life of man. Its functions are merely to coordinate the activities of different associations in the society.

Austin's concept of absolute sovereignty has also been criticised by the pluralists on the basis of dangers that it poses to the maintenance of international peace and tranquility. The Pluralists point out that the doctrine of absolute sovereignty is incompatible with the interests of humanity as it leads to destructive wars. They believe that it is due to the notion of external sovereignty that the world had to face the two world wars that brought so much of suffering and destruction. With the stockpiling of nuclear weapons which can destroy the world many times and which can only lead to mutually assured destruction (MAD), there is an urgent need to restrict state sovereignty. Laski writes," Internationally it is not difficult to conceive the organisation of an allegiance which reaches beyond the limits of the state. To leave with a handful of men, for instance, the power to make war may well seem anachronistic to those who envisage the consequences of war. When state sovereignty in international affairs was recognised, there was no authority existent to which that type of control might be entrusted. It is atleast arguable now that an authority predominant over states may be conceived which is entrusted the regulation of those affairs or more than national interests. It involves at any rate, on the international side, abolition of state sovereignty." To Laski, international government is "axiomatic in any plan for international well-being. But international government implies the organised subordination of states to an authority in which each may have a voice, but in which also, that voice is never the self-determined source of decision". Laski firmly believed that the concept of the sovereignty of state would pass away, just as the divine rights of king had. Infact, the pluralists regard state sovereignty as an obstacle towards the establishment of international order, as such a concept has no concern for world peace and security.

Maxey sums up the major postulates of pluralism as follows:

- i) "That the state is but one of the numerous social, economic, political and other grouping through which men in society must seek to satisfy their interests and promote their welfare;
- ii) That these different groupings are not creatures of the state but arise independently and acquire power and authority not given by the state;
- iii) That the functions of such voluntary associations as churches, labour unions, trade organisations, professional societies and the like are as necessary as those of the state;
- iv) That the monistic state is not only incapable of wielding absolute authority over such bodies, but is incapable of regulating their affairs intelligently or administering them efficiently;
- v) That the monistic concept of sovereignty is a mere legal fiction which not only misses the truth but does incalculable harm in obstructing the evolution of society along more natural beneficial lines".

9.6.1 Pluralistic View of Sovereignty—A Critique

The pluralist assumptions and their critique of the legal view of sovereignty have been criticised on many grounds. Firstly, the pluralists suffer from an inner contradiction. On the one hand, they stand for decentralisation of power and autonomy of groups or associations, on the other hand, they also want the state to play a regulating role by coordinating the activities of the various associations. But the question is as to how the state will perform this function without overriding powers. Infact, by assigning the job of coordination, the pluralists give back the power of sovereignty with all its characteristics in Austin's sense to the state. Secondly, it is pointed out that modern society is highly complicated and the state must have power as the final judge in reconciliation of the interests of divergent groups. The concept of welfare state and planning has increased the activities of the state and it is dominating the entire life of an individual. No doubt, the individual is organised in groups and the groups play a commendable role in the enrichment of human personality but, that in any case, does not affect the primacy of state. Besides, various groups also perform functions that are over-lapping and the pluralists seem to have ignored this fact. These groups do not run on parallel lines and this is likely to clash and create disorder and chaos in society and the state will have to intervene to restore order. Finally, Austin himself will not object to what the pluralists stand for. He has only given a legal interpretation of sovereignty, which is the true statement of facts. International law is still in the developing stage and cannot be regarded as a limitation on sovereignty and legally speaking, customs and traditions are also no restraint on sovereignty. The inadequacy of the pluralist argument can be well understood when we find that even a strong advocate like Laski, later on, criticised the pluralist view of sovereignty. He pointed out that the pluralists failed in understanding the state as an expression of class relations. Laski accepted Austin's monistic doctrine when he said, "Legally no one can deny that there exists in every state, an organ whose authority is unlimited."

The significance of pluralism lies in its assertion of the importance of group life. As against the absolute authority of the state, the pluralists argued for democracy and decentralisation. Though it is difficult to accept the pluralistic abolition of state sovereignty, their contribution in explaining and emphasising the importance of groups or associations in the context of modern complex life can never be underestimated. As for state sovereignty, we are inclined to agree with Sabine that, "For my own part, then, I, must reserve the right to be a monist when I can and a pluralist when I must".

9.7 SOVEREIGNTY AND GLOBALISATION—NEW CHALLENGES

The modern world is often called the global village. Globalisation means the increasing interaction of the inhabitants of the world that has been hitherto unknown in the history of mankind. It is also seen as the process of integrating the national economy, culture, technology and even governance into a global system. The global interconnectedness, which is both reality as well as a necessity, has thrown many challenges to state sovereignty. State sovereignty today does not mean state autonomy or in other words, the right to do anything it likes. We know that the sovereignty of the state has never been in doubt, but it has always been under strains. It has never been absolute, except legally. The limitations on state sovereignty were recognised by Bodin, Hobbes, Hegel and Austin during the days when globalisation was not on the agenda of internationalism.

Today, globalisation has become a fact of our times, a fact that has raised many questions regarding the state and its sovereignty. The following aspects pointed out by David Held need our attention:

- i) With the increase in global connectedness, the number of political instruments available to governments and the effectiveness of particular instruments has shown a marked decline; border controls have lessened; and flow of goods and services, ideas and cultures has increased. The result is a decrease in policy instruments, which enable the state to control activities within and beyond its borders.
- ii) States can experience a further diminution in options because of the expansion in transnational forces and interactions, which reduce and restrict the influence particular governments can exercise over the activities of their citizens. The impact, for example, of the flow of capital across borders can threaten anti-inflation measures, exchange rates and other government policies.
- iii) In the context of a highly interconnected global order, many of the traditional domains of state activity such as defence, communication and the like cannot be fulfilled without resorting to international forms of collaboration. As the demands on the state have increased in the post-war years, the cooperation of other states has become necessary.
- iv) Accordingly, states have had to increase the level of their political integration with other states so as to control the destabilising effects that accompany global interconnectedness. They have to strengthen, for example, organisations like the International Monetary Fund (IMF) and the World Trade Organisation (WTO).
- v) With the growth of a vast number of institutions and organisations, a basis for global governance has already been laid. The new global politics involving among other things, multibureaucratic decision-making within and between governmental and international bureaucracies, and the like has created a framework in and through which the rights and obligations, powers and capacities of states have been redefined.

The sovereignty of the state continues, but the sovereign structure of the state is heavily influenced by global tendencies, besides those found within the boundaries of the state itself.

9.7.1 Sovereignty and Power-Blocs

The development of global system of states as it appears in the form of numerous power-blocs has immensely influenced state's authority and integrity. This is clear from the following:

- i) After the Second World War, the world was divided between the two blocs led by the U.S.A. and the USSR. Both of them exerted a great influence on their bloc-members in the operation of their domestic and foreign policy. This was the reason why India and many other non-aligned countries refused to join any of the two blocs, because in plain terms it meant putting restriction on the country's sovereignty and accepting the dictates of the bloc leader. After the disintegration of the USSR, we have a unipolar or multipolar world, in which the states are dependent on each other. The U.S.A. exerts a large measure of influence on the domestic and external policy of many states, especially the small and the weaker states.
- ii) The dominance of the U.S.A. and the USSR in their power alliances constrained numerous states from making decisions themselves or independent of their bloc leader. The NATO (North

Atlantic Treaty Organisation), the SEATO (the South East Asian Treaty Organisation), the CENTO (the Central Treaty Organisation), the OAS (the Organisation of American States), all under the American influence and the Warsaw Pact under the Soviet leadership gave meagre international choice to their respective member-states. Held says, “A state’s capacity to initiate particular foreign policies, pursue certain strategic concerns, choose between alternative military technologies and control weapon systems located on its own territory are restricted by its place in the international system of power relations.”

- iii) Each of these military alliances has its own structure, its own procedure and method of functioning and its own policy as developed by the member-states. But the influence of the leader goes unquestioned and the other member-states have limited options to operate on. Giving the NATO example, Held says, “Its (NATO’s) concern with collective security has trodden a fine line between, on the one hand, maintaining an organisation of sovereign states, and, on the other, developing an international organisation which operates defacto, if not de jure, according to its own logic and decision-making procedures.” The NATO is an example of a supranational organisation in which the USA commands while the other member states merely submit.
- iv) But even without a commitment to a NATO armed conflict, Held says, “state autonomy as well as sovereignty can be limited and checked”. This is because, he continues “the routine conduct of NATO affairs involves the integration of national defence bureaucracies into international defence organisations.” Such organisations create transgovernmental decision making systems which escape the control or even consultation of any single-member state. They lead to establish informal and yet powerful, transgovernmental personnel networks or coalitions outside the control of and accountability to any national mechanism.
- v) The membership of NATO or any other power-bloc does not abolish state sovereignty but it certainly compels the member-states to compromise on many issues.

9.7.2 Sovereignty and Global Economy

In economic field, no country can claim self-sufficiency. One sees the rise of the global economy in which national economies have no option but to readjust and redefine their priorities and goals. Here, following points need careful attention :

- i) The internalisation of production has been made possible through the organisation of multinational corporations. These corporations work across the borders and function outside the domain of national sovereignties. The Multinational Corporations (MNCs), says Held, “plan and execute their production, marketing and distribution, with the world economy firmly in mind.” Though these MNCs have a national base, the nation from where they originate, their interest is always global, as is their strategy. The states do little in controlling these corporations, while these corporations have much to do in guiding the policies of the states where they operate.
- ii) The financial organisations such as banks are becoming global progressively, no matter from where they function- London, New York or Tokyo. A greater role is being played by the new information technology in so far as it helps in the mobilisation of economic units-currencies, stocks, shares and the like-for financial and commercial organisations of all kinds.
- iii) With the technological advancement in communication and transportation, the separate market-boundaries, necessary for independent national economic policies are losing importance. Inspite of the fact that the distinctive identities are kept preserved, markets and societies are becoming

more sensitive to one another. To a great extent, the possibility of a national economic policy has, accordingly, reduced so as to suit itself to the claims of international financial and fiscal system. Likewise, as Held says, “the levels of employment, investment and revenue within a country are often subordinated to the decisions of MNCs...”

- iv) As no country is self sufficient, especially in economic matters, the states have to organise themselves regionally and globally. There are such groups, though loose, as West-West, North –South, South-South, East-West, the developed and the developing. These groups do affect the economy of each individual state.

Thus we see that the internationalisation of production, finance, management and distribution is unquestionably eroding the capacity of each individual sovereign state to do what it wants to do. No country, howsoever strong it may be, has control over its future economic policies, for it has to affect and get affected by the economic policies as they are pursued globally. There is a definite diminution of state autonomy in the face of world economy.

9.7.3 Sovereignty and International Organisations

Modern times have witnessed the growth and development of a large number of international organisations, which limit state sovereignty. The following points need attention in this context:

- i) The international organisations are making global decisions and the states have to respect them. In today's world, no state can take the United Nations for granted and each state has to function within the framework of the UN Charter. The international organisations are setting up international standards to be followed by the individual states. For example, the preamble of the UN Charter asserts its determination to affirm faith in fundamental human rights, in the equal rights of men and women and the nations, large and small. The Universal Declaration of Human Rights contains those rights which are universal and transcend national boundaries. They are very comprehensive and include all kinds of rights like civil, political, economic, social, cultural and collective rights like the rights of minorities, indigenous people and the right to development. It is becoming increasingly difficult to the states to violate these human rights. The states have to observe these rights in their dealings with the secessionist and ethnic groups also. Infact, there are many international organisations and numerous pressure groups that influence the activities and policies of the national states.
- ii) Then there are international organisations which work in technical areas and are non-controversial like the Universal Postal Union (UPU), the International Telecommunication Union (ITU), the World Meteorological Organisation (WMO). These organisations supplement the services offered by the individual states to their citizens. These non-political and technical organisations do influence some notable aspects of the foreign policies of individual states and as such do not allow them to act arbitrarily.
- iii) But then there are many controversial organisations like the International Monetary Fund (IMF), the World Bank, the United Nations Conference on Trade and Development (UNCTAD) and the World Trade Organisation (WTO) which are non-state actors and have usurped the functions of state. They even take up a supranational role in certain areas.
- iv) The operations of the IMF go a step further and almost grab the sovereign rights of a nation. While giving loan to a particular state, the IMF may insist on certain conditions such as a cut on public expenditure, devaluation of currency, a cut on welfare programmes, liberalisation and

privatisation of economy and all this diminish the sovereignty of the concerned state. The developing countries have to tolerate the intervention of the IMF, even if it leads to many internal troubles like food riots, or the fall of a government or even imposition of martial law.

- v) Another important international organisation that has become highly controversial is the World Trade Organisation (WTO). The World Trade Organisation is a permanent legislative body and acts as a watchdog in the spheres of trade in goods, services, foreign investment, intellectual property rights and in all these spheres, state sovereignty has been curtailed. The constitution of the WTO makes the provision for the further expansion of the jurisdiction of WTO activities. It has been pointed out that the WTO has emerged as a virtual parliament in economic matters and possesses power to make laws on the subjects which hitherto have been the domain of state legislation. No state can go against the decisions of WTO even if it harms their interests.
- vi) The European Union (EU) provides a bigger threat to the sovereignty of the states. Members of the EU have delegated their sovereignty in certain matters to the Union. It has an executive body in the form of the President and members of the European Commission, legislative body in the form of the European Parliament and the European Council (the Council is the main decision making body and also the union legislative body which exercises legislative power in co-decision with the European Parliament), a Court of Justice and a Court of Auditors. There is also a European Bank with the responsibility of framing and implementing monetary policies. The EU can make laws that are, or can be, imposed on the member-states. The EU has become, more or less, a supranational agency, for within it, the Council has the power to make or enact policies. It also coordinates international agreements, on behalf of the EU with one or more states or international organisations. Accordingly, the member-states of the EU are no longer the sole centres of power within their own borders. Within the Union, sovereignty is clearly divided; any conception of sovereignty, which assumes that it is indivisible, unlimited, exclusive and a perpetual form of public power-embodied within an individual state is defunct.

9.7.4 Sovereignty and International Law

International law has also affected the sovereignty of the state. This is clear from the following:

- i) By state sovereignty, we mean the right of the state to act independently and under no explicit influence of any other foreign government. It implies, among other things, two points; (a) that a state is powerful enough to protect its own autonomy in all matters of foreign policy, and (b) to prevent domestic courts from ruling on the behaviour of foreign states. Such aspects of state sovereignty are under strain. The EU laws, for example, hardly ensure national sovereignty to any of its members.
- ii) The UN Declaration of Human Rights and other conventions, which are part of international law and are increasing by becoming binding on the states, are not the results of the states acting individually. They may not take away the sovereignty of a state, but certainly fashion it.
- iii) The European Convention for the Protection of Human Rights and Fundamental Rights is a typical case, which does not fit in the framework of sovereignty. Any citizen belonging to the European Union can demand the introduction of any right included in the Convention, but not incorporated in the constitution of the concerned state. Obviously, the European Union does not leave an individual state free to treat its own citizens, as it thinks fit.
- iv) Though the international law is a law applicable for states, the individual is also becoming the

subject of international law. The International tribunal at Nuremberg stated that “crimes against international law are committed by men, not abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced”. The tribunal also made clear that when international rules concerning humanitarian values come into clash with state laws, individual laws must transgress the state laws.

- v) Infact the international law is no longer a law between the states only and exclusively. It is changing and gaining ground for itself increasingly on the norms of co-existence and cooperation. Unlike the traditional international law which assumed the separateness of the individual states, the new international law is binding itself on the concept of togetherness and closeness of the numerous states.

9.8 SUMMARY

Sovereignty is the supreme power of the state by which the state exerts its authority. Legally speaking, there cannot be any restriction to its power of exerting obedience. It also monopolises the power of using legitimate physical force. This view is best represented in Austin's concept of sovereignty in which sovereignty has been depicted as permanent, absolute, universal, inalienable, exclusive and indivisible. The state essentially functions on the basis of this doctrine only. But it is also a fact that state sovereignty has always been subjected to limitations and in practical terms, the power of sovereignty has never been supreme. The pluralists have remarkably projected this view where they conceived state as an association. They argued for a limited state and division of sovereign powers between the state and other associations. Though legally the pluralistic views cannot be acceptable, politically and socially they are very attractive since they depict modern democratic ideals. It is also a fact that time is changing very rapidly and theoretically the concept of state sovereignty still exists but very important in-roads have been made especially since globalisation has curtailed the effectiveness of the state supreme power.

9.9 EXERCISES

1. Explain the development of the concept of sovereignty.
2. Define sovereignty. What do you understand by internal and external sovereignty?
3. Differentiate between (a) real and titular sovereignty and (b) legal and political sovereignty.
4. What do you understand by de jure and defacto sovereignty? Explain the concept of popular sovereignty.
5. Discuss the characteristics of sovereignty as advocated by Austin.
6. Discuss the pluralist critique of Austin's concept of sovereignty.
7. To what extent do you think the pluralists' criticism of Austin's concept of sovereignty is justified? Do power alliances limit the sovereignty of a state?
8. Do you think that world economy, international organisations and international law have really affected state sovereignty?

UNIT 10 STATE AND CIVIL SOCIETY

Structure

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- 10.4 Concept of Civil Society: An Overview
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10.1 INTRODUCTION

The concept of state occupies a central place in Political Science. No discussion on political theory is complete without reference to the word ‘state’. The state, indeed, touches every aspect of human life, and this is why it has, very rightly, captured the attention of all political philosophers since the days of Plato. To understand the state as an administrative machinery ordering public life is to know its one aspect. Important though this aspect is, it is not the only aspect which explains as to what it is. The state is where it operates on. Its real meaning together with its other related implications emerges more clearly when it is understood in relation to the domain of its area of operation, which is what society is.

What is state? What is society or civil society? What is the relationship between the two or how do the two stand in relation to each other? What is so particular about civil society that gives the state a different connotation? These questions have been, and actually are, central to the themes of political theory and to these questions, answers have been addressed by numerous political theorists.

A discussion on issues relating to these two terms, the state and civil society, would help us to know their meanings, implications and the relative perspectives in which these two concepts stand to each other.

10.2 STATE AND CIVIL SOCIETY: MEANING AND CHARACTERISTICS

It is very common to address society as civil society, civil society as political society, political society as state. To understand each as one or the other is to know none of them. While the concept ‘society’ is a generic term, the term civil society denotes a type of society particular to a time and set in a particular situation. ‘Society’ refers, in general terms, to the totality of ‘social relationships’, conscious or unconscious, deliberate or otherwise. ‘Civil Society’, on the other hand, concerns itself to matters relating to ‘public’. This brings the term ‘civil society’ close to the concept of ‘political society’. Indeed, the two terms presuppose a society where civility is their characteristic feature, but ‘civil society’ extends to areas *far away* from the reach of ‘political society’. The institution of family, for example, is an area covered by ‘civil society’, but it is a domain where ‘political society’ does better to stay away from. ‘Political society’ covers a whole range of activities related to ‘political’ directly or indirectly, but it remains *wider* than the term ‘state’ when the latter is treated merely as a matter of governance.

It is indeed, important to know the meanings of these terms clearly if one seeks to understand the relationship between them, especially between the state and civil society.

10.2.1 Meaning of State

The state, as a word *stato*, appeared in Italy in the early part of the sixteenth century in the writings of Machiavelli (1469-1527). The meaning of the state in the sense of a body politic became common in England and France in the later part of the sixteenth century. The word *staatskunst* became the German equivalent of *ragione di stato* during the seventeenth century and a little later, the word *staatrecht* got the meaning of *jus publican* (see Sabine, “State”, *The Encyclopaedia of the Social Sciences* Vol. XIV). Thus, came the use of the term ‘State’.

The state has included, from the beginning, a reference to a land and a people, but this alone would not constitute a state. It refers also to a unity, a unity of legal and political authority, regulating the outstanding external relationships of man in society, existing within society. It is what it does, i.e., creates a system of order and control, and for this, is vested with the legal power of using compulsion and coercion.

A state, thus, is found in its elaborate system. It is found in its institutions which create laws and which enforce them, i.e., in institutions such as the legislature, the executive and the judiciary. It is found in the bureaucratic institutions which are attached to every executive branch of the government. It is found in the institutions which are called into operation when its will is challenged, i.e., the military and the police. The state is the sum – total of these institutions. Ralph Miliband (*The State in Capitalist Society*) writes, “These are the institutions – the government, the administration, the military and the police, the judicial branch, sub-central government and parliamentary assemblies – which make up the state...”. In these institutions lies the state power; through these institutions come the laws of the state, and from them spring the legal right of using physical force.

The state as governance is a system related to what may be called the political system or the political society. It includes, on the one hand, institutions such as the political parties, pressure groups, the opposition, etc., and on the other, large-scale industrial houses, religious and caste institutions, trade unions, etc. These institutions, existing outside of the state system, attempt to

influence the functioning of the state, somewhere even dominating it, and somewhere in collaboration with it. Skocpol (*States and Social Revolution: A Comparative Analysis of France, Russia and China*) sums up what Neera Chandhoke (*State and Civil Society*) calls the statist perspective of the state, “the state properly conceived is rather a set of administrative, policing and military organizations headed, and more or less well coordinated by, an executive authority. Any state first and fundamentally extracts resources from society and deploys these to create and support coercive and administrative organizations.... Moreover, coercive and administrative organizations are only parts of overall political systems. These systems also may contain institutions through which social interests are represented in state policy-making as well as institutions through which non-state actors are mobilised to participate in policy implementation. Nevertheless, the administrative and coercive organisations are the basis of state power.”

The other strand giving the state a meaning comes from Michael Foucault ('Truth and Power' in P. Rabinow, ed., *The Foucault Reader*, 1987) who regards the state as built on power relations already existing in society. Chandhoke writes about Foucault, “The state, he (Foucault) concluded, can only operate on the basis of existing relations of domination and oppression in society.”

Rejecting both the perspectives of the state, Chandhoke says, “The statist (Skocpol and others) concentrate on the state at the expense of society, and the theorists in the Foucauldian mode concentrate on social interaction at the expense of the state.” She concludes that the state, with a view to understanding it in relation to society, and vice-versa, “is a social relation because it is the codified power of the social formation.”

10.2.2 Meaning of Civil Society

The concept of civil society, to give it a meaning, embraces an entire range of assumptions, values and institutions, such as political, social and civil rights, the rule of law, representative institutions, a public sphere, and above all a plurality of associations. Commenting on it, David Held (*Models of Democracy*) stated that it retains “a distinctive character to the extent that it is made up of areas of social life the domestic world, the economic sphere, cultural activities and political interaction ... which are organised by private or voluntary arrangements between individuals, and groups outside the direct control of the state.” Adding to political interaction, civil society constitutes what Jurgen Habermas called ‘the public sphere’. Enlarging the view of civil society, one may include in it the structure of modern national state, economic modernization, great interconnectedness with other societies, free enterprise and what John Dunn (*Western Political Theory*) refers to as “the modern representative democratic republic.”

Chandhoke sums up the meaning of civil society “as the public sphere where individuals come together for various purposes both for their self-interest and for the reproduction of an entity called society.” “It is a”, she continues, “sphere which is public because it is formally accessible to all, and in principle all are allowed entry into this sphere as the bearers of rights.”

The concept of civil society came up as and when a social community sought to organise itself independently of the specific direction of state power. Historically, the concept, Chandhoke says, “came into existence when the classical political economists sought to control the power of the Mercantilist State”. With the passage of time, the concept of civil society moved on progressively: becoming a central plank of democratic movements in eighteenth century.

10.2.3 Characteristics of State and Civil Society

State exists within the society. This makes the state and society analytically distinct. The two are not the same. Society is a web of social relationships and as such, includes the totality of social practices, which are essentially plural, but at the same time, are relational. The hierarchically organised and maintained social practices of a given community establish, in their turn, all kinds of power equations and relations among its members. The state comes in to give these power relations a fixity, and thereby to society its stability. The state gives legitimacy to social relationships as expressed in social practices because it recognises them and codifies them through legal acts. It is in this sense that the state can be described as the codified power of the social formation of a given time.

The state, so considered, is itself a distinct and discrete organisation of power in so far as it possesses the capacity to select, categorise, crystallise and arrange power in formal codes and institutions. And this capacity gives to the state its status – power, power to take decisions, power to enforce decisions, and also power to coerce those who defy them. But the state so considered derives its power from society. It is, in this sense, a codified power, but within the framework of the society in which it operates.

The state, as a social relation and also as a codified power in a given society, would have certain characteristics of its own. These characteristics can be stated as:

- a) The state is a power, organised in itself. It has the power to legitimise social relations and gives them recognition through formal codes and institutions. This gives the state a distinct and irreducible status in society while making it autonomous from classes and contending factions existing in it.
- b) The state emerges as a set of specifically political practices which defines binding decisions and enforces them, to the extent of intervening in every aspect of social life.
- c) The state monopolises all means of coercion. No other organisation in the society has this power.
- d) The state gives fixity to social relations, and social stability to society. The social order, according to Chandhoke, “is constituted through the state and exists within the parameters laid down by the state.”
- e) The state exists within the framework of a given society. As society responds to the changing conditions compelled by numerous social forces, the state responds to the changing society. The state always reflects the changing relations of society. As society constantly re-enacts itself, so does the state.

The liberal and the marxist perspectives of civil society differ drastically. For the liberals, civil society presupposes democratic states together with the accountability of the states, the limits on state power, the responsiveness to the spontaneous life and the interactions of civil society. For the marxists, civil society is the arena of class conflicts, selfish competition and exploitation, the state acting to protect the interests of the owning classes. A definition of civil society comprising the insights of both the liberals and the marxists must take into account the following:

- a) The state power must be controlled and it has to become responsive through democratic practices of an independent civil society

- b) Political accountability has to reside not only in constitutions, laws, and regulations, but also in the social fabric or what Habermas calls the competence of the ‘political public’ which, in turn, has the following implications: (i) it implies that the people come together in an arena of common concerns, in debates and discussion and discourse free from state interference (ii) it implies that the discourse is accessible to all (iii) it implies a space where public discussion and debate can take place.
- c) Democratic norms and processes have to be imbibed in the social order.
- d) Civil society is the public sphere of society. It is the location of these processes by which the experiences of individuals and communities, and the expression of experiences in debates and discussions, affirmation and constitution are mediated. It is also a theatre where “the dialectic between the private and the public are negotiated. It is the process by which society seeks to “breach” and counteract the simultaneous “totalisation” unleashed by the state” (Bayart, “Civil Society in Africa”, in Chabal, P., ed., *Political Domination in Africa: Reflections on the Limits of Power*). It is a site where the state is forbidden to shape public opinion and perceptions.

10.3 CONCEPT OF THE STATE: AN OVERVIEW

The state, being at the very core of political theory, has been defined differently by different political philosophers since the time of the ancient Greek. For some, it is an institution of coercion, while for others, it is the custodian of the rights of the people. While some, like the anarchists, would like to abolish the state straight away, others like the socialists of the non-marxian shade would want it to stay to establish socialism.

Despite the fact that the state has meant different things to different people, one cannot ignore the central place the state has in political theory. One would do better, if one attempts to discuss the meaning of the state vis-à-vis society which has come to us by a host of eastern political philosophers.

10.3.1 The Pre-modern Tradition

In all his works in political theory, there is a strong case which Plato (428/7- 348/7 BC) builds in favour of an omnipotent rule. The problem to which Plato addressed himself was not as to how best a government could be created, but as to how the best government could be installed. It is the job of the government, Plato affirmed more than once, to help people live a complete life. It is, thus, with Plato a matter of just not a government, but a just government, just not a government any how, but a perfect government, the government that was able to deliver happiness for all who lived therein. For Plato, a state is a system of relationships in which everyone does his own business and where the job of the state is to maintain, and promote such relationships.

Following his teacher Plato, Aristotle (384-322 BC) defined the state as *polis* (the ancient Greeks used *polis* for the state) as a community, which exists for the supreme good. He says that the state is “an association of households and villages sharing in a life of virtue, and aiming at an end which exists in perfect and self-complete existence.”

Both Plato and Aristotle, and for that matter all Greeks, thought of *polis* as more than a state. It was an arrangement of administrative machinery, a government or a constitution, but was also a school, a church laying the guidelines for a way of life, which for them, was nothing but

leading a full life. For Plato and Aristotle, there was no distinction between the state and society: the state was an organ and a part of the society; it was submerged in the society itself. In addition, the Greeks thought of the polis as an ethical entity and that was why they assigned, ethical functions to be performed by the rulers of the state, i.e., good, happy and complete life. Barker writes, “It (the polis) is more than a legal structure: it is also a moral spirit”. An ancient Greek would never imagine himself without the polis, he was only a part of the polis, a part of the whole. Barker says, “Here (in ancient Greece) were individuals, distinct from the state, yet in their communion forming the state.” Wayper also says “For life to be worth living must have a meaning, and only in the polis they (the Greeks) were sure, did it acquire meaning. There was no distinction between political, social and ethical life in ancient Greece. The society was the state as the state was with Plato and Aristotle, a government: the freeman, the master was a citizen, a legislator and a member of the society; he as the ruler ruled the individual as a member of the society, all the individuals, the whole society. The slave-owing society of ancient Greek times could hardly be expected to give a theory of state, nay a theory of society, more than that of the government, precisely, the rulers”.

To Cicero’s writings would go the credit of giving a notion of the state which is not a polis, but a commonwealth. Like the ancient Greeks, Cicero also regards the state submerged in the society, a part, i.e., an integral part of the society. Cicero says, “The Commonwealth, then, is the people’s affairs, and the people is not every group of man, associated in any manner, but is the coming together of a considerable number of men who are united by a common agreement about law and rights, and by the desire to participate in mutual advantages.” From this, Cicero’s theory of state can be summed up as: (i) the state is differentiated from people’s gatherings, i.e., society (ii) the people enter the state after they agree on certain rules, giving people a ‘legal’ status, which lead them to form ‘legal community’ (iii) the state exists when people agree to participate in its affairs. In Cicero’s theory, there is a theory of state different from the theory of society; he makes a distinction between the state and the society; his theory of state is the theory of government as well as a theory of political community.

The medieval political theory in the West was mainly concerned with Christianity where social life was more a religious life regulated by the dictates of the Roman Catholic Church headed by the Pope. Christendom ruled the universe and politics was controlled by the Church. The temporal power was regarded inferior to that of the ecclesiastical, the state acting as a footnote to the wider world. The state, in the medieval European world, was thought of as a means for reaching the *City of God* (St. Augustine), and the human law was to work under the divine law, natural law and ultimately, under the eternal law (St. Thomas). It was not the society that controlled the state, but those who controlled the society— the Pope, the Church priests, the monarchs and the feudal lords— who controlled the state i.e., the state machinery.

10.3.2 The Liberal-Individualist Tradition

With the modern age ushering in the Western World during the fifteenth-sixteenth centuries, there appeared a definite theory of state. The liberal-individualist philosophers, with Hobbes (1588-1679) onward, came to make a clear distinction between the state and society by making the state a matter of mere governance. All liberals, basing their political theory on individuals, came to build political power, the state, as an instrument, some like Hobbes giving all powers to the state while others like Bentham (1748-1832) making it a non-interventionist one. All liberals argue for an autonomous individual, the degree for individual autonomy differing from philosopher to philosopher. The liberals’ laurels included “individual liberties, rights as sacred as natural, property ethos, rule of law, free, competitive and market economy … all to remain free

from the interference of the state. The early modern political theory could not make distinction between state, and government, ... All regarded state power as political power, and political power as the power of the government”.

The Machiavellian state (credit goes to Machiavelli for introducing the word ‘state’ in Political Science), whether princedom or republic, is a power state, meaning thereby that it exists for power and exists because of the power whose main interest is to maintain, enhance and enlarge its own authority. For Bodin (1530-1596), the state is “a lawful government, with sovereign powers, of different households, and their common affairs”, considering the state affairs as concerning the ‘public’. “The final cause, end, or design of men”, Hobbes says, “is the foresight of their own preservation, and of a more contented life”.

With Locke (1632-1704), the liberal theory gets impetus and the state comes to protect property, and promote a better economic life, for liberalism comes to stay as the political philosophy of the capitalist class, the democratic flavour joining it at a later stage of development. The early liberal-democratic theory restricted the role of the state to the minimal, protecting life, liberty and property of its citizens from external aggression and internal chaos on the one hand, and providing a system of justice and public works, and amenities on the other hand, with no role for the welfare of the people.

It was John Stuart Mill (1806-1873) first, and T.H. Green (1836-1882) later who expanded the positive role of the state in preparing a conducive atmosphere where the individual could enjoy a better way of life. Mill and Green introduced democratic elements in the organisation and functioning of the state, though both could hardly leave their capitalistic shackles.

To sum up, one may, therefore, conclude that the early modern political theorists such as Machiavelli and Bodin could hardly see beyond the omnipotent state. The contractualists, especially Hobbes, had thought that in order for society to come into existence, a strong state is required. The early liberals such as Locke, Smith, Bentham held the view that as the society has the capacity to reproduce and regenerate itself, the state and its power should be minimal. But the later liberals, J.S. Mill, T.H. Green, De Tocqueville felt that numerous social associations, while enhancing social ability, could become instruments through which individuals could fashion a political discourse which could limit the nature of state power. The liberal pluralistic, in the third and fourth decades of the twentieth century were able to build a strong case for the numerous associations, existing in society, to control the omnipotence of the state while balancing the latter against the claims of the society.

10.3.3 The Marxian Tradition

The Marxian theory of the state emerged, as a reaction against liberalism. For the Marxists, state and society are two distinct entities, though the state is not independent of society. The society type explains the type of state, society providing the base on which stood the superstructure. The Marxists, regarding the state as a product of a class society, believe the state to be a class institution, protecting and promoting the possessing class, and oppressing and coercing the non-possessing class. For them, the state is an engine of class rule. But it is also an instrument of social and political change, its negative function is to destroy the remains of the earlier society, while it, through its constructive functions, builds the structure and culture of the class it is manned with.

Chandhoke discerns three theoretical moments of the Marxist theory of state. The first such moment has been when Marx and Engels, in the *Manifesto of the Communist Party* (1848)

regard “the executive of the modern state ” as “a committee for managing the common affairs of the whole bourgeoisie”. Marx also writes in the preface to *Towards a Critique of Political Economy* (1859), “the totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness.” This base-superstructure model of the state was a reaction to the liberal concept of the disembodied state standing apart from society as also a reaction against the Hegelian model of the all-powerful state while subordinating civil society to it. The second moment, appearing around the 1960s and with Ralph Miliband and Hanza Alvi, questions the nature of the state and its relationship with society. In it, the state emerges as a distinct theoretical object in its own right and state-centric theory emerged as the dominant stream of political theory. The third theoretical moment was made possible through the contributions of Nicos Poulantzas and Claus Off. This moment saw political theorists preoccupied with concepts and theories. Following Gramsci, who had conceptualised the state as the political consideration of civil society, the Marxist political theorists of the third theoretical moment began a spiralling interest in civil society as the sphere where meaningful practices, both hegemonic and subversive, are generalised.

10.4 CONCEPT OF CIVIL SOCIETY: AN OVERVIEW

The concept of civil society is associated with the Western intellectual tradition. With the epochal changes in the West, the idea of civil society has grown progressively. Many factors have gone into developing the concept of the state as it has come to stay with us. These factors, to mention a few, include the emergence of secular authority, the development of the institution of property, the decline of the absolutist state, the growth of urban culture, the rise of nationalist and democratic movements, until the end of the nineteenth century and the rule of law. As the capitalist economy with its democratising features has developed, so has the concept of civil society.

10.4.1 The Pre-Modern Tradition

If the idea of civil society contains in it the idea of what relates to public, the pre-modern times may well be regarded as opposed to the concept of civil society. The Platonic rulers alone were the administrators and a large number of those who constituted ‘the producing class’ had no role to play in public affairs. The Aristotelian notion of ‘*zoon politikon*’ (man as a political animal) was elitistic in the sense that (i) the political animal was a male, (ii) he alone was a citizen and (iii) he alone was a property holder. The rest of the population, the women, the slaves etc., constituted Oikes, i.e., the private world and that could hardly be termed as constituting the civil society. As the ‘private’ was not ‘public’, it was not political and none belonging to it had any citizenship rights. The Greek society, Chandhoke points out, did not ‘possess any notion of inalienable rights of man to individual freedom which became so prominent a feature of early version of civil society.’

By developing the concept of rights, legally ordained, and especially relating to property of the individual, there did emerge the notion of ‘civil society’ in ancient Roman thinking. Indeed the notion of ‘civil society’ did need such an atmosphere to shape itself, but the ancient Roman thought could hardly rise above that, notwithstanding the attempts at making distinction between ‘private’ and ‘public’ which the ancient Romans really did.

During the whole medieval period in the West when politics took the back seat, the idea of civil

society got eclipsed. What related to ‘public’ as ‘political’ was limited to a very few people called the feudal lords, barons, dukes and counts. The idea of civil society was almost unknown.

10.4.2 The Liberal-Individualist Tradition

The early modern period with Machiavelli and Bodin saw the emergence of politics, but the period itself did not witness the corresponding growth of the idea of civil society. The civil society, as a concept, rose with the idea of individuals with rights, individuals related to the state, and individuals related to others in society.

There is the clear reference to civil society both in Hobbes and Locke when the two sought to make a distinction between the ‘state of nature’, and the ‘civil society’ or the ‘political society’ after the contract was made. Both talk about the rights-bearing individuals; both sought the state to protect these rights. It is difficult to regard the contractualists, Hobbes and Locke, as theorists of civil society because (i) their formulations on civil society are found in an embryonic form and (ii) their attempts, despite a rational and persuasive explanation on state and society, remained arbitrary (see Chandhoke, *State and Civil Society*).

The concept of civil society has emerged clearly between the seventeenth and the nineteenth century, especially with the classical political economy theorists such as Adam Smith. Classical political economy, echoing individual rights like laissez faire, freedom, equality, made the institution of state as simply irrelevant, devaluing it, and that of civil society as what Marx had said ‘theatre of history’. This helped “the civil society”, Chandhoke writes, “as a historically evolved area of individual rights and freedoms, where individuals in competition with each other pursued their respective private concern.”

The advent of the idea of civil society, coming from the writings of political economy theorists, was to have its shape vis-à-vis the state. J.S. Mill and De Tocqueville who thought that the state had become much more powerful than desired, sought to limit the power of the state through the mechanism devised in the ever developing concept of civil society. Chandhoke sums up this phase of liberalism, saying: “.... Civil society was used as a concept primarily for organizing state-society relations. The expansion of the state, it was perceptively recognized, would contribute to the shrinkage of the civil arena. State power could be limited only with the expansion of civil society.”

The process of democratisation in the west made it possible for civil society to expand itself, and in the process, restricted the area of the state. But elsewhere, the concept of the state gained prominence restricting thus, the arena of civil society. The views of Hegel, and therefore, of Marx and Gramsci should be of some interest.

10.4.3 The Hegelian, Marxian and Gramscian Traditions

There is a definite relationship between the state and civil society in the writings of Hegel (1770-1831). He views the state as the latest link growing out of the development of various institutions. Describing the state as the synthesis, representing universality, of the thesis of families and the anti-thesis of civil society, Hegel recognises the state as higher in kind than civil society. Hegel regards the state as the highest, the latest, and even the final form of social institutions. For him, civil society, as the anti-thesis of the thesis of family is “an expression for the individualist and atomistic atmosphere of middle class commercial society in which relationships are external, governed by the ‘unseen’ hand of the economic laws rather than by the self-conscious will of

persons.” So, civil society, a negative institution as it is for Hegel, belongs to the “realm of mechanical necessity, a resultant of the irrational forces of individual desires”, governed, as Sabine says for Hegel, “by non-moral casual laws and hence, ethically anarchical.” The thesis (the family) and the anti-thesis (the civil, the bourgeois society) merge into what Hegel calls the state (the synthesis). Thus, the state comes to have the universality of civil society and the specificity and the individuality of the family.

Thus, while the political economy and the liberal-democratic theorists had given primacy to civil society, and had given the state a back seat, Hegel reverses the position and puts the state in the position of civil society. According to Hegel, ultimately civil society is subordinated to the state, and the individual, to the whole. “Consequently, in Hegelian formulation”, Chandhoke says, “there can be no interrogation of the state, of its designs for universality, or of its rationale. The resolution of the contradiction of civil society is the state, and therefore, between the people and the state, there is no dichotomy, only legitimacy and acceptance.”

Marx, unlike Hegel who had made the civil society a hostage and who had idealised the state, seeks to restore the civil society to the position of making it the theatre of history. But the civil society, Marx argues, has failed to live up to its promises, had failed to create a situation where the individual could find freedom and democratic transformation, had to seek ways and means through which individuals could integrate into the society and the state.

Gramsci (1891-1937) following Marx and developing his theory of state takes into account the reality of civil society. His main proposition is that one cannot understand the state without understanding the civil society. He says that the ‘state’ should be understood as not only the apparatus of government, but also the ‘private’ apparatus of hegemony or civil society. Building on the Marxian notion of the state, Gramsci makes a distinction between the state as a political organisation (the integral state, the visible political constitution of civil society) and the state as government. The integral state keeps reproducing itself in the practices of everyday life through activities situated in civil society. It is hegemony which provides moral and intellectual leadership to practices in civil society. Hegemony, for Gramsci, works for both, for the dominant as well as the subaltern class in civil society. Each class must, Gramsci says, before seizing power, hegemonise social relations in society.

To sum up, it may be said that for both the liberals and the Marxists, civil society is primary. While the liberals argue for the separation of civil society from the autonomy of the state, the Marxists, on the other hand, create an alternative tradition of civil society, in which, the civil society, with its all potentialities, has to keep itself always reorganised and transformed.

10.5 RELATIONSHIP BETWEEN STATE AND CIVIL SOCIETY

The relationship between state and civil society is important in so far as it suggests the comparative position of each in relation to the other. In some analyses, this relationship is depicted as a zero-sum game: the stronger the state, the weaker the civil society; the weaker the state, the stronger the civil society. Obviously, the expansion of the area of state activity would help minimise the role of civil society; the expansion of the area of civil society would help, on the other hand, minimise the role of the state. In modern liberal societies of our time, the civil society ‘sphere’ is larger than that of the state, while in dictatorial regimes of any sort, the state’s ‘sphere’ is larger than that of civil society.

10.5.1 State and Civil Society: Integrative Relationship

State and civil society are not two opposite concepts. One does not stand in conflict with another. Neither is one the anti-thesis of the other. The two should not be regarded as usurping the area of each other. It is not a zero-sum game relationship between the two. Indeed, the relatively stronger state would put a premium on the role of civil society, but this, in no way, diminishes the effectiveness of civil society. The libertarian view, expressed in the writings of Hayek or Nozick, that the state is likely to oppress civil society is, more or less, ill-founded. The fact of the matter is that the relationships between state and civil society are reciprocal; the relationships are of an integrative nature, each strengthening the cause of the other. It is, in fact, difficult to conceive of civil society functioning successfully without the state. We see the citizen simultaneously constrained by the state and protected by it. It is the state which provides the integrative framework within which the civil society operates; civil society cannot function properly without the state. The integrative framework, as expressed in laws and rules, is accepted as valid by all, the framework needs to be administered neutrally and in a manner consistent with the shared culture of society. We cannot imagine life without this integrative framework, which creates a degree of coherence and without which civil society is likely to become uncivil. Civil society has to open up, in the face of the all-powerful state, to challenge the bureaucratic devices lest it ends up in rigidity. It is, thus, the reciprocity between state and civil society that is significant or at least, should be considered significant. State power is to be exercised within the larger and wider sphere of civil society, and civil society has to keep state power on its toes so that it does not degenerate into absolutism.

10.5.2 State, Civil Society and Democracy

The two concepts, state and civil society, are not in conflict with each other. Democracy integrates the two. The claims of the state get strengthened by civil society and civil society is made more stable through the state. The two have to work in a democratic frame: the democratic state within the framework of democratic civil society. In a democratic system, state and civil society can collaborate for effective functioning of each. The state has to be constituted democratically, wherein its powers are decentralised and its functions are performed within the rules and procedures already laid. Such a state has to respond to the ever-growing demands of civil society. Its role, more or less, is to coordinate, it has to interfere least in the social and economic life of the people; it has to be regulative in character.

Civil society has to be more open and diversified. It has to keep the dialogue continuous and constant with the state and within all the constituents making it. Its area has to be ordained freely and openly, devices making up public opinion and public discourse state-free.

In liberal-democratic states, there is a constant interplay of forces belonging to the state and civil society, each putting an imprint on the other. In dictatorial regimes, state power is used to control civil society and civil society gets integrated into the state: the state speaks for the civil society. Democracy alone unites the state with civil society. The state cannot exist for long if it is not democracy laden; civil society cannot exist unless it is democratically structured and functions democratically.

A democratic state cannot exist if it is restrictive, coercive, prohibitive, and imposing; it cannot exist if it does not provide the civil society frame in perfect order; it cannot exist if it does not guarantee rights and freedoms to individuals. Likewise, a democratic civil society cannot exist if it does not allow every individual to act in the public sphere, it cannot exist if each and every citizen does not have equal claim on the state, if each citizen is not respected as a human being.

10.6 SUMMARY

State is not mere governance; it is a political community as well. It is, what Gramsci says, the visible political constitution of civil society, consisting of the entire complex of activities with which a ruling class maintains its dominance, and the ways in which it manages to win the consent of those over which it rules. It is, in other words, a complex of institutions and practices resting upon the nodal points of power in civil society. It is a social relation and as such, it is the codified power of social formation.

Civil society consists of the entire range of assumptions, values and institutions such as political, social and civil rights, the rule of law, representative institutions, a public sphere and above all, a plurality of associations.

The two concepts, state and civil society, have grown over time and along with them, their characteristics also developed. They have stood in relation to each other, each giving another a corresponding value. With the emergence of political economy and liberalism, civil society got a definite connotation, especially in relation to the state.

State and civil society are closely related to each other. The state cannot be imagined without civil society, and civil society cannot be thought of without the state. The two exist in integrative relationships. The state, in democratic systems, protects civil society and civil society strengthens the state. In dictatorial regimes, the state controls the civil society.

10.7 EXERCISES

1. How did the term ‘state’ come to be used in the West?
2. Explain briefly the characteristic features of the State.
3. State briefly the ancient Greek view of the State.
4. Why do Marxists regard the state as the committee for managing the common affairs of the bourgeoisie?
5. Explain the early modern view of the state.
6. What is civil society?
7. Explain Hegel’s view of civil society.
8. Explain the relationship between state and civil society.
9. How does democracy ensure an integrative relationship between the state and the civil society?

UNIT 11 POWER AND AUTHORITY

Structure

- 11.1 Introduction
 - 11.2 Empirical Study of Power
 - 11.3 Concepts of Power
 - 11.4 Power – Marxist and Western Approach
 - 11.5 Concept of Authority
 - 11.6 Development of the Concept of Authority
 - 11.7 Summary
 - 11.8 Exercises
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11.1 INTRODUCTION

The concept of power is the key to understand and analyse politics, political institutions and political movements of the systemic process, both in the national and international arena. It is the centre of political theory. H.D.Lasswell and A. Kaplan declared, “The concept of power is perhaps the most fundamental in the whole of political science: the political process is the shaping, dissolution and exercise of power.” It is the concept of power that political science is primarily concerned with. Thinkers like Machiavelli and Hobbes advocated the study of power as the central theme of politics. Hobbes wrote: “There is a general inclination of all mankind, a perpetual and restless desire of power after power that ceased only in death.” A few decades ago, Frederick Watkins suggested, “The proper scope of political science is not the study of the state or of any other specific institutional complex, but the investigations of all associations insofar as they can be shown to exemplify the problem of power.” Perhaps this view was further strengthened by William A. Robson when he suggested, “It is with power in society that political science is primarily concerned – its nature, basis, processes, scope and results. The focus of interest of the political scientist is clear and unambiguous; it centers on the struggle to gain or retain power, to exercise power or influence over others, or to resist that exercise.”

While studying the concept of power and its various manifestations in the systemic processes, one is reminded of what Joan Woodward said in his pioneering work, *Industrial Organization: Theory and Practice*. He said, “It seems that the sociologist cannot win in his attempts to establish a rigorous experimental framework for his research.” It has, on the whole, been indeed a complex process of multi-dimensional character to analyse the operational structures of power, both as a central theme of social order and also as a factor of motivation of ambitious men, whether one looks at Hitler’s Germany or Stalin’s Russia.

Before we discuss about the various conceptual dimensions of power, it is desirable that students of politics ought to have some basic understanding of the concept of power. Let us see what Andrew Heywood in his work on *Political Theory: An Introduction* (Palgrave, 1997, P. 122) had to say in his introductory remarks on the concept of power:

All politics is about power. The practice of politics is often portrayed as little more than the exercise of power and the academic subject is, in essence, the study of power. Without doubt,

students of politics are students of power: they seek to know who has it, how it is used and on what basis it is exercised. Such concerns are particularly apparent in deep and recurrent disagreements about the distribution of power within modern society. Is power distributed widely and evenly dispersed, or is it concentrated in the hands of the few, a ‘power elite’ or ‘ruling class’? Are powers essentially benign, enabling people to achieve their collective goals, or is it a form of oppression or domination? Such questions are, however, bedeviled by the difficult task of defining power; because power is so central to the understanding of politics, fierce controversy has surrounded its meaning. Some have gone as far as to suggest that there is no single, agreed concept of power but rather a number of competing concepts or theories.

Moreover, the notion that power is a form of domination or control that forces one person to obey another, runs into the problem that in political life power is very commonly exercised through the acceptance and willing obedience of the public. Those ‘in power’ do not merely possess the ability to enforce compliance, but are usually thought to have the right to do so as well. This highlights the distinction between power and authority. What is it, however, that transforms power into authority, and on what basis can authority be rightfully exercised? This leads, finally, to the question about legitimacy, the perception that power is exercised in a manner that is rightful, justified or acceptable. Legitimacy is usually seen as the basis of stable government, being linked to the capacity of a regime to command the allegiance and support of its citizens. All governments seek legitimacy, but on what basis do they gain it, and what happens when their legitimacy is called into question?

The annals of international history are a testimony to the study of struggle for power. Power as a model of analysis has been explained and explored by various social and political scientists since the time of Machiavelli and Thomas Hobbes. One could perhaps agree with the view that the Federalists, Pareto and Mosca are power theorists. This line of thought has further been advanced by George Catlin, Charles Merriam, Bertrand Russell, Harold Lasswell, and many others. With the onset of liberalisation and the globalisation of economy, the whole area of empirical study of power has become a special sort of social theory.

11.2 EMPIRICAL STUDY OF POWER

It has never been an easy task to study and analyse the concept of power empirically. As Maurice Cowling, in his pioneering work, *The Nature and Limits of Political Science* (1963), says that there are real difficulties about access to the centres of power in modern society, even in a democracy. It may be easier to “discover the truth about contemporary power than to publish it; the difficulties are greatest for those who have been participants”.

Kornhauser has tried to analyse the difficulties involved in the methodologies to understand the various centres of power in a political system in the article, “Power relationships and the Role of the Social Scientists” in his edited book, *Problems of Power in American Democracy* (1957). According to him, these difficulties could be somewhat expressed in the form of questions such as, “What social scientist are you?”, “What parts of society want what types of knowledge, to be used by whom, towards what end?”. It is not possible to have compatible doctrines and models regarding methods and objectives in studying power. These difficulties have been beautifully presented in theoretical works of political scientists like Machiavelli, Hobbes, Locke, T.D.Weldon, Oakeshott, Butterfield, E.H.Carr and the like.

In any discussion of power, one has to keep in mind that most of the studies on power by eminent researchers are simply reflections of simplified versions of politics outside their time;

these are not the presentations of the real politics of their contemporary society and time. An objective bias in the selection of small subjects having limited ramifications could well lead to methodological conclusions that may not be true in case of the ‘great society’. In the preface to his well-known work on power studies, *Who Governs?*, Robert Dahl said, “Many problems that are almost unyielding over a large area can be relatively easily disposed of on this smaller canvas. It is not, perhaps, wholly accidental that the two political theorists who did the most to develop a descriptive political science were Aristotle and Machiavelli, who, though separated by eighteen centuries, both witnessed politics on the smaller, more human scale of the city-state.”

11.3 CONCEPTS OF POWER

Power is normally understood as the possession of control, authority, or influence over others, a relationship in which an individual or a group is able to exert influence over the minds and actions of others. According to Arnold Woofers, it is defined as the ability “to move others or to get them to do what one wants them to do and not to do, what one does not want them to do.” Authority is closely connected with power. It might take various forms such as political, economic and ideological. One might say that concepts like morality, ethics, religion, customs and traditions may operate as limitation on power. Politics as ‘authoritative allocation of values’ is deeply interlinked with power and authority.

Most of the researchers who analyse the concept of power often start with two propositions: that in any polity some people have more powers than others, and that power is an object of desire, a ‘utility’. Power is understandably associated with honour, deference, respect and dignity. One has, of course, to distinguish the power of the man from the power of the office that guarantees authority and legitimacy.

One has also to be careful about the distinction between apparent and real power. While analysing various dimensions of power, Maslow prefers to talk about the psycho –pathology of ambition as well as mental framework of some men. He says, “ Their jungle philosophy (that of authoritarians) does not change even when they grow up and come out of the jungle. It resists new facts. It is sick because it reacts to an outgrown past, rather than to the real present.” These persons are psychologically perverted ones because what they run after is nothing but an illusion. Maslow concludes that “Of course for those who actually live in a jungle-like world – and there are plenty who do so today – a jungle philosophy is realistic and reasonable.”

11.4 POWER – MARXIST AND WESTERN APPROACH

The concept of power is one of the fundamental concepts of political theory. The analysis of the nature of power in both socialist and capitalist societies is essential for understanding the nature of politics as well as the state. Lenin said, “ The question of power cannot be evaded or brushed aside, because it is the key question determining everything in a revolution’s development, and in its foreign and domestic politics”. While studying the concept of power, what often comes to mind is its use in a broad sense by the Marxist thinkers. Both Marx and Lenin highlighted the social relations in a political system as well as the relationship between man and environment. Over the millennium, in reality, nature has always been both the subject and the object of power. Earlier, nature’s control over man had given a different definition of power. With the control of man over nature because of growth in science and technology, the concept of power acquired a new definition and dimension. As a synonym of political and social domination in state structures, power assumed multi-dimensional forms.

In the Marxist approach and terminology, the concept of power is identified with the control of state power through revolutions. Lenin said, “the passing of state power from one class to another is the first principal, the basic sign of revolution, both in strictly scientific and in the practical political meaning of the term”. The basic spirit of any revolution is the question of power in the state. He said, “The class struggle becomes real, consistent and developed only when it embraces the sphere of politics. In politics too, it is possible to restrict oneself to minor matters, and it is possible to go deeper, to the very foundations. Marxism recognises a class struggle as fully developed, nation-wide only if it does not merely embrace politics but takes in most significant thing in politics-the organisation of state power”.

While differentiating between power and the state, Lenin was of the opinion that social power existed before the origin of the state, and would continue to be there long after the “state withers away”. Criticising the views of Pyotr Struve that the state would continue to exist even after abolition of classes, Lenin said “First of all, he quite wrongly regards coercive power as the distinguishing feature of the state: there is a coercive power in every human community; and there was one in the tribal system and in the family, but there was no state...the distinguishing feature of the state is the existence of the separate class of people in whose hands power is concentrated”.

According to the Marxist thinkers, the sphere of politics includes all aspects of the state; it implies all types of relationship among the classes, be it economic, ideological, semi-psychological and other. Lenin said, “it is the sphere of relationships of all classes and strata to the state and the government, the sphere of interaction between all classes.”

The term power is often used in a diverse sense, in both polysemantic and indefinite manner. According to Fyodor Burlatsky, “the natural scientist speaks of power over nature, the philosopher over the objective laws of society, the sociologist of social power, the economist of economic power, jurists of state power, psychologists of man’s power over himself, and so on.” Thus, although every expert talks about the importance of power, it is almost impossible to provide an explicit meaning of power.

The western sociologist highlights power as an essential factor in all social kinetics. The French sociologist talks of “the aura of mystery surrounding power”. Michel Halbecq writes, “At present the phenomena of power preoccupy theorists of public law and political scientists.” Francois Bouricoud emphasises that in its political form, power possesses the most formidable enigma. The sociologist Crozier opines that power is present in all processes of social life. There is indeed lack of specificity regarding the source of power. The western sociologists most often are extremely empirical, refusing the philosophical content of power, or are in love with abstract sociologising dimension of power. Maurice Duverger takes a positive view of power. He is critical of viewing power or authority from a metaphysical or philosophical point of view. He proposes that the emphasis should be given mainly to the practical methods by which power commands respect and the means by which it obtains submission. Duverger, however, is not very consistent in his observations. While discussing about some of the general indications of power, he prefers to indulge in the philosophical groundings of power.

Some of the western thinkers have also talked about the biological concept of power. Going back to the Greek days, Aristotle viewed power as a natural condition of society, nature determining the character and process of society.

Aristotle said, “For that some should rule and, others be ruled is a thing, not only necessary, but expedient; from the hour of their birth, some are marked out for subjection, others for rule. And whereas there are many kinds of both of rulers and subjects, that rule is better which is exercised over better subjects- for e.g., to rule over men is better than to rule over wild beasts. That work is better which is executed by better workmen; and where one man rules another is ruled, they may be said to have a work.”

Some of the leading western sociologists were not in favour of this tendency towards biologism. George Burdeau, for example emphasised that power and society were born together. John William Lapierre conceived power as the exclusive attribute of social organisation, as a social factor inherent in the social group, and enforces the concept of power from the fact that man belongs to a group.

Some researchers like Herbert Simon have presented a very narrow definition of power. Simon uses the concepts of power and influence as synonyms. Others like Gerard Bergeron are reluctant to use the term power and desire this term to be replaced by the concept of “control” to ensure that what they say is ideological neutral. This type of approach, in effect, may not be able to provide a scientific analysis.

A definition in “A Dictionary of Social Sciences” says: “Power in its most general sense denotes (a) the ability (exercised or not) to produce a certain occurrence or (b) the influence exerted by man or group, through whatever means, over the conduct of others in intended ways.” This definition of power is deeply influenced by Max Weber’s famous formulation: “power signifies any capacity to work one’s will within given social relations even against opposition, independent of what that capacity is based on.” This juridical conception of power was very popular among the western writers during the 1950s and 60s.

The western concept of power as the capacity to work one’s will is reflected in the writings of Engels when he said, “Authority, in the sense in which the word is used here, means the imposition of the will of another upon ours; on the other hand, authority presupposes subordination.” While analysing both the Marxist and the western approach towards the concept of power, one finds that the western approach is heavily indebted to the focus on institutional will: the dominant will of a group or organisation whereas the Marxist approach relies on class will as the basis of power. Raymond Aron and Crozier prefer to use “law” in place of “will”, and in place of domination, they would like to offer direction, influence or control.

Power is, thus, the real ability to implement one’s will in social life and political power represents the real capacity of a given class, group or individual expressed in politico-legal norms, while discussing about the nature of power one has to keep an eye on the following aspects: a class approach of power, concentration and diffusion of power accruing from the pluralistic nature of society, different aspects of power such as economic, political, social, differentiation between social and personal power, characteristics of power in different socio-political structures, and isolation of legal principles from volitional ones.

In the 1930s, politics came to be viewed as a system of relationship with respect to power. Both George Catlin and Charles Merriam were at the forefront of this trend. Later, other political scientists such as Harold Lasswell, M.A.Kaplan, and others followed suit. Lasswell’s ‘Theory of Elites’ wherein he highlighted the “distribution of values” as the base point of the political process became the source point of the majority of American students of politics, and political science came to be treated as the science of power. Thus, both western political sociology and

Marxist thinking on the growth of political systems have contributed a great deal towards the development of the concept of power.

The concept of power, one must not forget, is multidimensional. Often power and influence criss-cross each other's area of operation. Some people talk about "intentionalist" and "structuralist" understanding of power. According to the intentionalist, power is an attribute of an identifiable object such as political party, social grouping or any interest group. The structuralists understand power as a form of social system. Sociologists like Talcott Parsons and neo-Marxists such as Althusser belong to the structuralist school of thought.

Steven Lucas, in his book "Power: A Radical View (1974)" talks about three phases or dimensions of power. According to him, power has the ability to influence the pattern and the process of decision-making framework. It has also the ability to influence political agenda and control people's thoughts. Thomas Hobbes first enumerated the notion of power as having the capacity to make decisions in his major work *Leviathan* (1651). This has mostly been the basis of conventional thinking in the area of political science. Robert Dahl in his book, *A Critic of the Ruling Elite Model* (1958) has supported this concept of power, which according to him could be both objective and quantifiable. This approach was widely adopted by political scientists and sociologists, especially in America during the 1950s and 60s.

While discussing about power as the ability to influence the decision making process some researchers prefer to highlight non-decision making as the "second phase of power". In their seminal essay, "The Two Phases of Power (1962)" P. Bachrach and Baratz insisted that "To the extent that a person or group – consciously or unconsciously – creates or reinforces barriers to the public airing of policy conflicts, that person or group has power." As Schattschneider said, "Some issues are organised into politics while others are organised out."

The third dimension of power is its capacity to influence the thought process of an individual or group. The ideas and views of individuals or groups are mostly influenced and structured by factors such as family, peer groups, schools, churches, mass media, political parties, and the overall environment at the work place. Vance Packard, in his study, "The Hidden Persuaders (1960)" has analysed the factors that have the ability to influence and manipulate human behaviour in a particular direction, what Steven Lucas said, "Influencing, shaping or determining his very wants." In his book *One Dimensional Man* (1964), Herbert Mareure, the leading neo-left theorist, talks about this aspect of power in advanced industrial societies in which the needs of the society could be manipulated through modern technology. This is what he said created "a comfortable, smooth, reasonable democratic unfreedom."

11.5 CONCEPT OF AUTHORITY

According to C.J. Friedrich, concept of authority implies a root of command to which obedience is rendered without any inducement, a 'social fact', and a social conduct within an interlinked, independent social structure. This type of analysis implies that the concept of authority is basically a part of classical theory, according to which authority is invariably linked with other concepts of social behaviour such as morality, customs, law, natural law, contract, expediency, and utility.

Authority is broadly understood as a constitutional means through which one can command compliance or obedience and influence the behaviour of another. Whereas power is broadly concerned with the *ability* to influence behaviour, 'authority' is understood as the *right* to do

so. Political philosophers over the decades have differed regarding the fundamental basis on which authority rested. However, they all agreed with the view that authority has moral dimensions. Authority is a form of constitutional power and provisions by which one can influence the behaviour of others. Power is more concerned with ability whereas authority is attached with the concept of right. Power is often identified with persuasion, pressure, threats, coercion or violence. The constitutional overtone is absent in the case of power, whereas authority has both legal and moral overtones.

Modern sociologists have approached the concept of authority from a different angle. The German sociologist, Max Weber, considers authority as a form of power, a ‘legitimate power’. He analyses it as a matter of people’s belief about its legitimacy. Although theoretically, the concepts of power and authority are treated as separate identities, empirically both tend to cross each other’s boundary. While some researchers have considered authority as an essential feature of order and stability, others have looked at it as a symbol of authoritarianism.

Basically, both power and authority are mutually exclusive concepts. Authority is widely understood as a means of gaining compliance. On the other hand, power involves the ability to accomplish goals. It might take various forms such as pressure, intimidation, coercion or violence. Authority and power are intrinsically interlinked. Authority is rarely exercised in the absence of power, and power always implies some amount of authority.

Max Weber advocated three ‘ideal-types’ of conceptual models: such as traditional, charismatic and legal-rational authority. In traditional society, authority was linked with established customs and traditions. It was closely associated with hereditary systems of power and privileges. The second form of authority is linked with the power of an individual’s ‘charisma’ or personality. Some consider this type of authority as divinely ordained. Sometimes, this type of authority could be ‘manufactured’ through the media and the ‘cult of personality’. And this spectre of total power might lead to the growth of authoritarianism in political systems. This form of authority has its limitations in liberal democratic political systems. Max Weber identifies the third form of domination as legal-rational authority. This form of authority is very significant in modern industrial societies and is often regarded as the symbol of large-scale bureaucratic organisations, and it operates through a body of clearly defined rules and procedures. One must not, however, be unaware of the darker side of the onward march of bureaucratic authority, its de-personalised and inhuman social environmental dimensions.

11.6 DEVELOPMENT OF THE CONCEPT OF AUTHORITY

The concept of authority has become a highly controversial aspect of political theory in contemporary international political system. The progressive growth of individual rights and liberties, the world-wide movement for human rights and the advance of a tolerant or permissive social ethics have encouraged social scientists to look at the concept of authority from a grass-root oriented human angle. This development in the field of social science has ensured a backlash that has encouraged the defenders of authority to highlight its importance.

Beginning from the social contract theories of the seventeenth and eighteenth centuries, there has been a spate of liberal literatures in the field of social science that provided a classic justification for authority. These liberal theories emphasised that in the absence of an established legal authority to ensure order and stability as well as to protect individual liberty and rights, there could be imbalance in the growth of social systems. To neutralise the authoritarian trends in society, these liberal thinkers suggested that authority could be constrained through legal-

rational forms of constitutional provisions as the very basis of authority arising from ‘below’, the consent of the governed.

The conservative thinkers, on the other hand, always regarded authority, to quote Roger Scruton (1984) as an essential feature of all social institutions, a ‘natural necessity’ for leadership, not a result of consent from the governed.

The conservative ideas and doctrines became very popular in the late eighteenth and early nineteenth centuries. This was indeed a reaction against growing political and economic doctrines that emphasised the basic philosophy of the French Revolution. Not surprisingly, two streams of conservative ideas got reflected in the social science deliberations of the time. With the growing trends of an authoritarian and reactionary form of conservatism in continental Europe that refused to accept any idea of reform, there emerged in Britain and America, a more flexible form of conservatism that preferred ‘natural change’ or ‘change in order to conserve’, in the form of social reforms.

The conservative reforms were more in the form of traditions, history, and experience. They perceived the society as a moral community and strongly advocated a strong government to ensure the enforcement of law and order. They advocated non-ideological and programmatic interactions between the state and the individual.

Since the 1970s, conservative doctrines have been facing strong challenges from the New Right. The supporters of the New Right believe in economic liberalism or neo-liberalism and social conservatism. Neo-liberalism is often considered a backlash of the policies of liberal, socialist and conservative governments of the twentieth century. It believes that the breakdown of social structures is a result of the growth of liberal and permissive values and is in favour of traditional values, social discipline and restoration of authority.

Conservative political philosophy has always been criticised for its support for elite groups and status quo in society. However, against this criticism, conservatives argue that as human beings are morally and intellectually imperfect, it is always preferable to depend on the wisdom of tradition, authority and a shared culture than to be obsessed with abstract principles of political theory. From their stand point, authority is an intrinsic link that ensures social cohesion and strengthens the structures of society.

The advocates of conservatism are Edmund Burke, Michael Oakeshott and Irving Kristol. The advocates of authority strongly plead that an erosion of authority would lead to authoritarianism and totalitarianism. Hannah Arendt argued that a strong traditional authority is indispensable for the growth of moral and social behaviour, and provides a sense of social identity. In her book, *The Origins of Totalitarianism* (1951), she suggested that the decline of traditional values and hierarchies was responsible for the advent of Nazism and Stalinism. All said and done, the concept of authority has not always been accepted without reservations by social scientists. It has been considered a threat to reason and critical understanding. Such apprehensions have been highlighted by psychological studies. William Reich (1897-1957) in his work, *The Mass Psychology of Fascism* (1935) presented the view that the damaging repression brought about by the domination of fathers in traditional authoritarian families could have been responsible for the origin of Fascism. Theodore Adorno and others in the book, *The Authoritarian Personality* (1950) claimed to have evidence that persons having strong deference for authority have fascist tendencies. This view has been further strengthened by the psychologist, Stanley Milgram (1974) in his studies on the behaviour of guards in Nazi concentration camps and the US military during the Vietnam War.

11.7 SUMMARY

One of the major questions that often rise in any study of political science is the precise relationship between power and authority. In Cicero's phrase, "power lies with the people, authority in the Senate". His neat contrast between power and authority gets blurred as we analyse the various dimensions of these two concepts over the decades, and confront the realities behind these concepts. Interpretations of power and authority have varied with the growth of ideological dimensions of political systems. There are good reasons to suspect the exercise of 'power' and 'authority' in contemporary international systems. Although some of the researchers are very critical of Hannah Arendt's essay on Authority in her book, *Between Past and Future*, Carl Friedrich's study of Tradition and Authority, and Robert Nisbet's reflections on *The Twilight of Authority* as their reactions to radical egalitarianism and to the Marxist tradition, one must not forget to see the streams of progressivism in these writings. Hannah's revolutionary politics, Friedrich's faith in reason, and Nisbet's weakness for pluralism have revolutionised thinking in the field of social movements. Contemporary reflections on power and authority are more in tune with grass-root oriented approaches towards the process of human empowerment.

1. Power is central to the understanding and practice of politics. It can be exercised on three levels: through the ability to make or influence decisions; through the ability to set agenda and prevent decisions being made; and through the ability to manipulate what people think and want.
2. Power is the ability to influence the behaviour of others, based upon the capacity to reward or punish. By contrast, authority is the right to influence others, based upon their acknowledged duty to obey. Weber distinguished between three kinds of authority: traditional authority based upon custom and history; charismatic authority, the power of personality; and legal-rational authority derived from the formal powers of an office or post.
3. Authority provokes deep political and ideological disagreements. Some regard it as essential to the maintenance of an ordered, stable and healthy society, providing individuals with clear guidance and support. Others warn that authority tends to be the enemy of liberty and undermines reason and moral responsibility; authority tends to lead to authoritarianism.
4. Legitimacy refers to the 'rightfulness' of a political system. It is crucial to the stability and long-term survival of a system of rule because it is regarded as justified or acceptable. Legitimacy may require conformity to widely accepted constitutional rules and broad public support; but it may also be manufactured through a process of ideological manipulation and control for the benefit of political or social elites. (Andrew Heywood, *Political Theory: An Introduction* Palgrave, 1997, Page 150.)

11.8 EXERCISES

1. Explain the concept of power and its various dimensions.
2. Discuss the Marxist and western views of the concept of power.
3. Explain the difference between power and authority.
4. Explain the concept of authority.
5. Examine the concept of authority in the contemporary international political system.

UNIT 12 LEGITIMATION AND OBLIGATION

Structure

- 12.1 Introduction
- 12.2 What is Legitimation?
 - 12.2.1 Legitimation and the State
 - 12.2.2 Legitimation and Legitimacy
 - 12.2.3 Power, Legitimation and Authority
- 12.3 What is Obligation?
 - 12.3.1 Types of Obligations: Moral and Legal
 - 12.3.2 Duty, Obligation and Conflict
 - 12.3.3 Concept of Political Obligation
- 12.4 Why Obey the Government? An Overview
 - 12.4.1 Legitimation and Obligation: Basis of Paternalism
 - 12.4.2 Legitimation and Obligation: Basis of Contract
 - 12.4.3 Legitimation and Obligation: Basis of Consent
- 12.5 Legitimation and Obligation Crises
 - 12.5.1 The Overloaded Government Theory Analysed
 - 12.5.2 The Legitimation Crisis Theory Analysed
- 12.6 Summary
- 12.7 Exercises

12.1 INTRODUCTION

Legitimation and Obligation are intimately related concepts. Legitimation induces obligation, while obligation strengthens the claims of legitimation. The two concepts have captured the imagination of philosophers from the ancient Greek times onwards. Political theorists, in every age, have answered questions relating to legitimation and obligation in numerous ways. An attempt to review these questions and arguments supporting them would be both interesting and instructive.

Legitimation amounts to pronouncing what is lawful, i.e., what is in accordance with established rules, principles or standards? It is what is related to the laws and decrees of the state, sovereign or government. It is what has the sanction of force behind it. It is what is followed, if violated, by punishment. Obligation is, generally, something by which a person is bound to do certain things; something which arises out of a sense of duty; it is what binds a person to a duty, to obedience. It is, in a sense, a state of being legally indebted. The two concepts, legitimation and obligation, are so related that the former seeks to demand or pursue something while the latter seeks to accept or follow. Legitimation is a matter of seeking obedience, whereas obligation is a matter of accepting dominance.

A discussion on issues relating to these two concepts, legitimisation and obligation, would help to understand the meanings attached to it, implications relative to these terms and the arguments supportive of each in the greater part of modern western society.

12.2 WHAT IS LEGITIMATION?

Legitimisation is legalisation. This means that what is legal is what is legitimate, and conversely what is not legal, i.e., what is not in accordance with law, established rules, recognised norms, is not legitimate. It is in this sense that legitimisation is related to what is lawful. Literally, legitimisation means, “to make lawful”. To understand legitimisation within the framework of the legal system is to know it in a very narrow sense of the term. Infact, legitimisation goes beyond legalistic connotation and includes a host of processes by which an action is deemed ‘legitimate’. These processes, indeed, are fundamental not only to the power relations in a society, but to its economic, social and belief systems. That the state’s power is legitimate does not merely mean that it is lawful for the state to exercise power; it also means that its power is recognised by those on whom it is exercised.

Legitimisation is, thus, the power of the state rightfully exercised and is the acceptance so by those on whom it exercises its control. The structure of power, and the exercise of it would be legitimate if the idea of law and justice, including ethical values, social beliefs, existing productive/economic relations which underlie these, coincide with those present in the given society, over which the state exercises power, and are generally recognised by the given society as universal.

So understood, the concept of legitimisation includes, if one attempts to identify its inherent implications, in the first instance (i) the legalised patterns of state activities, (ii) the value-systems of society in which the state exercises control and (iii) the citizens’ body recognises the state’s power legitimately-based.

12.2.1 Legitimisation and the State

The state’s very strength is based on legitimisation. The structure of power, peculiar to the state, has to be legitimately derived and evolved; the exercise of the power of the state also needs to be used legitimately. What it means is that all forms of state power require legitimisation. If the state is to carry on its business, with at least a minimum amount of consent from its citizens, and if the government is to survive, it requires legitimisation/legitimacy. In the absence of legitimisation or say legitimacy, how can the will of the state be enforced? Obviously, without legitimisation of state power, the alternative is the use of physical force or terror to enforce the orders of the state. In a democratically structured society, state power is legitimate when (a) the power to rule the people is given by the people, and is exercised with the consent of the majority of the people – this would mean that those who exercise power are elected directly or indirectly by the people for a limited period only, and also when a system of control is in place (b) when the state power is exercised corresponding to the principles stated in the constitution of the land, especially those relating to legality.

The state alone possesses power, the power to rule people, the power to administer public affairs, the power to establish social order, the power to protect the system. The state alone has the responsibility to safeguard the country and promote its interests. It is because of its performance of responsibility that the state has power. Power of the state is the necessary corollary of the duty it is supposed to perform; power, thus, is the essential consequence/product of the job the state is called upon to do. That the state has the power, i.e., the lawful right of

the state to use power, is what may be called legitimisation. Legitimisation involves the use of the power of the state legitimately ordained. One aspect of legitimisation, thus, is the inherent lawful authority empowered to exercise power which means, the power of the state to exercise its authority with the provision that it has the power and more than that, the exercise of the power is legitimate, legitimately authorised.

Legitimisation is related to the state in more than one way. It is related to the state in the sense that the state alone has the legal authority to use its power. It is also related to the state in the sense that what the state does is legitimate by virtue of the fact that the state alone is authorised to do what it does. It is related to the state in the sense that the exercise of the will of the state is the legalised exercise permitted by the already framed basic rules prevailing in the political system, written, unwritten or both. Where there is, for example, no legal authorisation of the exercise of power, there is no legitimisation there.

Legitimisation, therefore, demands a set of norms, principles, rules and regulations on the basis of which the state exercises its power. If the power or the exercise of the power of the state is to be deemed legitimate, there is a need for the power of the state to fall back, for its support, on certain basic and fundamental rules, i.e., a framework from which the state derives its power and the support on which it rests. Legitimisation is not only a matter of structural rules and regulations, it is also a matter of procedure. It, therefore, requires the fundamental routes in which the power of the state has to pass through. If the power of the state is to be legitimate, it has to follow certain procedures, and has to work through certain already set procedures. Legitimisation is not a zigzag walking, it is a procedural following, walking on a well-established path already laid down.

Legitimisation, in the context of the state, also demands compliance from the people where the state exercises its power. When the power of the state is accepted by the people, there is no crisis of legitimisation. A crisis of legitimisation occurs when the power of the state, exercised as it is, is challenged by the people or a part thereof.

12.2.2 Legitimisation and Legitimacy

If legitimisation is what is ‘lawful’, and if it is what it is, it is related to the power of the state and more specifically, to the exercise of the power of the state and the way it ought to be used or at least the way, it is used. In this sense, legitimisation has much in common with the concept of ‘legitimacy’. What is true about the legitimacy of a state, is true about the legitimisation of a state; it indicates basically the people’s willingness to accept the state’s claim to rule: the people would accept the claim of the state to rule them only when they regard the state to be legitimate; nobody would obey the illegitimate state: legitimisation, and not delegitimisation, would induce obedience. Both legitimisation and legitimacy have, in themselves, the element of people’s willingness to accept the legal authority of the state to rule the people. What both legitimisation and legitimacy do not admit is ‘arbitrariness’ in any form. The arbitrariness of government officials in exerting their power may be legitimate in the legal sense of the term, but it may not be so in the sociological sense. To be legitimate is to be effective, but not necessarily arbitrary. Legitimisation and legitimacy do include the elements of acceptance and willingness. A government or state may be said to have legitimacy only when most people accept its title to rule, and not a small number of people. During a military rule most of the people, in the absence of the right to resist such a rule, accept it and obey it, but it does not make such a military regime legitimate. Legitimacy appears only if the people accept the state’s authority to rule without being forced. It is legitimisation that creates legitimacy, and it is legitimacy that induces people to accept the right of the state to rule.

Legitimation and legitimacy are complementary to each other. The former makes the ground for the latter while the latter derives its strength from the former. While legitimation is a concept related to the state intimately, it is legitimacy with which the state is primarily associated. Legitimation is only the attending feature of the state while legitimacy is the soul of the state. Between the two, legitimacy and legitimation, the former is primary while the latter is secondary. The difference between the two is that of importance which is attached to it in relation to power or its exercise by the state. The two concepts work more in association with each other than in opposition to each other.

It is legitimacy or one may say self ‘legitimation’ that turns power into authority. Power becomes authority only through legitimacy or through the process of legitimation. Power without the process of legitimation becomes arbitrariness or mere force. It is, therefore, legitimacy which converts power into authority. With no legitimation of authority, power becomes a brute force. The Apartheid regime in South Africa during the white minority rule can be cited as an example of ‘power regime’ without legitimacy. There, as is known, a white minority enjoyed all political rights, and their government ruled over the black majority. That government had no legitimate authority in the country, for it lacked legitimacy in the eyes of the vast majority of the people – the Blacks.

12.2.3 Power, Legitimation and Authority

On one side of legitimation stands power, and on the other side stands authority. It is through legitimation that power is converted to authority. Authority devoid of legitimation is brute force. Legitimation makes power a lawful authority. It authorises the government to exercise power so as to rule the people. Without legitimation, no authority can lawfully exercise power. Authority possesses power because legitimation authorises it to exercise power.

To put the whole argument simply, it may be said that a government is government only when it is legitimate. An illegitimate government is a contradiction in itself; a legitimate government is an authority in so far as it is legitimately authorised to exercise power; power makes the government an authority after it is able to legitimise itself. Legitimation alone makes the government/state a power; it is such a government that rules the people and extracts from the people their obedience. Legitimation works the other way as well. Legitimation provides an element of willingness, on the part of the people, to accept the government’s power to rule the people. It is, thus, a two-way movement – authorising the government/state to rule the people in accordance with the authority vested in it and through procedures already established therein; a willing body of citizens to accept the government’s authority to rule them. Delegitimation, on the contrary, robs the state to have any claim over the people to rule them, and induces no respect from the people for any such state/government.

Legitimation is the means through which power changes into authority and thus, a social order is established in the society. It is what makes the government rule over its people and it is what makes the people obey their government. Legitimation is the meeting point between the state and the people, between the rulers and the ruled. Without legitimation, no effective social order can be created; disorder alone would prevail where power is exercised with no legitimation of authority. All systems of government seek obedience to the laws from the people only on grounds of legitimation/legitimacy.

12.3 WHAT IS OBLIGATION?

Obligation means the act of binding oneself, binding oneself to some duty, to some contract, to some promise. It is binding someone to do something. Obviously, it arises out of a sense of duty. That is why, one may see an analytical connection between obligation and duty, the former having the same meaning as that of duty. To be obliged means to have a duty. An obligation can also be the act of obliging oneself or someone else. In such a case, a duty is the conception of some behaviour as the object of an obligation. People are obliged to perform their duty. There cannot be an obligation without a will imposing a duty or an obliging will.

Obligation, one may see clearly, is a two-way situation. It is a relational concept. It is used (a) for a relation between individual persons. One is, for example, under an obligation to someone else; people are, or say used to be, greatly obliged to one another. It is used (b) for a relation between a person and an institution, such as the government. To be under an obligation to someone (say individual or government) may be to owe something (in case of an individual's obligation to a government it may mean 'to owe obedience'). In case of an individual's obligation to the state or the government, what it amounts to is that the state or the government has corresponding rights over the individual.

To understand the term 'obligation' more clearly, it is better to relate the term 'obligation' to 'bound' than to 'owing'. We may be bound to perform some action without in an obvious sense owing anybody anything. To be 'bound' is not to be in bonds. What at best it means is acceptance of a submission, or say losing a certain amount of freedom. When we accept submission, we accept to work within certain limitations, and such a submission remains until obligation stays; a certain amount of lost freedom is not regained until the obligation has been discharged.

So understood, the concept of obligation includes, if one seeks to identify its inherent implications, (i) an act of binding oneself to some duty, (ii) a situation characteristic of a relational relationship, (iii) an authority, say the government with assured rights over the individuals, and the individuals, agreeing to obeying the laws of such an authority.

12.3.1 Types of Obligations: Moral and Legal

Obligations are not all alike. There are obligations of which we are conscious; for instance, not 'being in debt' is an obligation of which we are conscious; 'feeling in debt', on the other hand, is an obligation of which we may not be conscious. If, for example, a man is obliged by law to pay taxes, the obligation is no less real for his being unaware of it. If a man, to take another example, is liable for military service, he is no less obliged to accept and act upon the call for his being totally unprepared for its coming.

All our legal and political obligations, obviously, are obligations of which we are all aware of.

What may be true about legal or political or both obligations, may, and possibly may not be true, with regard to moral obligation. There are moral obligations (say the promises we make and which are expected to be kept) that cannot come into existence unknown to the persons whose obligations they are. There are, on the other hand, other obligations (of which this may not be true) of caring for one's parents in their old age and about which it may not occur to a person that it is an obligation to be attended. We may, thus, say about a moral obligation that a man cannot be said to have a moral obligation of which he is not aware. It is, therefore, the word

‘duty’ that comes close to moral obligation; and it is the word ‘obligation’ that comes close to legal/political obligation. Duty speaks of our moral obligation. It should, therefore not be concluded that duty and obligation stand opposite to each other. There is a measure of duty in obligation, and there is a measure of obligation in duty. A duty demands an obligation to be attended, and an obligation expects a duty to be attended.

An obligation, like a duty, is an obligation first, and it is, thereafter, that the obligation is *legal/political* or *moral*; it is *conscious* or it is *not*; it is *assumed* or it is *declared*; it is voluntary or it is involuntary. The knowledge that there does exist an obligation does not make it legal or political, for a man not in knowledge of what obligation he has would not obligate him of his moral obligation. Likewise assumption, voluntarily or involuntarily, should not be made the basis for making an obligation either legal, political or moral. Thomas McPherson (*Political Obligation*, 1967) rightly says, “We should, I think, generally be reluctant to use the expression ‘moral obligation’ for a duty not voluntarily assumed. Some cases covered by the expression ‘political obligation’ by contract are certainly cases where we have obligations that we have not voluntarily assumed.”

12.3.2 Duty, Obligation and Conflict

Duty and obligation have much in common. There is hardly anything that separates the two. There is a clear analytical relationship between the two. Obligation and duty, often, have the same meaning. To be obliged means to have a duty; to attend to a duty means to perform an obligation. An obligation can also be the act of obliging oneself or someone else. In that case, a duty is the conception of some behaviour as the object of an obligation. When one says that the people perform their duty what we, generally, mean is that they are under obligation to commit an act. It is, thus, clear that there cannot be an obligation without a will imposing a duty or an obliging will.

Obligations being of numerous sorts, there is a likelihood of these different obligations coming into conflict with one another. A moral type of obligation can come into conflict with a legal obligation; a political legitimization may conflict with a religious one. Any attempt to provide resolution may involve or invoke serious struggles of conscience. The possibility of a clash between a legal obligation and a political obligation may seem to be less real, but a conflict between a moral obligation and political obligation may, and usually is a real one. The moral obligation, for example, to help a friend in distress may conflict with my legal obligation to pay my tax in time. A compulsory vaccination or say sterilisation may be an act of political obligation, while a religious obligation may demand an almost opposite act.

A more important question with regard to numerous kinds of obligations (and this is true about the numerous kinds of duties) is where do we stand when various obligations conflict with one another? Are we to attend to a certain type of obligation and reject the other type? To be fair to these numerous types of obligations or duties, one has to attend to them and it is very rare that one likes to sacrifice/ignore one at the cost of the other. Political obligation may be more demanding at one point of time than the other; it may seek immediate redressal, for fear of punishment or otherwise, than compared to the other type of obligation.

One should note that an obligation is an obligation. That it is political or moral is a secondary thing. Attending to obligation is an act of performance. Whether we attend it today or the next day is something that depends on intensity. If we are obliged, we are obliged; accordingly, duty is a duty. If we perform our duty, we are doing our duty. Obligation is the acceptance of an act; its compliance is an act of our willingness.

12.3.3 Concept of Political Obligation

Political obligation constitutes an exterior sphere of norms and rules. It is what is found in laws and by-laws. It is what relates to a body of duties which citizens can be legally compelled to perform by the threat of punishment or other legal consequences. Political obligation assumes a set of legal duties to be performed by the citizens, their non-compliance is usually followed by punishment or prescribed by the prevailing rules/laws. This should, however, not mean that political obligation is the same as legal obligation. Political obligation goes beyond the sphere of legal obligation. Political obligation does demand compliance to the laws of the state, but it too admits means to challenge the system in order to safeguard the obligation ends. It does include the obligation of the citizens to obey the laws of the state, but it also incorporates in its sphere a wider obligation, i.e., duty to defend the country, or to fight for justice. This latter connotation of obligation is much more than what one would like to include either in moral or legal obligation. The concept of legal obligation helps only in protecting the already established legal structure, but it is for the concept of political obligation to protect the system as a whole against political disagreement, despotism and totalitarianism, injustice, exploitation and the like. The problem of political obligation is how to establish a legitimised political/social order. The creation or reconstruction of a social/political order is an obligation that is subsumed under the concept of political obligation.

Political obligation is a kind of obligation which seeks to establish a political system free from all types of injustices and laden with the promotion of common interest. The domain of political justice is neither the sphere of law entirely, nor that of ethics completely. It is a sphere situated between ethics and law. It is what is related to its grounds (why to obey?) and its content (as to what it contains so that it is obeyed).

12.4 WHY OBEY THE GOVERNMENT? AN OVERVIEW

The obedience to a government is not merely a legal phenomenon. It is also a political one. People obey a law more because of the fact that they feel it is good to obey it, as also because, they are convinced that the government issuing the laws is a legitimate one. In fact, no one would like to obey a government which one feels is not a legitimate one. The obedience to the government is more of a political phenomenon than a legal one. If one stands up to disobey the government, it is because one does not want to obey the government. If obedience is voluntary, so is the unwillingness to obey the laws.

Generally, people obey the laws. They do so because they accept the government that rules them. They do so because they accept the system wherein the government operates. And if they like to disobey the government, they do so because they hesitate to accept both the government and the system as a whole.

Legitimacy of states and governments depend on how the people look at them and also at the social world around, and what they consider to be morally right. What they consider morally proper is the product of numerous factors which influence people. The total effect of all the influences make up what may be called the 'legitimation process'. Legitimacy once evolved or grown is not a matter of all future; it is a process which goes on and on. The state goes on because the people want it to go on. The state, one must remember, goes on not because it has power. The overwhelming power does not last on its own. It has to have the acceptance and support of the people; it has to have its own strength which is much more than the physical force that it has. What it means is that the states have to have their legitimacy, i.e., the government rules over the people because it has the legitimate right to rule.

12.4.1 Legitimation and Obligation: Basis of Paternalism

There are numerous bases which make a particular type of government extract obedience from the people. In other words, legitimisation of the state and government to rule people and the obligation of the people to obey the government have their grounds in numerous theories. One such theory may be termed as ‘Paternalism’, one that can best be expressed in the divine right theory of the kings as well as the charismatic theory.

The divine right theory advocates that the power the rulers, as kings, have was given to them by god. The kings rule because god authorises them to rule. They have the right to rule the people because god has given them the power to rule. The basis of the authority of the king is religion which makes the state a divine institution. Legitimacy, in such a theory, lies in kings having power as ordained by god. The people are, the divine right theory claims, obliged to obey the kings. Their disobedience does not only constitute a crime, it also constitutes a sin. Absolute obedience is a characteristic feature of the divine right theory; political resistance is regarded as a rebellion against the divine ruler.

The divine right theory, despite its demerits, prevailed as a gospel truth constituting legitimacy of the rulers and also the obligation of the people to obey the divinely appointed rulers. Such a theory provided a framework of legitimisation and obligation. The kings ruled as the legitimate holders of powers and the people accepted them and obeyed them considering all this as a phenomenon willed by god. Religion, as the prominent factor of divine theory, legitimised both the monarchical absolute rulers and the obligation of the people to obey them.

There is a form of paternalism known as, to use Weber’s term, ‘charismatic authority’. Charismatic authority is a personal authority, related to the very personality of the person having power. Such a person has power by the sheer dint of his dominant personality. “Whoever”, Thomas McPherson says, has “power.... may be thought to have a right to it.” “We hear”, he continues, “of men with ‘magnetic personalities’ of ‘born leaders’, and so on.” The argument runs as follows: “At times, particularly times of crises, people want to be led, and will respond to someone who has the confidence to put himself forward as their leader ___Wesley, Hitler, Churchill.” History witnesses a form of charismatic authority where people, willingly, obey or confer authority on some leaders whose strength lies in the very personality of a person. Such persons are generally known as charismatic leaders. People accept them as leaders and give their obedience to them because of some extraordinary personal qualities, because they represent some ideals with extraordinary clarity. Charismatism is, as such, a form of paternalism.

Traditionalism too sounds as yet another example of paternalism. In the earliest societies, people accepted the power of some people over themselves because they would believe that these rulers have been followed from times immemorial. People obey because they have been traditionally obeying. Obedience becomes a matter of practice; acceptance of such authority is also a matter of traditionally-based belief.

12.4.2 Legitimation and Obligation: Basis of Contract

The contract theory, as advocated by the contractualists, especially Hobbes, Locke and Rousseau, offers another ground for legitimacy of the government and the obligation of the people to obey the government. To some extent, this theory sets forth a legal or a quasi-legal basis of legitimisation and obligation. We ought to obey the government because we have entered into a contract to do so. If that was really so, there would have emerged accepted obligations of obeying and ruling.

The contract theory provides a legitimization thesis which states that the government rules because of the title it has to rule – whether that title has been bestowed upon the Leviathan (in the case of Hobbes) as through an agreement that the state protects the rights of the people (as in the case of John Locke) or through a government based on the General Will (as Rousseau would want us to believe). The state has the power to rule over the people as per the contract entered into by the people. This very contract theory also provides an argument for peoples' obligation to obey the government, this too through the grounds of contract. The contract theory may not be taken too far to investigate the possibility of whether such a contract was ever made or not. What may only be inferred is a legal right of the state to rule the people, and a legal duty of the people to obey the state. There is no doubt that the state exists because it has to establish law and order. Its essence lies in the external relations it maintains among people residing in its area. There is, thus, the legal framework at its base through which people demonstrate formal relationship. The state rules in accordance with the procedure established by law and what the law of the land, i.e., the constitution, expects from it. The contract theory legalises the state and gives it legitimacy to govern the people as a matter of title. On the other hand, the contract theory also legalises the procedure of peoples' obligation to obey the state. People obey the state, for the contract demands from them an obligation that they are legally bound to comply with the orders issued by the state. What this theory establishes is the legal relationship between the rulers and the ruled, binding the former to rule the latter, binding the latter to obey the former. This theory, indeed, leaves no scope for non-compliance; non-compliance is followed by punishment. Legal and lawful authority, rule of law, legally-oriented framework and a set of legal obligation and the like are some of the characteristics of the contract theory.

12.4.3 Legitimation and Obligation: Basis of Consent

There is a close semblance between the contract and consent theories as the bases of issues relating to legitimization and obligation. The contract theory, though legal or quasi-legal, indicates to some extent, the 'consent' phenomenon, as the consent theory indicates, to some degree, the quasi-legal base of administration. In the contract theorists' argument, the element of people's consent as the basis of administration cannot be dismissed. Locke says, "Men being.... by nature, all free, equal and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent". A person, one may clearly infer, is not obliged to obey unless he has voluntarily agreed to do so. Locke seems to imply that not only does the founding of a government require consent, but that every governmental act affecting a person's life and rights requires consent. He writes, "the supreme power cannot take from any man any part of his property without his own consent." Locke's argument is that nothing should be demanded of an individual that does not accord with his uncoerced and conscious will. Rousseau's theory of General Will can be stated as another example of consent. "A government deserves," Glenn Tinder (*Political Thinking*, 1986) says, "obedience if its commands conform to what Rousseau called the general will." "The point is", he continues to sum up Rousseau's thesis, "that the theory of the general will tells us that a government has a legitimate claim to obedience only when its commands represent the true, ultimate interests of all the people." Without going into the fallacies the consent and the general will theories have, what one may be interested, in so far as the legitimization and obligation contexts are concerned, is that consent, at the base of the founding of the state, makes the government legally empowered to make laws for the people and compels the people to obey those laws for reasons of their explicit consent. The same is true about the general will theory as well. The government is legitimately authorised to govern the people for it works for the interest of the people and the people are obliged to obey the government, for their obedience leads ultimately to the attainment of the common interest.

However, the consent and contract theories help evolve a democratic spirit that brings legitimisation of the governmental laws and the people's obligation closer to each other. The government rules because the people want it to rule; the people obey because the government rules for them. The democratic content itself gives legitimisation to the government on one hand, and demands people's obligation to obey the government on the other.

12.5 LEGITIMATION AND OBLIGATION CRISES

No system is free from crisis. The crises occur because of one factor or the other. Because of the crises, problems with regard to legitimisation and obligation spring up. Legitimacy of the government is put to question and obligation to obey the government comes to be overburdened. Crises, whether they relate to challenging the legitimacy of the government or people's obligation to obedience to its laws arise, not because of accidental changes in the environment, but because of, as Jurgen Habermas (*Legitimation Crisis*, 1976) says, "structurally inherent system imperatives that are incompatible and cannot be hierarchically integrated." Referring to the crisis in the advanced capitalist societies, Habermas holds the view that these societies experience four levels of crises: economic crisis, rationality crisis, legitimisation crisis and motivational crisis. He says, "I maintain that advanced-capitalist societies ... are in danger from at least one of the possible crisis tendencies. It is a consequence of the fundamental contradiction of the capitalist system that other factors being equal, either the economic system does not produce the requisite quantity of consumable values or, the administrative system does not produce the requisite quantity of rational decisions, or, the legitimisation system does not provide the requisite quantity of generalised motivations, or the socio-cultural system does not generate the requisite quantity of action-motivating meaning." It is not necessary, Habermas states, that these crises may lead to a revolutionary rupture in the system.

Referring to the legitimisation and obligation crises in the post-second world war years, David Held (*Political Theory and the Modern State*, 1989) gives contrasting accounts of the crises of the state, "overloaded state" theory on one hand, and "legitimisation crisis" theory on the other. The former theory arguing from the pluralist premises (see Brittan, "The Economic Contradiction of Democracy," 1975; Huntington, "Post-industrial politics: How Benign Will It Be," 1975; Nordhaus, "The Political Business Cycle", 1975), the latter theory arguing from the Marxist premises (see Habermas, *Legitimation Crisis*, 1976; Offe, *Contradiction of the Welfare State*, 1984).

12.5.1 The Overloaded Government Theory Analysed

The overloaded government theorists characterise power relations in terms of fragmentation. According to them, power is shared and bartered by numerous groups representing diverse and competing interests. In a pluralist society, the political outcomes, thus, are determined by democratic processes and pressures, the state attempting to mediate and adjudicate between demands. The economy, following the post-war period, while generating mass affluence and general prosperity owing to booms in consumer goods, new housing, spread of television and entertainment industries, raised expectations in all fields and for all the sections of society. The politicians and political parties, in order to secure maximum votes, promise more than they can ever deliver, some promising to deliver contradictory and, therefore, impossible sets of demands. There is a continuous and constant competition among the political parties, leading ultimately to a spiral of ever-greater promises.

Such pluralist societies, pursuing democratic values through fabulous material promises made to

the people in return for their support, in political arena, work through political parties which follow strategies of appeasement. They do so because they do not want to risk their support; they do so for fear of losing future votes. Political parties attempt to avoid strict action in any field. They do not make promises to set the economy on the right path, nor do they seek the enforcement of radical steps. Appeasement strategies prevail everywhere. In administration, more state agencies relating to health, education, industrial relations, prices, and incomes increase in unwieldy proportions; bureaucracies develop which often fail to meet the ends for which they were originally designed.

The state in pluralist societies proves a failure in providing a firm and effective management. It is unable to meet the cost of its programmes which it designs to meet the ever-increasing expectations of its people in order to obtain their vote. It is unable to arrest inflation, for its public spending processes never stop. Consequently as the state expands, it destroys progressively the realm of individual initiative where the space for free and private enterprise is lost.

Democracy, in pluralist societies, becomes only a mechanism, and in the process loses its humanitarian value. The state becomes incapable of managing public affairs effectively; it becomes rather an instrument in the hands of powerful economic organised groups, and in the process, loses its role of providing an impartial and effective administration. The individual becomes sovereign, but only in the rhetorical sense of the term. Freedom becomes a set of liberties without any base of equality.

The legitimisation of the government, in pluralist societies, causes to be questioned. The obligation on the part of the people to obey the state comes under cloud. A firm and decisive political leadership, among other things, which is less responsive to democratic pressures and demands, may provide solace.

12.5.2 The Legitimation Crisis Theory Analysed

In contrast to the theory of overloaded government, the legitimisation crisis theorists, starting from the Marxists first, argue that while political parties compete for office in pluralist societies through the formal rules of democratic and representative processes, their power is severely constrained by the state's dependence on resources generated by private capital accumulation. The economy is so organised that there is a private appropriation of resources for things socially produced; production is organised for profit maximisation. Such an economy, the legitimisation crisis theorists say, is unstable where economic growth is usually and constantly disrupted by crises. The state, under such a system of economy, cannot develop adequate policy strategies, resulting in a pattern of continuous change and breakdown in government policy and planning. For Habermas and Offe, this is the 'rationality crisis' or 'a crisis of rational administration. The conservative government is unable to reduce its costs and spending for fear of trade unions; the labour government is unable to pursue strong socialist policies for fear of the capitalists' organisations to thwart its economic programmes. The state works within the limitations of planning and control, politicisation of the people stimulating greater demands on the state. As these demands are not usually met, for the system does not permit so much generosity, legitimisation and motivation crisis grow up and struggles follow thereafter.

The crises and struggles, so grown, require extensive strife intervention. While the principal concerns of the state aim at sustaining, and if possible strengthening the capitalist economy and managing class antagonisms, it seeks to ensure the support of powerful groups, both the business community and trade unions. The state, in order to avoid crises, both economic and political,

takes up the areas of the economy and civil society; it also expands the administrative structures; complexities increase, so increases the need for cooperation, and the expanding economy.

The state has to increase its finances so as to be able to meet the ever-growing expectations of the people. Finance comes up through taxation, or through loans from the capital markets which, in turn, interferes in economic growth. The permanent inflation process never ends; crisis in public finance never ends. The system is always under stress and strain; legitimacy causes to be doubted and obligation is always at stake.

David Held finds some common thread in both the theories – overload government thesis and the legitimization crisis argument. The common thread is that (i) both the theories find in governmental power a capacity for effective political action (ii) both hold the view that state power depends ultimately on the acceptance of the authority of the state (overloaded theorists) or, on legitimacy (legitimisation crisis theorists) (iii) both the theories confer that state power is being progressively eroded. The state is becoming increasingly ineffective or short on rationality (iv) both the theories agree that state power is being undermined because its authority or legitimacy is declining progressively, thus putting a premium on the part of people's obligation to obey the state.

12.6 SUMMARY

Legitimation and obligation are two related concepts. Both strengthen the claims of each other. Legitimation, as a concept meaning something that is lawful, implies the legalized pattern of state activities accepted so by the citizens constituting it. It admits lawful authority empowered to exercise power, and more than that, the exercise of power is legitimate, legitimately authorised. It, in the context of the state, demands compliance from the people. When the power of the state is accepted by the people, there is no crisis of legitimisation. The crisis arises when the power of the state, exercised as it is, is challenged by the people or part thereof.

Obligation means the act of binding oneself; it to a great degree, implies a duty; to be obliged means to have a duty. It is an act of binding oneself to some duty. It may well be characterised as a situation of a relational relationship; an authority on the one hand, with assured rights over the individuals; the individuals, on the other, agreeing to obeying the laws of such an authority. Obligation, in the context of state, becomes a political obligation.

“Obligation” and “legitimation”, the two concepts have captured the attention of political philosophers from times immemorial. Paternalism, traditionalism, the contract and context theories have been offered to provide the bases of the legitimacy of the governments' right to rule the people together with the obligation of the people to obey the governments.

All systems experience problems of crises relating to legitimisation and obligation. No system, in fact, is free from crises at one time or the other, with one factor or several factors responsible for such crises. Crises occur, whether they relate to challenging the legitimacy of the government or people's obligation to obey the laws of the state, not because of the casual/accidental changes in the environment, but because of the “structurally inherent systems – imperatives that are incompatible and cannot be hierarchically integrated” (see Habermas, *Legitimation Crisis*). Referring to the advanced capitalist societies, Habermas says that such societies experience four levels of crises: economic, rationality, legitimisation and motivation.

12.7 EXERCISES

1. What do you mean by legitimisation?
2. Distinguish between legitimisation and legitimacy. How are the two concepts related to each other?
3. What do you mean by obligation?
4. Explain clearly the concept of political obligation.
5. Why do we obey the government?
6. Briefly summarise the contract theory's argument for obeying the laws of the state.
7. State briefly Habermas's view of legitimisation crisis.
8. Analyse briefly the theory of overloaded government in relation to legitimisation and obligation.

UNIT 13 CIVIL DISOBEDIENCE AND SATYAGRAHA

Structure

- 13.1 Introduction
 - 13.2 Concept of Civil Disobedience
 - 13.3 History of the Concept of Civil Disobedience
 - 13.4 Theory of Civil Disobedience and Existentialist Philosophy
 - 13.5 Gandhian Concept of Civil Disobedience and Satyagraha
 - 13.6 Civil Disobedience in Practice
 - 13.7 Summary
 - 13.8 Exercises
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13.1 INTRODUCTION

The concept of civil disobedience movement has become an important element in the political power structure in contemporary world. This movement has spread around the world. It has been exemplified by Dr. Martin Luther King, Jr. in the civil rights movement in the United States, the ‘people’s power’ movement in the Philippines, the non-violent collapse of communism in Eastern Europe and so on. The success of Gandhi and Dr. Martin Luther King, Jr. had a lot to do with the emergence of satyagraha as an organisational power. To discuss about the history of the twentieth century, without exploring the impact of civil disobedience and satyagraha is to malign the very basis of the people’s movement and the study of social science. The Gandhian method of civil disobedience and satyagraha has given a new dimension to the concept of statecraft.

While delivering the most prestigious Gandhi Memorial Lecture on “Towards a World without war- Gandhism and the Modern World” on 11 February 1992, Dr. Daisaku Ikeda said, “As we approach the end of this century of unprecedented wars and violence, we seek as our common goal the creation of a world without war. At this critical juncture what can we – must we- learn from this great philosopher – a man whose spiritual legacy could rightly be termed as one of humanity’s priceless treasures, a miracle of the twentieth century.”

The basic aim of every political system is to assist in the process of self-actualisation of individuals to fulfil the inner requirements for a continuous moral growth. The very concept of satyagraha has provided a new meaning and orientation to the concept of politics. Dr. Martin Luther King, Jr. was so much influenced by the concept of civil disobedience and satyagraha that he said, “If humanity is to progress, Gandhi is inescapable. He lived, thought and acted, inspired by the vision of humanity evolving towards a world of peace and harmony”. The Swedish economist, Gunnar Myrdal said, “In a time of deepening crisis in the underdeveloped world, of social malaise in the affluent societies, it seems likely that Gandhi’s ideas and techniques will become increasingly relevant.”

In a violent international climate, with struggle for economic hegemonism and ever escalating

systemic process of violence, not to mention about human rights violations, poverty, and hunger, the concept of civil disobedience and satyagraha of Gandhi is gaining more and more momentum.

The concept of Civil Disobedience and Satyagraha has played an important role in the theory and practice of human liberation movements. It has, indeed, continued to inspire the social and political movements throughout the world. The Gandhian principles of non-violence and civil disobedience are rooted in his concept of Satyagraha. The anti-nuclear and Green Movements, the termination of statist communist administration in Czechoslovakia in 1987, and the popular resistance movement in Kosovo against the Serbian ethnic persecution are some of the important civil disobedience movements of the last century. The rise of racial and ethnic chauvinism, and retrogressive character of the globalisation process have again highlighted the role of civil disobedience and satyagraha as a strategy of social and political movements.

13.2 CONCEPT OF CIVIL DISOBEDIENCE

The phrase, “Civil Disobedience” which is so widely used as a strategy to ensure social justice throughout the world does not have any precise and specific connotation. Henry David Thoreau is generally credited with using this phrase as the title of an essay in 1849. Thoreau changed the title of his essay from “Resistance to Civil Government” to “Civil Disobedience”. There is, however, neither any documentary evidence to show that Thoreau himself coined this phrase nor any reason given by him to indicate as to why he changed the title of his essay.

The concept of Civil Disobedience has a long and varied history covering almost the whole stream of human thought from the Greek era to the present day. The justification and analysis of the concept has been attempted from a variety of philosophical, political and linguistic angles.

The concept of Civil Disobedience implies an act or process of public defiance of a law or policy, duly formulated and created by a governmental authority, which an individual or a group considers to be unjust and/ or unconstitutional. The defiance of the governmental law or policies must be a pre-meditated act and the movement has to be announced in advance. The defiance of law might take either violent or non-violent form. It may be either active or ‘passive’. As the basic spirit of the civil disobedience movement is to arouse public conscience, the individual or the group must be prepared to accept punishment for the violation of law or policies. The action or non-action of civil disobedience has to be openly insisted on in order to be qualified as civil disobedience. The mere non-compliance of legal provisions does not itself constitute civil disobedience.

The concept of Civil Disobedience is grounded in justice and common good, and its end must be a limited one. The basic aim of civil disobedience movement is to arouse consciousness in the adversaries and appeal to their conscience.

Although the methodology of civil disobedience is not restricted within the limited framework of either violent acts or ‘non-violent action’, for a variety of historical or psychological reasons, most of the practitioners of the civil rights movement are committed to non-violence. Some of the pacifist believers of civil disobedience even assume that a complete commitment to non-violence is ethically superior to the possible use of violence.

In contemporary literature, the concept of civil disobedience has been understood as a political strategy adopted by Mahatma Gandhi and his followers in India to oppose British colonial administration. Martin Luther King Jr., during the Civil Rights movement in the United States, also successfully used this strategy.

Referring to the concept of civil disobedience, Mahatma Gandhi said, “I shall consider it (civil disobedience) to be a public, non-violent and conscientious act contrary to law, usually done with the intent to bring about a change in the policies or laws of the government. Civil Disobedience is a political act in the sense that it is an act justified by moral principles, which define a conception of civil society and the public good. It rests then, on political convictions as opposed to a search for self or group interest. In the case of a constitutional democracy, we may assume that this conviction involves the conception of justice that involves around the constitution itself.”

13.3 HISTORY OF THE CONCEPT OF CIVIL DISOBEDIENCE

The concept of civil disobedience has a long and varied history. The concept was very popular as the Antigone theme in the Greek dramas. It was the basic theme of the anti-war motif of Lysistrata where the women, apart from leaving their men, captured the Acropolis and the Treasury of Athens. This conflict between civil law and conscience could be seen in the passive resistance of Jews to the introduction of icons into Jerusalem.

Throughout the long history of human civilisation, there has always been a conflict between individual freedom and political authorities of the state. The freedom to choose whether to obey the dictates of state law or not has always been the basic theme of civil disobedience movement.

Socrates considered obedience to and search for truth as the fundamental aim of human life. To him, justice is an element of truth. Although he strongly believed that an individual could only develop in a well ordered society, and it was his moral duty to obey the state, he was not prepared to sacrifice the realm of conscience. He strongly advocated that the state has no right to force an individual to act unjustly. This is the area in which he justified the role of civil disobedience.

The early Christians used civil disobedience movements as justification for religious and moral obedience to God. This was the first non-violent civil disobedience movement in the West. The doctrine of civil disobedience movement has been used as an instrument of socio-political transformation on a number of occasions.

The modern concept of civil disobedience had its origin in the writings of empiricists like Thomas Hobbes. The political situation of England in the seventeenth century made Hobbes espouse the doctrine of fundamental natural rights as a basis for obedience to government. He was convinced that in order to guarantee rights to the individuals, the state must ensure a climate of civil peace. He was not prepared to grant the right to dissent to the individuals in the state. The only condition under which the individuals were entitled to have the right to dissent was when the state was not strong enough to protect the rights of the individual and to ensure civil peace in society. The right to civil disobedience was indeed inherent in the specific conditionality of Hobbes.

John Locke was of the opinion that the people have a “right to resume their original liberty and to establish a new government.” Even if he was not so precise and clear about the propriety of resistance to the authorities of the state, he was convinced that the people have the right to have both non-violent and violent civil disobedience movements to ensure liberties, properties and social justice.

While analysing the empirical utilitarian approach to determine the concept of the right to resist,

Henry David Thoreau adopted an idealistic anarchist view. He strongly believed that all *civil laws* that try to encroach upon the areas of *moral law* have no moral justification to exist. The Universal Declaration of Human Rights of 1948, which emphasised humanistic foundations for man's basic rights, supports the contention of Thoreau. In his Treatise of Human Nature, David Hume provided a libertarian concept of civil disobedience.

Jeremy Bentham advocated that conscientious citizens have to "enter into measures of resistance as a matter of duty as well as interest." James Mill adopted a paradoxical attitude towards the concept of civil disobedience. He supported the right to a violent revolution while opposing the right to advocate limited civil disobedience.

All the empiricists like Thomas Hobbes, John Locke, David Hume, Jeremy Bentham and James Mill were in favour of a negative concept of individual freedom. They put emphasis on the absence of restraints as the basic requirement of individual freedom. Their views against all improper use of governmental authority provided the basic ground for the modern theories of civil disobedience.

The Idealist School was less hospitable to the concept of civil disobedience. From Aristotle to Rousseau and supporters of Hegelian as well as Marxist traditions, all have emphasised the importance of state over individuals. While emphasising the positive concept of freedom, the Idealists were of the opinion that the positive concept of freedom could only be achieved by an unconditional loyalty to a collectivity.

The Syndicalists emphasised the obedience to democratic trade union leadership only so as to have access to the areas of positive freedom. One must not forget that the Anarchists in the idealist (Tolstoy) or socialist (Bakunin, Kropotkin) tradition have always pleaded for a total rejection of state system based on the positive concept of freedom. In fact, they provided a new approach to the realisation of man's social self through civil disobedience.

Political theorists consider the idea of natural law as an important basis of the modern idea of civil disobedience. Although both Aristotle and Cicero failed to develop a theory of civil disobedience, their views on the subject have definitely paved the way for the justification of a civil disobedience movement. Aristotle said, that "unjust law is not a law." Cicero was of the view that "a true law – namely right reason- which is in accordance with nature, applies to all men and is unchangeable and eternal.". These views have provided a strong ground for the civil disobedience movement.

Thomas Aquinas considered unjust laws as "acts of violence rather than laws". To him, "such laws do not bind in conscience." However, he would not allow any disobedience to the Church at all and, disobedience to the state, only in rare cases.

Modern Neo-Thomists have adopted the same cautious attitude of Aquinas regarding the issues of civil disobedience. Pope Pius XII was criticized for not adopting a bold stand against the genocide of European Jews. Rolf Hochhuth in his play, *The Deputy* (1963), criticised the Pope for not doing enough to disobey or resist Hitler's aggression.

In recent years, the Church has taken a bold stand regarding civil disobedience. The right to disobedience is no more, limited to violation of divine laws. Pope John said, "For to safeguard the inviolable rights of the human person and to facilitate the fulfillment of his duties, should be the essential office of every public authority. This means that, if any government does not acknowledge the right of man or violates them, it not only fails in its duty, but its orders completely lack juridical force."

13.4 THEORY OF CIVIL DISOBEDIENCE AND EXISTENTIALIST PHILOSOPHY

The theme of alienation, drawn from existentialist philosophy, is an important aspect of contemporary theories of civil disobedience. Albert Camus is considered a leading contributor in this area. Although both Albert Camus and Jean Paul Sartre and other existentialist thinkers believe that there is no valid basis for any moral or political authority's claim to validity (or legitimacy) or to obedience, Camus was more forthright regarding his views on resistance to oppression. He was of the opinion that respect for the dictates of justice must precede respect for law. In his Nobel Prize address, Camus strongly advocated his 'refusal to lie about what we know and resistance to oppression'. He was not even averse to the use of physical force, although he always regarded it as a supreme evil, to counteract the worst violence of the state. He considered every power elite and authority of the state as the enemy of justice. He considered pacifists as 'bourgeois nihilists'.

13.5 GANDHIAN CONCEPT OF CIVIL DISOBEDIENCE AND SATYAGRAHA

Mahatma Gandhi is considered to be the leading theorist in the history of civil disobedience movement. The Gandhian concept of civil disobedience and satyagraha is the greatest contribution to mankind in our times. Albert Einstein said, "It is my belief that the problem of bringing peace to the world on a supranational basis will be solved only by employing Gandhi's method on a large scale." Martin Luther King Jr. said, "From my background I gained my regulating Christian ideals, from Gandhi, I learned my operational technique."

Gandhi called his concept of civil disobedience as the doctrine of 'Satyagraha' or 'Truth Force'. For him, the adjective 'civil' in the phrase 'civil disobedience' referred to peaceful, courteous, and a 'civilised' resistance. To him, the concept of passive resistance is inadequate to grasp the full implications of the concept of 'satyagraha'. He said that one must not only resist passively the injustice and arbitrariness of the government, but also must do so without any feeling of animosity.

In the earlier phase, Gandhi had spoken of passive resistance as an 'all-sided sword'. He said, "...it blesses him who uses it and him against whom it is used. Without draining a drop of blood, it produces far-reaching results....Given a just cause, capacity for endless suffering and avoidance of violence, victory is a certainty."

Subsequently, Gandhi abandoned the term 'passive resistance', and chose the term 'satyagraha'. The concept of satyagraha is devoid of any feelings of hatred and violent means. It is based on spiritual purity. Like Tolstoy, Gandhi was opposed to all forms of violence in his commitments to political actions. Arne Naess, a leading theoretician on Gandhi has stressed Gandhi's "constructive imagination and uncommon ingenuity in finding and applying morally acceptable forms of political action." Satyagraha, the unique system of non-violent resistance to the government's arbitrary methods and actions is, indeed, his greatest gift to mankind.

For Gandhi, Ahimsa (non-violence) and Truth were inseparable. He said that "Ahimsa is the means; Truth is the end." Gandhi used satyagraha as a lever for social movements.

In order to understand the Gandhian concept of civil disobedience and satyagraha, it is desirable

to know Gandhi's view on the subject in detail. Gandhi said, "Satyagraha largely appears to the public as Civil Disobedience or Civil Resistance. It is civil in the sense that it is not criminal. The lawbreaker ... openly and civilly breaks (unjust laws) and quietly suffers the penalty for their breach. And in order to register his protest against the action of the lawgivers, it is open to him to withdraw his cooperation from the state by disobeying such other laws whose breach does not constitute moral turpitude. In my opinion, the beauty and efficacy of Satyagraha are so great and doctrine so simple that it can be preached even to children."

Gandhi strongly advocated that it was the birth right of every individual to offer civil disobedience in the face of unjust laws. He wrote in 1920, "I wish I could persuade everybody that civil disobedience is the inherent right of a citizen, He does not give it up without ceasing to be a man. Civil disobedience, therefore, becomes a sacred duty. When the state has become lawless, or which is the same thing, corrupt. And a citizen that barters with such a state, shares in corruption or lawlessness."

In his evidence before the Hunter Committee that was constituted by the Government of India to enquire into the disturbances in 1919, Gandhi argued that civil disobedience would be called for and is legitimate even in a democracy. He highlighted its constitutional aspects. In his reply to the Hunter Committee as to what he would have done towards the breakers of laws if he would have been a Governor himself, Gandhi replied, "If I were in charge of government and brought face to face with a body who entirely in search of truth, were determined to seek redress from unjust laws without inflicting violence, I would welcome it and would consider that they were the best constitutionalists, and as a Governor I would take them by my side as advisers who would keep me on the right path."

Some people have questioned the efficacy of satyagraha as a universal philosophy. Gandhi's vision was not confined to the attainment of independence from foreign rule, the control of government by the Indians. He struggled for the Indian soul, not merely for a visible polity.

In the concept of 'civil disobedience and satyagraha' both 'civil disobedience' and 'satyagraha' are deeply interlinked as a theory of conflict resolution. Gandhi said, "Experience has taught me that civility is the most difficult part of satyagraha. Civility does not here mean the more outward gentleness of speech, cultivated for the occasion but an inborn gentleness and desire to do the opponent good. These should show themselves in every act of satyagraha."

This new orientation of the concept has provided a visionary dimension to the very approaches of conflict resolution in statecraft. The present threat, indeed, to the very existence of mankind could only be removed by the Gandhian approach of a revolutionary change of heart in individual human beings.

The basic aim of every political system is to create a social, political and economic climate in which the individuals can fulfil inner requirements of their continuous moral growth. The Gandhian method of civil disobedience and satyagraha alone helps in creating conditions in civil society whereby all spiritual values and methods could be appreciated in the state system as a vital necessity for progress and prosperity. Dr. King very successfully implemented this Gandhian method during the civil rights movement. He said, "A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law." In the language of Thomas Aquinas, an unjust law is a human law that is not rooted in eternal and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality.

Gandhi emphasised ‘civil’ in ‘civil disobedience’ to imply non-violence. Non-violence, as it is highlighted in the analysis, has a positive as well as a negative connotation. In its negative form, it implies ‘non-injury’ to any living being. In its positive form, it means, ‘the greatest love’ and ‘the greatest charity’. In Buddhist literature, it is highlighted as an attitude of creative coexistence.

According to Henry Thoreau, if there is a conflict between ‘higher values’ and ‘lower values’, then the citizen in no way should resign his conscience to the legislation of the state. He said that “legislators, politicians serve the state chiefly with their heads; and as they rarely make any moral distinctions, they are as likely to serve the devil, without intending it, as God. A very few serve the state with conscience also, and so necessarily resist it for the most part..., no undue respect for law is required as it will commit one to do many unjust things. Where ‘immorality’ and ‘legality’ come into conflict, the only obligation which I have a right to assume is to do at any time what I think right, what I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn”.

The Congress Party organised the Civil Disobedience Movement in pursuance of the resolution on independence passed in the Lahore session of the Congress in December 1929. It was the result of British refusal to accept the Congress demand for Dominion Status. Factors such as the Lahore Conspiracy Case, the tragic death of Jatin Das in jail in 1929, the Meerut Conspiracy Case also forced the Congress to demand independence. The civil disobedience movement got manifested in various forms such as the widespread defiance of law, boycott of British goods, withdrawal of support by the army and the police, and non-co-operation with the government. Gandhi highlighted all these demands in his letter to the government in 1930 to break the salt law.

Gandhi started his satyagraha movement in South Africa. Subsequently, on his return to India to lead the non-co-operation movement against the British administration, he used it to remove the grievances of the oppressed workers and peasants of Champaran, Kheda, and Bardoli. To quote Gandhi, “... to speak of satyagraha is to speak of a weapon... a weapon which refuses to be limited by legality. Challenge, illegality, and action – there are so many keys with which satyagraha is equippedFor though satyagraha rejects violence, it does not renounce illegality.”

Gandhi always emphasised the value of proper means. To him, “Improper means result in an impure end....One cannot reach truth by untruthfulness. Truthful conduct alone can reach truth. Non-violence is embedded in truth.”

Often Gandhi has been taken to task for his emphasis on self-suffering and satyagraha. Some trace it to the streak of masochism in the character of Gandhi, while others have gone over to Hindu scriptures to emphasise Indian spirituality. But the Gandhian approach to self-suffering and satyagraha has little to do with individual self-mortification. It is a simple condition for the success of a cause. It does not imply that there would not be any suffering in the struggle for satyagraha. It simply means the assertion of one’s freedom and one’s right to dissent. This method often works as a psychological way to change the minds of an opponent. Gandhi said, “While in passive resistance, there is a scope for the use of arms when a suitable occasion arrives, in satyagraha physical force is forbidden even in the most favourable circumstances. Passive resistance may be offered side by side with the use of arms. Satyagraha and brute force being each a negation of the other can never go together.”

The Gandhian concept of satyagraha is the product of his faith in religion and spiritual values. He was convinced that the supreme law that governs all living beings and universe is nothing but love and non-violence, and Gita carried this message of non-violence as ‘soul force’.

The Gandhian concept of satyagraha is not merely an instrument of conflict resolution or non-violent resistance to injustice. It is an integrated concept, covering the whole life process of a satyagrahi. It includes : truth, non-violence, chastity, non-stealing, swadeshi, fearlessness, bread-labour, removal of untouchability, and so on. Civil disobedience is a ‘branch’ of ‘satyagraha’. All ‘satyagrahas’ can never be civil disobedience, whereas all cases of civil disobedience are cases of satyagraha. Gandhi said, “Its root meaning is holding on to truth, hence truth force. I have called it Love Force or Soul Force.”

13.6 CIVIL DISOBEDIENCE IN PRACTICE

The Gandhian concept of civil disobedience and satyagraha has relevance in contemporary world. Rabindranath Tagore reflected the voice of the generation when he said, Gandhi was a ‘living truth’, a symbol of humanism. Gandhi used the civil disobedience method for the first time during his march to Transvaal in South Africa in 1913 to protest against the discriminatory policies of the South African government. This was the first real mass movement of civil disobedience led by Gandhi. Gandhi was not interested in embarrassing the Smuts administration. When he found that Mr. Smuts was in trouble, he called off one of his projected marches. Commenting on this action of Gandhi, Louis Fischer, a leading journalist wrote: “In the end, Gandhi had not won a victory over Smuts, he had won Smuts over.”

In 1918, Gandhi used the civil disobedience movement in India during his campaign for the textile workers of Ahmedabad. The Salt Satyagraha of 1930, the civil disobedience movement for independence in 1930, and his fast unto death for the development of social conditions of untouchables in 1939 are some of the examples of civil disobedience movements under the leadership of Gandhi in India.

The people of South Africa used the Gandhian method of civil disobedience to demand independence from the colonial administration. The civil disobedience movement against the apartheid policies of the South African Government in 1952, the Johannesburg bus boycott in 1957, and the 1960 march under the leadership of Chief Albert J Luthuli against the Sharpeville massacre are some of the historic mass civil disobedience movements.

The Civil Disobedience movement by the Buddhists in South Vietnam against the American bombing was inspired by the doctrine of non-violence. The other historic examples of civil disobedience movements were: the movement against German occupation in Denmark and Norway, Danilo Dolci’s strike in Sicily in the 1950s, nuclear disarmament campaign in Western Europe, the non-violent demonstrations in Poland, the Vorkuta prison uprising in 1953 in the erstwhile Soviet Union, the Montgomery Civil rights march in 1955, and the anti-Vietnam war march towards the army base in Oakland in 1965.

The Civil Disobedience movement is gaining momentum day by day throughout the world.

13.7 SUMMARY

The Anti-Vietnam war, Civil Rights, Draft Resistance, Anti-Nuclear Weapons movements, and a host of other movements in Western Europe, USA, and in other parts of the world have given rise to a lively debate about the Civil Disobedience strategy in a democratic setup. The issue is being debated and discussed from various angles in different parts of the world and also its relevance in contemporary international system. Although there has been a significant volume of conservative opinions that would not tolerate any opposition to the laws that have been

democratically passed by various state systems, there is also a considerable opinion of well-reasoned persons in favour of the Gandhian concept of civil disobedience movement.

John Rawls, in discussing the concept of civil disobedience movement in a contemporary democratic set-up said, “The right to make laws does not guarantee that the discussion is rightly made; and while the citizen submits his conduct to the judgement of democratic authority, he does not submit his judgement to it. And if in his judgement, the enactments of a majority exceed a certain bound of injustice, the citizen may consider civil disobedience.” He said that “Civil disobedience is a political act in the sense that it is an act justified by moral principles which define a conception of civil society and the public good.”

Burton Zwiebach said, “Democratic governments must include an agreement to respect differences of opinion concerning justice and right.”

Civil Disobedience is not inconsistent with democracy. When traditional channels of meeting public grievances are incapable of fulfilling legitimate demands, civil disobedience becomes a strategy for the attainment of goods and social justice. Amid the fury of communalism, genocide and the market oriented process of social injustice, the Gandhian method of civil disobedience and satyagraha is becoming more and more popular in contemporary society.

To a superficial observer, it might appear that the concept of civil disobedience and satyagraha goes against the very synthesis of ideals between different faiths and involves a clash of values between the activists of civil disobedience movement and the state. In fact, the Gandhian concept is a means for achieving social synthesis and harmony. It emphasises dialogues for a dialectical search for truth. T.H.Green in his ‘Lectures on the Principles of Political Obligation’ has rightly said, “The functions of government are to bring in those conditions of freedom, which are conditions of the moral life. If it ceases to serve this function it loses its claim on our obedience.” According to Barker, civil disobedience is virtually within the process of social thought; it is a method of persuasion rather than recourse to force.

13.9 EXERCISES

1. Discuss the importance of satyagraha as a method of conflict resolution.
2. What is satyagraha? In what way does it differ from passive resistance?
3. What is the relevance of satyagraha and civil disobedience in the contemporary world?
4. What is Gandhi’s contribution to the theory and practice of satyagraha?
5. What are the various dimensions of the Gandhian concept of satyagraha?

UNIT 14 POLITICAL VIOLENCE

Structure

14.1 Introduction

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14.3 Violence and State

 14.3.1 Political Violence and Political Integration

 14.3.2 Political Violence and the Process of Economic Development

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 14.4.1 General Causes of Political Violence

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14.8 Summary

14.9 Exercises

14.1 INTRODUCTION

Political violence in most of the modern societies is the result of social tensions, which develop in them due to different reasons. Normally, political violence is directed against the state

because the state is considered the chief source of injustice and repression. As a result, different sections of society are taking recourse to violence to solve their problems. They are following violent methods because the state has failed to secure regular obedience from the people. Violence is a purposeful political action to register protest of certain sections of society against ‘wrong’ policies of the government. In modern times, revolution as a form of political violence is carried out to change the form of government and to transform social structure.

Political violence is a deliberate political activity, which has enormous ethical implications. It is pointed out by Aristotle that men do not revolt because they catch the cold. There are serious moral issues involved in it. Therefore, he said that the honour enjoyed by a political assassin cannot be compared with that of an ordinary murderer. The supporters of political violence justify it on moral grounds. They argue that they are fighting against bad government and for a just cause. The opponents of violence condemn terrorist activities for acting against the lawfully constituted government. Hence, one country’s terrorist is a ‘freedom fighter’ for another country.

14.2 MEANING OF POLITICAL VIOLENCE

Political violence is a collective violent action of a group of people against the government to highlight its discontent. It may be a protest against a particular policy of the government, it may be used to remove a particular government from power, or it may be taken recourse to for the change of political system.

Aggression and violence have been a part of human history since long because men take to violence and aggression to secure things that they did not possess or to preserve things that they possessed. Normally, political violence is directed against the state, its property and men who manage its institutions. Political violence may begin with rioting or mass demonstrations. But it is always possible that it assumes different forms.

Aristotle was the first political scientist who discussed the nature and causes of political disorder. He pointed out that change in the balance of social forces in a particular state was responsible for political disorder. The Indian political thinker Kautilya (Chanakya) was of the opinion that change in the attitude of one’s own people is revolt. It results from a wrong policy of the government and immodest behaviour of the king. Thus, since ancient times, political violence had caused disorder in the state and in modern times, the problem of political violence has become more marked and complex.

14.3 VIOLENCE AND STATE

We have seen in our discussion that political violence is largely directed against the state and its various institutions. Therefore, it is as old as the state itself. Violence is in built in the institution of the state. It has the monopoly of coercive power in its hands. The state exercises this power with the help of its repressive agencies such as the army, the police, jails and courts. It can punish people who do not obey its orders and who disturb law and order. The state claims authority to rule and it secures authority with the help of legal sanctions or popular sanctions. When the state exercises power, it is entitled to use legally sanctioned violence to enforce its order. More often than not, the state uses coercive methods, which are not sanctioned by law. The degree of use of violence differs from state to state, because ultimately it depends on the ability of the state to secure compliance of its order without using coercion.

Modern states are increasingly using violent methods because they want to bring about political integration of the country as well as to hasten the process of economic development.

14.3.1 Political Violence and Political Integration

The state is an institution of society and its prime function is to bring about social and political integration of the people. Ancient and medieval states allowed co-existence of multiple autonomous political authorities. The modern state wants to establish its total authority over people and the territory under its jurisdiction. In every state, there exist distinct cultural and ethnic groups and it is a desire of every state authority to amalgamate these cultural groups into a single political unit under a single central authority. Historically, this process has, with a very few exceptions, been one of extreme violence which has varied from the physical murder of whole sections of cultural minorities to their forced deportations, their forced religious and cultural conversion and large scale population transfers. This violence has been exercised by states on their own citizens or those it claims are its citizens and violence has been employed as an instrument of policy. The purpose of this policy was to extend state's political authority upon those who for one reason or another do not accept its authority as legitimate.

The modern state was built upon the demise of feudal and tribal communities, which were autonomous entities. Once this integration was achieved in West Europe, attempts were made there to control the arbitrary exercise of state violence by agencies of the state such as the army and the police and their immediate controllers: Kings, ministers, generals and bureaucrats. At present, most of the countries of Asia and Africa are undergoing this process; therefore, politics in these states is the most violent.

14.3.2 Political Violence and the Process of Economic Development

Historically we have seen that the state exercised violence in the early phase of economic development when there was a transition from a handicraft system based on agriculture to a relatively labour intensive factory system. During this period, a great majority of population suffered because of this change. The state used extremely violent methods to curb agrarian revolts of the farmers who were agitating against unjust policies of the government. It used its authority to protect private industries by curbing the rights of workers and by declaring trade unions illegal. For example, during the 'captain's swing troubles' in rural England in 1830, when agricultural machines were destroyed, animals killed, crops destroyed and bricks burnt, the state arrested 1976 farmers, deported 481 farmers and executed 18 farmers. Thus, transportation, imprisonment, the lash and even death were the lot of those agitating against the inhumanity of the early factory system. The process of economic development, both in the planned and unplanned economies, involved the exercise of force because the new economy required capital formation by curbing the consumption levels of working classes. Thus, the attempts to achieve higher economic standards for certain classes of society produced violent reactions from those deprived classes who suffered.

In short, in the process of political integration and economic development, the level of political violence is extremely high. The state has considerably greater potential of internal violence than its citizens.

14.4 CAUSES OF POLITICAL VIOLENCE

There are many causes that give birth to political violence. Men take recourse to violence as a last resort. It is rightly pointed out by Aristotle that men do not revolt because they catch cold.

People decide to use violent methods when they think that their survival as a community is at stake and unless they fight against it, they will have to suffer no end. Normally, people exhaust legally available avenues to get their grievances redressed. But if the legal methods fail to deliver goods, people take to violence.

Following are some of the causes of political violence.

- 1) General causes
- 2) The Concept of National Self-Determination
- 3) Ideology
- 4) Religious and ethnic conflicts
- 5) Political conflicts between different groups of elites
- 6) Economic conditions and the concept of relative deprivation.

14.4.1 General Causes of Political Violence

We have seen in our earlier discussion that political violence has been a result of bad government. Kautilya in his '*Arthashastra*' said that wrong policies of the government and immodest behaviour of the rulers give birth to revolts of the people. Wrong and oppressive policies of the government create resentment in the minds of the people and the people rise violently to change the wrong policies. Excessive taxation, hike in the prices of essential commodities, deliberate disregard of law and morality in the exercise of power, unjust treatment meted out to certain sections of society, deliberate neglect of certain regions of the state, political incompetence and misgovernment and excessive and tactless use of force to put down peaceful agitation are the general causes of violence. Kautilya held that impoverishment, greed and disaffection are the causes of revolt.

14.4.2 The Concept of National Self-Determination

During the last two centuries, a large number of countries of Third World came under foreign control. They became colonies of Western countries. People in the Third world countries wanted to free themselves from foreign domination. Hence, they waged violent struggles against foreign rule. In modern times, the American settlers were the first to take to arms to free their country from British rule. We have numerous examples of such struggles in Afro-Asian countries such as Vietnam, Algeria and Indonesia. Due to the pacifist ideas of Mahatma Gandhi, the Indian liberation movement remained largely non-violent, though there were certain armed revolutionaries like Sawarkar Bagha Jatin, Bhagat Singh and Subhash Chandra Bose in India also.

After the Second World War, a large number of Third World countries became independent. These countries faced the problem of nation building, as the process of political integration was weak. But there was increasing political consciousness in the minds of the people. Certain regions in these states who had a distinct cultural or religious identity demanded the right of self-determination for their provinces. The supporters of national self-determination movement called it a movement for national liberation while the opponents of these movements called them secessionist movements. In India, we are facing these type of movements in Jammu and Kashmir, Nagaland, Manipur and Assam. Most of the Third World countries are facing this problem. Even developed countries like Great Britain and Canada faced the problem of secession in Northern Ireland and Quebec respectively. The Irish Republican Army and the LTTE in Sri Lanka are the most dreaded separatist groups in the world. These movements are marked by excessive use of violence from both the sides. Thus, nationalism caused the emergence of national liberation movements as well as the movements for national self-determination.

14.4.3 Ideology

In modern times, ideology has played an important role in the spread of political violence. Ideology mobilises people and gives them a certain cause to wage struggle against the state. Ideology explains the present conditions of society and asks the people to change it to bring about a better system of governance. Most of the movements in modern times are ideological in character. Fascism and socialism were two such ideologies.

Fascist ideas became popular in Europe between the two World Wars. Fascists glorified force and violence and advocated the unity of interests of individuals with that of the nation state. Fascism in Italy and Nazism in Germany used the extreme form of violence to capture political power.

The ideology of revolutionary socialism moved a large number of people who were involved in violent revolutionary activities. The socialists stand for the abolition of the capitalist system, which is based on state violence. The socialists want to establish a classless and stateless society which would end exploitation of man by man. We have examples of successful revolutions like the Russian revolution, The Chinese revolution and The Cuban revolution. The socialists argue that they take recourse to violence to counter state violence. There are a large number of countries, which are witnessing violent socialist uprisings. India, Nepal, Indonesia, Burma are the countries that witnessed violent revolutionary activities by the socialists. In India, the Naxalites are involved in revolutionary political activities.

14.4.4 Religious and Ethnic Conflicts

Most of the countries of the world are inhabited by the people who adhere to different religious faiths and belong to different ethnic communities. Therefore, there are religious and ethnic minorities in most of the countries. Modern state is trying to bring them under a single central political authority. Religious and ethnic minorities resist this attempt because they fear that due to this political integration they may lose their separate identity. The moment force is applied to advance this policy these communities take recourse to resistance and violence.

Many of the West European countries witnessed religious conflicts during the 17th and 18th centuries. The conflict was between the Catholics and the Protestants. Now, modern European states claim that they are secular and they have achieved separation between the church and the state. But in many countries of East Europe, Asia and Africa, religious strife is common. Inter-religious conflicts take place between two religious communities, between Christians and Muslims, Jews and Muslims or Hindus and Muslims. There is intra-religious conflict within a particular religious community when a particular religious sect wants to purge the religion of corrupt practices. The fundamentalist groups, who want to purify their religion, take to an extreme form of violence. Those people who do not approve of this ‘puritan’ view of religion are considered as enemies of religion and an internecine warfare begins. Algeria, Egypt, Afghanistan and several Muslim countries are facing this problem.

Culturally and ethnically, modern societies are not homogenous. Cultural and ethnic minorities want to preserve their separate identity. Hence, they want to secure and protect their rights. These minorities are formed on the basis of race, language and culture. They take to violence if they feel threatened. Quebec province in Canada, Nagaland in India, Northern Ireland in Great Britain, the Chechens in Russia, Tibetans in China and Kurds in Iraq and Iran are examples of this. Minorities are concerned about their identity and majorities question their

political loyalty. In some cases like Srilanka, the struggle of minorities assumed the form of separatist violence, which culminated in insurrection.

14.4.5 Political Disputes between Different Groups of the Elite

Governing elite in each state consists of groups, factions, and these groups and factions are involved in power politics. These groups and factions use violent methods to secure support of the people by organising street demonstrations, communal riots and sabotage. A group, well established in the government uses coercive powers of state institutions to curb this violence. Political disputes among the elite may result in splits and divisions in the ruling group. The dissident group many incite violence against the ruling group or take help of a faction in the army to capture political power. Sometimes, the disgruntled leaders may support the secessionist movements. Many a times, the military take over is the result of such disputes. The Afghan history after 1972, military take overs in Pakistan and Bangladesh are examples of this type of politics. These military takeovers are often very violent and cause a large-scale bloodshed.

14.4.6 Economic Conditions and the Concept of Relative Deprivation

Economic conditions give birth to different types of political violence because they generate resentment in the minds of the people. It is the wrong policies of the government that favour certain sections of the society and push a large section of the people below poverty line. Due to the wrong policies of the government, there is growing inflation, declining living standards of the people, price rise, unemployment and non-availability of essential commodities in the market. These factors force people to take to streets and participate in violent demonstrations against the government. Workers, farmers, students and other sections of the society take part in demonstrations to protest against the policies of the government.

But it must be remembered that poor living conditions alone do not constitute a sufficient cause to give birth to violence. The workers and farmers must develop consciousness about it in their minds. When a section of people begins to believe, that it is being deliberately deprived of the valued goods to which it is entitled, it takes recourse to agitation. The sources of deprivation lie in social processes, which cause a gap between what people are entitled to and what they receive. In modern times, due to education, learning of new skills, new consumption levels and advertisements create a feeling of deprivation in the minds of the people. The feeling of relative deprivation thus gives birth to political violence. Low level of economic growth causes considerable resentment in the people. Even rapid economic development may lead to resentment if the fruits of growth are not fairly distributed among the different strata of society.

14.4.7 Support by Neighbouring Countries

Political violence, especially sustained political violence in a state always gets support from the neighbouring countries, which are hostile. The foreign country gives support in the form of arms, money, training and shelter. For example, political violence in Jammu and Kashmir is supported by Pakistan. America gave support to rebels in Cuba and Nicaragua and Libya and Iraq are accused of supporting the Islamic terrorist network.

14.5 FORMS OF POLITICAL VIOLENCE

There exist different forms of political violence, which people use to show their resentment and dissatisfaction against the government. It can assume a form of a violent demonstration or it

can be an epoch making revolution like the French revolution of 1789. We see the emergence of political violence in the following forms :

- 1) Violent protests by the people against the government
- 2) Terrorism
- 3) Military revolts and take overs
- 4) Revolts and Rebellion
- 5) War

14.5.1 Violent Protest by the People against the Government

Normally, people take recourse to violence when all the constitutional means available to them fail. The violent protests of the people assume different forms. The violent protests of unorganised mobs cause a large scale damage because they attack the symbols of government authority such as government offices, railways and buses. They try to disrupt normal functioning of the government. This type of violence is sporadic in nature and it dies down after registering protest. But, due to the violent riotings, the governments tend to amend their policies to avoid the spread of violence.

Those groups which are well organised mobilise people against the government and use different methods of resistance. They declare strikes, ‘bandhs’, and hartals. Sometimes, they organise violent demonstrations and morchas. If the central authority of the government is weak and it lacks legitimacy, a well organised demonstration may cause the downfall of the government. But this rarely happens. Otherwise, the impact of violent protests of the mobs is temporary in nature because the government uses repressive measures to control it.

14.5.2 Terrorism

In modern times, terrorism has become one of the important forms of political violence as a large number of young people join terrorist groups to bring about change in the government. The weapon of terrorism is used by terrorists because they know that they cannot launch an open war against the state as the state has a superior force at its command. But terrorists are determined to use violent methods because it is their opinion that opponents understand the language of the gun. Their power in society is also based on the gun. Terrorists use all sorts of methods to teach a lesson to the state authorities. Their activities start with blowing up of a bridge or breaching a wall of a dam. But in the process, they expand the area of their operation. They get involved in activities of sabotage, murder, killing a large number of people in sudden gun fire, hijacking of an aircraft or a bus, holding people for ransom, kidnapping, political assassinations, extortions, setting fire to places of worship and markets, inciting caste and communal riots etc. They succeed in harassing the state authorities because there is an element of surprise in their actions. The Irish Republican Army, the Liberation Tigers of Tamil Eelam, various Palestine Guerilla outfits, Al Qaeda militants are some of the most violent and dreaded terrorist organisations. In India, we have witnessed activities of terrorists in Jammu and Kashmir, Punjab, Nagaland, Assam, Manipur, Tripura and Mizoram. The Naga militants have been continuing their terrorist activities for the last 4 years. Through their activities, the terrorists want to establish a well-trained armed wing to carry forward insurrectionary activities. But most of them do not succeed. It is true that some terrorist organisations succeed in setting up their

own militias but they cannot fight a well-oiled regular army of modern state which is often supported by a super power. Guerrilla warfare succeeds when the state authorities are extremely weak and when their writ does not run beyond the capital. In South Vietnam, the Viet Cong guerrillas succeeded because of the weakness of the South Vietnamese state.

Terrorists take recourse to crime, but they are not ordinary criminals because they are ideologically motivated and they have a vision of establishing a better society. Terrorist activities are legitimised by their ideology. We can see three distinct phases of ideological orientation of terrorism. In its first phase, national independence was its goal. In the second phase after the Second World War, most of the terrorists owed their allegiance to revolutionary socialism and at present, their orientation is religious fundamentalism or ethnic separatism. Every terrorist movement has its own group of intellectuals who rationalise the use of violence.

14.5.3 Military Revolts and Take Overs

In modern times, the military or the armed forces of the country are playing an important role in the politics of the third world countries because they are the only well organised force available in societies which have not undergone the process of state and nation building. Involvement of military in political violence assumes two forms 1) the mutiny of soldiers and 2) military take over or ‘coup d'état’.

All over the world disgruntled elements in the armed forces rebel against the government. This revolt is called mutiny. Due to some economic or political reasons, the soldiers take to arms and get involved in violent activities. For example, in 1857 the Indian soldiers of the army of British East India Company revolted against the British rule and killed a large number of their British officers. Normally, a mutiny is always taken very seriously by the state authorities because soldiers possess arms and training and they are in large numbers. But if a mutiny has no ideological base, sooner or later it is brought under control by the state authorities.

The second form of political violence is the military take over by engineering a ‘coup d'état’. Military takeover is a sharp armed insurrection by a group of army officers to capture political power by establishing control over key installations of the state. It is a well organised operation in which masses are bypassed. If coup leaders are confident of controlling the situation, they may not take recourse to violence. For example in Pakistan, most of the military takeovers were bloodless. But if the coup leaders are not confident of their success, they indulge in an extreme form of violence to strike terror in the minds of the people. For example, in Bangladesh in 1975, President Sheikh Mujibur Rehman and his entire family were wiped out. The military coup in Indonesia in 1965-66 was extremely violent. All military takeovers in Afghanistan after 1973 were violent. In the military takeover, the masses are not involved and in many of the Afro-Asian and Latin American countries, the military displaces the democratic government and usurps power. Most of the dreaded dictators in these countries are military generals.

14.5.4 Revolts and Rebellions

We have seen that terrorist violence or even military revolts do not need the support of the masses. It is essentially an action carried out by a determined group of people. But revolts and rebellions take place because of popular disaffection. Revolts represent the anger of certain sections of society and they are aimed at changing the policy of the government or change in the government. The revolts may take place in different parts of the country and the demands of the rebels may be very specific. If the revolts are accompanied by a high degree of

organisation and with the tacit approval of wide sections of the population, one can say that they have assumed a serious form. It includes large scale terrorism and civil war. The revolt may develop into a rebellion.

Rebellion is the second stage of revolt in the sense that in this phase, the rebels are ideologically committed and they have developed a vision of future society. Due to the normally socialist or the nationalist ideology, they are supported by a large number of people. If the rebels are able to concentrate in a geographically peripheral area or the areas outside the efficient control of the state and if foreign support is available to them, the rebellion assumes the form of armed insurrection, which cannot be easily put down. The rebels normally use the tactics of guerilla warfare because they lack the military strength to counter state forces. To circumvent the armed superiority of the state, the guerillas try to win the support of the people through the ideological exhortations or through the promises of redistributive policy. They promise land to the landless, regional autonomy for ethnic minorities and political equality through the end of foreign domination. The revolutionary guerilla warfare succeeded in countries like China, Vietnam and Cuba but it failed in Greece, Philippines and Iran. Near perfect intelligence, mobility, freedom from fixed logistic bases and surprise are the characteristics of successful guerilla operations but increasingly due to strengthening of the state organisation and state forces guerillas have not been able to achieve the successes that they had achieved against weak states immediately after the Second World War.

14.5.5 War

War is the culmination of political violence in the sense that war brings forth two contending forces face to face with each other and settles the issue on the basis of balance of armed forces. War is as old as human history and violence and bloodshed are at the heart of it. There are two types of wars : 1) war with the external enemy of the country and 2) internal war, which takes place between the state forces and the rebels (civil war).

The external war causes widespread damage and destruction because both the parties use massive armies, modern weapons of mass destruction and air force. The First World War accounted for a million deaths and the Second World War was the most destructive of all wars. Atomic weapons were used by the USA to settle the issue.

Internal war is fought between the forces of a central government and the secessionist forces. It could be a revolt by a certain sections of the people or a rebellion by the broad mass of people. In the 1860s, the USA witnessed a civil war between the northern and the southern states on the issue of the abolition of slavery. Internal war is equally destructive and it may cause widespread destruction and massacres. We have examples of violent internal wars in Lebanon, Yugoslavia, Nigeria and India.

Thus, political violence assumes different forms in modern times. Revolution is also a particular form of political violence.

14.6 REVOLUTION

Revolution is essentially a modern phenomenon because it wants to bring about a total transformation of society. Revolutions are marked by widespread violence, social unrest and ideological commitment. The new revolutionary ideology is radical, rational, democratic and universal.

Modern revolutions are not confined to replacing a bad ruler with a good one but they have a modernist agenda of restructuring the entire socio-political order by the legitimate representatives of the community.

14.6.1 Meaning of Revolution

As we have seen, revolutions are aimed at changing the basic structure of society. They want to bring about a rapid transformation of the society's state and class structures. This is accompanied and carried through by the class based revolts from below. Modern revolutions differ from the earlier revolts in the sense that the latter did not think of basic changes in society and state and they were more interested in change in the government. Modern revolution has its goals clearly defined and its leaders use violence to consummate it. Its leaders are backed by a well-defined theory which seeks to legitimise revolutionary violence.

14.6.2 Three Phases of Revolution

We can say that there are three distinct phases of revolution. The first phase of revolution is the classical phase. The second phase of revolution is the socialist phase and the third phase of revolution is revolution in the Third World countries.

The classical phase of revolution began in England during the British Civil War of the 17th century that destroyed royal absolutism in England. It was followed by the French Revolution of 1789, which witnessed unprecedented violence and bloodshed. It destroyed feudalism in France and paved the way for the emergence of the modern capitalist society. The American Revolution ended foreign domination and established a modern constitutional democracy in USA. All these three revolutions transformed state organisations, class structures and dominant ideologies. The classical revolutions were followed by the socialist revolutions of the 20th century. It began with the October Revolution of 1917 in Russia. It was succeeded by the Chinese Revolution in 1949 and the Cuban Revolution in 1961. Ideologically, the leaders of these revolutions were more radical in the sense that they wanted to have a total transformation of social, economic and political structures. Though all socialist revolutionaries believed in Marxist philosophy and Leninist politics of international proletarian revolution, they followed different methods to bring about the revolution.

In the third phase, revolutions were witnessed in the third world countries. The Egyptian revolt of 1953 paved the way for the emergence of new politics in Arab countries. The Islamic revolution of Iran in 1979 was the last of the great revolutions, which tried to reorder Iranian society on the principles of radical Islam.

14.6.3 Theories of Revolution

There are three distinct theories of revolution. These theories probe causes, goals and consequences of revolution and throw light on the ideology that wins adherence of the people. The first theory of revolution is expounded by Ted Robert Gurr in his book '*Why Men Rebel!*' He says that revolution is a form of political violence and it challenges the monopoly of force possessed by the state. He is of the view that turmoil, conspiracy and internal war are the three features of revolution. The main cause of disaffection and rebellion is relative deprivation of the people. The more intense the deprivation, the greater is the degree of violence. He thinks that at first, there is discontent of the people, then there is politicisation of discontent and finally, its actualisation in violent action against the state. He holds that the discontented elite plays a major role in revolution.

C. Johnson tried to understand revolution as a systemic imbalance. He is of the opinion that revolution takes place due to the development of social imbalances and systemic disequilibrium. These imbalances are caused because of the changes in the values of people. The changes may also occur because of the environment within which the social system is located. These changes must be particularly sudden and intense. He points out that disequilibrium does not cause revolutions, as the systems can repair damage by taking corrective measures. He thinks that the first cause of revolution is power deflation. The process of power deflation takes place when the system fails to fulfill its obligations and it loses confidence and legitimacy. It has to use force to maintain law and order. Second cause is the inability of the legitimate leaders to effect 'synchronisation' to overcome power deflation. If they are unable to restore confidence, the ultimate loss of authority ensues and the use of force by the state is no longer considered legitimate. As a result, the state cannot justify its monopoly over the use of force. There is a sudden break in the effectiveness of the armed forces and commencement of special operations against the rebels.

The third theory of revolution is the Marxist theory, which believes in class warfare. According to Marx, our known history is a history of class struggle between haves and have nots and the contradiction between them come in the open in the capitalist state of development. The capitalists exploit workers by extracting surplus value from their labour and cause widespread poverty and misery. As a result, class struggle between the capitalists and workers becomes intense. In this struggle the state as an instrument of class rule supports the capitalist classes. The workers bring about a violent revolution. The purpose of the proletarian revolution is to overthrow the capitalist system and replace it with the socialist system. Establishment of a classless and stateless society is the ultimate goal of the socialist revolution.

All these three theories point out that violence plays an important role in revolution because the revolutionaries want to challenge and end the state's monopoly over the use of force and they want to establish their own control over the state.

14.7 METHODS OF OVERCOMING POLITICAL VIOLENCE

In our preceding discussion, we have seen the nature and causes of political violence. In this part, we shall study methods of overcoming violence. The state uses three different methods to overcome violence which are as follows: 1) the remedial method of liberals which believes in reforms 2) the method of force and 3) the method of carrot and stick policy.

14.7.1 Methods of Reforms and Remedies

The liberals and reformers are of the opinion that political violence can be overcome by following necessary reforms in the social and political system. They argue that political violence is a part of our social and political process and it is built in the system as an antidote to the violence of the state. Hence, it is necessary that the government should take remedial measures to reduce dissatisfaction and anger of the people. Social and economic grievances could be remedied by initiating basic reforms in social and economic fields. It includes giving equality of opportunity to the people, reducing the tax burden, equitable distribution of wealth and removal of all disabilities imposed by the state and society. Just treatment to all sections of society is important.

The liberals believe in the method of education and they want to tell people that ultimately, the use of violence is irrational in the sense that it brought out the base elements in man. Human

beings have registered spectacular achievement, because they have learnt to control violence. Man has developed a new set of rules to resolve the conflicts peacefully. The economic compulsions in national and international economy would convince people that they could gain more in peace than in war. Violence cannot resolve the basic problems of society. Hence, the liberals want the people to learn the operation of constitutional machinery to resolve conflicts. They want minimum use of state violence to curb violence. They hold that the basic problems of society could only be resolved by consensus and contract.

14.7.2 The Method of Force

Those people who take recourse to the method of force believe that the rebels have consciously chosen the path of violence and they cannot be persuaded to abandon it. Violence of rebels can be countered by superior violence of the state, because if you cannot kill rebels, they will kill you. The state should strengthen its intelligence and try to penetrate the inner rings of terrorists. It should follow the policy of dissension and punishment and isolate and confuse the rebels. Kautilya in his *Arthashastra* suggested that the king should initiate action against the leaders of the revolt because it is the leaders who provide leadership to a revolt. In no case should he use force against the multitude of people because it may result in a widespread bloodshed. He should devise his response taking into consideration, the position of different classes of the people and should see to it that foreign support to the rebels is cut off. Though he suggested the use of force against revolt, he was quick to point out that the cause of revolt must be addressed.

14.7.3 The Policy of Carrot and Stick

The ‘carrot and stick’ policy is a dual policy, which aims at driving a wedge between the moderate and extremist elements in the opposition. The government can offer rewards and concessions to the moderates but at the same time, it can continue its military operations against the extremists. If the moderates are able to generate support for a deal with the government, the extremists lose the support and in the process, they become ineffective. But if moderates fail to generate support, the extremists may brand them as the agents of the government and destroy their support base. Hence, the method of carrot and stick has to be used very carefully.

The state can use different methods to overcome violence, but it must first try to remove the causes of revolt. Kautilya said that by merely killing the rebels, rebellion cannot be stopped. It is necessary to remove the cause that is giving birth to new rebels.

As we have seen, it is the state practices that give birth to violence because it is not rebels or terrorists who divided Ireland or drove Palestinians to exile or imposed white rule in South Africa or killed thousands of innocent men in Iraq. State violence is the womb of terrorism, betrayal and humiliation is its cradle and revenge its mother’s milk. Therefore, the states, which are committed to their imperial interests by force, are unlikely to recognise that political violence and terrorism are both a response to their policies as well as an imitation of their style. The states should reorganise their policies on the basis of justice and fair play and stop continuing the oppression of classes, nations and ethnic communities so that the root cause of violence is removed.

14.8 SUMMARY

In this unit, you have studied different aspects of political violence in modern times. Political

violence is built in the political process itself, because the state seeks to monopolise the use of force. There are different causes of political violence, but loss of legitimacy of the government and inability of the political system to accommodate demands of different sections of society are the important causes. Religious and ethnic differences also play an important role in encouraging violence. Political violence assumes different forms including turmoil, sporadic violence and internal war. In modern times, revolution is an important form of political violence because it seeks to restructure basic social, economic and political institutions of the society. The state uses different methods to overcome violence. Those who support the democratic system argue that political violence can be overcome by redressing grievances of the people, by reforming the system and by devising constitutional remedies, which provide for peaceful resolution of social and political conflicts.

14.9 EXERCISES

1. What is the nature and scope of political violence?
2. How do the problems of political integration produce violence in modern society?
3. Why does economic development cause political violence?
4. What are the general causes of political violence?
5. Discuss briefly the role of economic conditions in the rise of political violence.
6. Bring out the main features of terrorist violence.
7. Briefly discuss the nature of military involvement in political violence.
8. Write a short note on war as a form of political violence.
9. Write a note on the theories of revolution.
10. What is the liberal method of overcoming political violence?

UNIT 15 CLASSICAL LIBERALISM

Structure

- 15.1 Introduction
- 15.2 What is Liberalism?
- 15.3 Characteristics of Liberalism
- 15.4 Rise of Liberalism
- 15.5 Ideology of Classical Liberalism – Views on Man, Society, Economy and State
- 15.6 Critical Evaluation
- 15.7 Summary
- 15.8 Exercises

15.1 INTRODUCTION

Liberalism is the dominant ideology of the present-day Western world. The history of England, Western Europe and America for the last 300 years is closely associated with the evolution and development of liberal thought. Liberalism was the product of the climate of opinion that emerged at the time of the Renaissance and Reformation in Europe. As an ideology and a way of life, 'it reflected the economic, social and political aspirations of the rising middle class which later on became the capitalist class'. In the sixteenth and the seventeenth centuries, when the feudal system was cracking up, a new political system was taking its place. The establishment of the absolute nation-states in England and Europe gave birth to a kind of political system in which the authority of the king was absolute. The beginning of liberalism was a protest against the hierarchical and privileged authority and monarchy – a protest which involved every aspect of life. The main slogan of the protest was freedom – freedom from every authority which is capable of acting capriciously and arbitrarily along with freedom of the individual to develop all of his potentialities as a human being endowed with reason. To achieve the liberty of the individual and to challenge the authority of the state, liberalism demanded liberty in every field of life: intellectual, social, religious, cultural, political and economic etc. The central problem with which these liberties were concerned is the relationship between the individual and the state. The negative or the classical aspect of liberalism remained dominant for a very long time. The initial aim of liberalism was more destructive than constructive; its purpose was not to elucidate positive aims of civilization, but to remove hindrances in the path of the development of the individual. Till the later half of the 19th century, it was a progressive ideology fighting against cruelty, superstitions, intolerance and arbitrary governments. It fought for the rights of man and of nations. During the last hundred years, it had to face the challenges of other ideologies and political movements such as democracy, marxism, socialism and fascism. It absorbed democracy and socialism to a great extent in the name of the welfare state, fought fascism tooth and nail but could not overcome marxism. In the mid-twentieth century, in the face of marxism, it became an ideology of status quo, defensive and conservative, even counter revolutionary, out of touch with and usually hostile to the radical and revolutionary movements of the day. However, with the fall of the socialist regimes in the former Soviet Union and Eastern Europe and the withering away of socialist ideology, classical liberalism (in its new avatar of libertarianism) is once again becoming the dominant ideology of the contemporary world.

15.2 WHAT IS LIBERALISM?

Liberalism is too dynamic and flexible a concept to be contained in a precise definition. Right from its inception, it has been continuously changing, adding something and discarding the other. As Alblaster writes, 'liberalism should be seen not as a fixed and absolute term, as a collection of unchanging moral and political values but as a specific historical movement of ideas in **the** modern era that began with Renaissance and Reformation. It has undergone many changes and requires a historical rather than a static type of analysis.' Similarly, Laski writes, 'it (Liberalism) is not easy to describe, much less to define, for it is hardly less a habit of mind than a body of doctrine'. To quote Hacker, 'Liberalism has become so common a term in the vocabulary of politics that it is a brave man who will try to give it a precise definition. It is a view of the individual, of the state, and of the relations between them'. Almost the same view is expressed by Grimes, 'liberalism is not a static creed or dogma, for dogmatism provides its own restraints. It is rather a tentative attitude towards social problems which stresses the role of reason and human ingenuity... liberalism looks ahead with a flexible approach, seeking to make future better for more people, as conservatism looks back, aiming mainly to preserve the attainment of the past.' Although the liberal ideas are about 300 years old, the word 'liberalism' did not come into use till the beginning of the nineteenth century. According to Richard Wellheim, 'liberalism is the belief in the value of liberty of the individual'. According to Sartori, 'very simply, liberalism is the theory and practice of individual liberty, juridical, defence and the constitutional state'. Bullock and Shock emphasize the belief in freedom and conscience as the twin foundations of liberalism. Grime writes, 'It represents a system of ideas that aim at the realization of the pluralist society, favouring diversity of politics, economics, religion and other cultural life. It seeks in its simplest sense to advance the freedom of man... it seeks to increase individuality of man by increasing his area of choice and decision.' Similarly, Laski writes, 'liberalism implies a passion for liberty; and that the passion may be compelling. it requires a power to be tolerant; even sceptical about opinion and tendencies you hold to be dangerous which is one of the rarest human qualities'. Hallowell defines liberalism as 'the embodiment of the demand for freedom in every sphere of life – intellectual, social, religious, political and economic'. Schapiro talks of liberalism as an attitude of life – sceptical, experimental, rational and free. According to Koerner, 'liberalism begins and ends with the ideals of individual freedom, individual human rights and individual human happiness. These remain central to the creed whatever may be the economic and political arrangements of liberal democracy society'. According to Heater, 'liberty is the quintessence of liberalism. For the liberal, it is the individual who counts, not society at large or segment of it, for only by placing priority on the rights of the individual can freedom be ensured'.

Andrew Hacker in his book *Political Theory* has distinguished four types of liberalism: namely, utopian liberalism, free market liberalism, democratic liberalism, and reformist liberalism. On the whole, according to him, liberalism stands for i) free life as **the** prime pursuit of politics, ii) state's task is to eschew coercion and to encourage the conditions for this free life. Similarly, Barbara Goodwin in her book *Using Political Ideas*, lists the following ingredients of liberalism: i) man is free, rational, self-improving and autonomous, ii) government is based on consent and contract, iii) constitutionalism and the rule of law, iv) freedom as choice which includes the right to choose government from among different representatives, v) equality of opportunity, vi) social justice based upon merit, and vii) tolerance.

In short, liberalism has a narrow and a broad perspective. At a narrow level, it is seen from political and economic points of view, whereas at the broader level, it is like a mental attitude

that attempts in the light of its presuppositions to analyse and integrate the varied intellectual, moral, religious, social, economic and political relationships of human beings. At the social level, it stands for secularism, freedom in relation to religion and morality. It lays stress on the value of free individual conscious of his capacity for self-expression and unfettered development of his personality. At the economic level, it implies the ideal of free trade coupled with internal freedom of production. At the political level, it stands for political liberty and the right to property, constitutional limited government, protection of the rights of the individual and anti-authoritarianism.

15.3 CHARACTERISTICS OF LIBERALISM

From the above discussion, it is now clear that liberalism is not merely a political concept, but also a socio-economic, cultural and ethical concept. It can be understood through certain characteristics evolved during its long history. John Hallowell has pinpointed the following characteristics of classical liberalism:

- i) a belief in the absolute value of human personality and spiritual equality of the individual;
- ii) a belief in the autonomy of the individual will;
- iii) a belief in the essential rationality and goodness of man;
- iv) a belief in certain inalienable rights of the individual, particularly, the rights of life, liberty and property;
- v) that state comes into existence by mutual consent for the purpose of protection of rights;
- vi) that the relationship between the state and the individual is a contractual one;
- vii) that social control can best be secured by law rather than command;
- viii) individual freedom in all spheres of life - political, economic, social, intellectual and religious;
- ix) the government that governs the least is the best;
- x) a belief that truth is accessible to man's natural reason.

15.4 RISE OF LIBERALISM

Liberalism as a whole was a massive movement that made itself felt in all the countries of Western Europe and in America, but its most characteristic development took place in England. It was also strong in Holland and Spain. In Germany, the liberal philosophy remained for the most part academic. In France, liberalism far more than in England, tended to be the social philosophy of a class, rather aristocratic in its attitude towards the masses, and mainly critical in function since it could hardly aspire to carry through a national policy. Political liberalism here arose as a protest against tyranny, but the working class movement which was radical and socialist in its outlook and which also incorporated the marxist thought of class struggle was a great hindrance to the liberal doctrine taking deep roots in France. Only in England, which throughout the nineteenth century was the most highly industrialized country in the

world, did liberalism achieve the status at once of a national philosophy and national policy. It provided the principles for an orderly and peaceful transition, first to complete freedom for industry and the enfranchisement of the middle class and ultimately, to the enfranchisement of the working class and their protection against the most serious hazards of industry. For the proper study of liberalism, it is customary to divide it into two periods known as 'classical or negative liberalism' and 'welfare or positive liberalism'. In this unit, we shall study classical liberalism. The division is necessary because in its initial stage, liberalism presented itself as a philosophy of the rising middle class, but in its later stage, it developed into a philosophy of a national community whose ideal was to protect and conserve the interests of all classes. Classical liberalism was the product of the revolutionary era. It championed the cause of the newly emerging bourgeoisie against absolute monarchical and feudal aristocracy. It was highly individualistic. Individual and social interests were seen as contradictory. On the other hand, the distinctive feature of welfare liberalism was a recognition of the reality and the value of social and community interests (along with individual interests). Its attempt was not only to conserve political and civil liberties which individualism of the early era had embodied, but also to adapt them to the progressive changes brought about by industrialism and nationalism. Now, let us have a look at classical liberalism.

15.5 IDEOLOGY OF CLASSICAL LIBERALISM – VIEWS ABOUT MAN, SOCIETY, ECONOMY AND STATE

Classical Liberalism is called by different names like negative liberalism, individualistic liberalism, *laissez faire* liberalism, free market liberalism, integral liberalism, original liberalism etc. The modern period began with the 16th century. During this period, against the socio-economic, political and cultural system of the medieval period, Renaissance and Reformation movements emerged, scientific and technological advances took place, a new economic class – which was later called the capitalist class – came into being; in the political sphere, instead of feudal states, new nation-state emerged, and changes were seen in all the spheres of social system. In such an atmosphere, a new philosophy – that of classical liberalism – emerged which found expression in the writings of various thinkers. Prominent among whom were Thomas Hobbes, John Locke, Adam Smith, Malthus, Ricardo, Bentham, James Mill, J.S. Mill, Herbert Spencer, William Senior and Thomas Paine.

The social structure of the middle ages was based on the hereditary principle of feudalism. The particular feature of which was that everybody had a master above him: the peasant had the landlord, the landlord had the feudal lord, the feudal lord had the king, the king had the Pope, and the Pope had Christ above him. The Reformation Movement broke the authority of the church. The revival of commerce and the creation of new forms of wealth began to challenge the ascendancy of the nobility and the demand for political and social reforms that would improve their status and their business, freedom from restrictions such as the medieval notion of just price, from the condemnation of lending and borrowing money at interest, and from taxes that constituted barriers to free trade. The rise and growth of towns and of a new social class, revival of literature and art, birth of modern science and philosophy and the rise of large centralized states created a new epoch. The medieval ages were based on the privileges of a few in which individual liberty, rights, equality etc were totally absent. The birth of the modern period starts with the protest against this absolute and privileged authority, a kind of protest which was prevalent in all spheres of life and which challenged all the restrictions and emphasized the autonomy of the individual, his liberty and his rationality. The protest expressed

itself in the form of secularism against religious fundamentalism, free market capitalism in the field of economics, a government based upon consent in the field of politics, and individualism and humanism in the field of sociology.

Liberalism is associated with those progressive ideas which accompanied the gradual breakdown of traditional social hierarchies. Historically, it was a modernizing force. It was opposed to what was traditional and feudal and friendly to the new emerging social order of bourgeois society. Born in opposition to the world dominated by monarchy, aristocracy and Christianity, liberalism opposed the arbitrary power of the kings and privileges of the nobility based upon birth. It questioned the whole tradition of a society in which man had a fixed station in eye. By contrast, it favoured an open meritocracy where every energetic individual could rise to respectability and success. Liberalism believed in a contractual and competitive society and a free market economic order. It favoured free thinking, rationalism and speculative mode of thought. It believed in change, dynamism, growth, mobility, accumulation and competition. Classical liberalism emphasized the autonomous individual. The idea that man is a masterless man was an entirely novel conception. It considered man as selfish, egoistic, alienated but at the same time rational. It had faith in the absolute value and worth and spiritual equality of individual's. It believed that individuality can be increased by increasing the choice of man and towards this end, external restraint should be minimal. It maintained that the individual is the basis of all socio-economic and political systems. Man was considered as the measure of everything. It believed that man was endowed with certain inalienable natural rights based upon the law of nature; prominent among these were the rights to life, liberty and property – the rights which were not dependent upon the mercy of the state or society, but were inherent in the personality of the individual.

At the core of classical liberalism was the liberty of the individual – liberty from every form of authority which acts arbitrarily and capriciously, and liberty in all spheres of human life. But what is important to note is that liberty here was viewed as a negative thing i.e. liberty as absence of restraints. Only the individual knows what is best for him. For the development of his personality, he requires certain freedoms from arbitrary authorities which act against his will. It was liberty both from the society and from the state. It was 'liberty from' and not 'liberty to'. Hobbes describes it as the '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 Nozick, it is a natural right to 'self-ownership'. Again, absence of restraints had very wide meaning. Restraints could be political, economic, civil, personal etc. The purpose of law was not to take away liberty, but to regulate it. Law and liberty were considered anti-thetical.

Since the individual was taken as a unit and the single human being as a natural unit, classical liberalism viewed society not as a natural, but an *artificial* institution. It was seen as being composed of atom like autonomous individuals with wills and interests peculiar to themselves. Society was an artificial institution meant to serve certain interests of the individuals. It was an aggregate of individuals, a collection, a crowd where each was pursuing his own self interest. Hobbes compared society with a sack of corn. They are associate, yet separate. Bentham also viewed society as a fictitious body, with no interest of its own. apart from the interests of members composing it. It was considered a creation of the individual will based upon contract and a means to enrich 'individual ends'. Macpherson has termed this view of society as a 'free market society', a meeting place of self-interested individuals, a society based upon free will, competition and contract. A good society was that which guaranteed the liberty of the individual

to maximize the self and its freedom of action. Society was a means with individual as an end; it had no necessary unity, no separate interest and existence of its own apart from the individual interests. It was a free or open society.

The economic theory of classical liberalism found expression in a new 'science of political economy'. Originated in France by a group of thinkers, who were known as Physiocrats, it found classical expression in Adam Smith's '*Wealth of Nations*'. Like political liberalism, the new science of economics reflected the aspirations and the way of life of the merchant and the manufacturing middle class. In essence, it advocated economic freedom, especially freedom from government regulations fostered by mercantilist theory. Physiocracy which means 'rule of nature' was described as 'the science of the natural order'. The physiocrats believed that all social relations into which men enter far from being haphazard are admirably regulated and controlled... they are the self-evident laws...they are the rules of justice, of morality, of conduct, useful to all and to each. Neither men nor government make them nor can make them. They recognize them as conforming to the Supreme Reason which govern this Universe...these laws are irrevocable. They pertain to the essence of men and things, they are the expression of the will of God. By discerning its laws and living in accordance with them, one achieves the happiness ordained for him by God. Secondly, the physiocrats argued that liberty is inseparable 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 to property and that of liberty which is inseparable from it'. The function of the government is simply to secure the individual's natural right to liberty and property. The government should refrain from any interference with the economy, since such interference could not only be arbitrary, but also an unnecessary interference in the laws of natural order. *Laissez faire, laissez aller, le monde va du lui-même* was the slogan (let things be alone because the world is self-regulating).

This new science of political economy conceived by physiocrats culminated in the classical economic liberalism of Adam Smith and was supplemented by Ricardo, Malthus, James Mill and others. The physiocrats believed that if individuals were left alone to follow their enlightened self-interest, economic prosperity would result. Likewise, Adam Smith believed that 'natural economic institutions were not merely good, they were providential. Divine providence has endowed man with a desire to better his own condition...so that man following where this desire leads is really accomplishing the beneficent designs of God Himself'. Smith discovered that self-interest and benevolence were in a pre-established and harmonious accord. By seeking one's own interest, one promotes by some mysterious process the welfare of all. There is no conflict between the individual self-interest and social welfare. 'Every man as long as he does not violate the laws of justice, ought to be left perfectly free to pursue his own interests in his own way and to bring both his industry and capital into competition with those of any other man or order of men'. Accordingly, Smith restricted the activities of the state to the bare minimum such as security of life, limb and property of the individual and some public works.

The individual right to private property was central to the economic theory of classical liberalism i.e. the right to freely own or dispose of, to buy or sell, to hire labour and make profit. Free trade, free contract, competition, free economy, free market and market society, natural right to private property were the hallmarks of this theory. It was based on the assumption that economics and politics are mutually independent or are only indirectly related through

individual psychology. It believed that if the individual is left alone to follow his own enlightened self-interest, economic prosperity would result

The perfect institution for the exchange of goods and services was the market. The market perfectly embodied the new economic individualism. Market relations abolished the traditional constraints on freedom 'to raise and invest capital, to fund loan and earn interest, sell property and reap profit, hire and fire labour'. The state was not suited to the management of economic affairs. As Adam Smith wrote 'no two characters seem more inconsistent than those of trader and sovereign'. Similarly, Bentham also believed in the self-regulating uncontrolled economy in which the state had virtually no role to play. In the name of utilitarianism, he demanded free trade, freedom of occupation, unrestricted competition, inviolable private property and other individualist reforms. Thus, in the economic sphere, liberalism gave the pure economic theory of capitalist advance and the theory served well the economic interests of the bourgeoisie. As Laski writes, 'the whole ethos of capitalism, in a word, is its effort to free the owner of the instruments of production from the need to obey rules which inhibit his full exploitation of them. The rise of liberalism is the rise of a doctrine which seeks to justify the operation of that ethos'.

At the political level, liberalism sought to erect a theory of state based upon the subjective claims of the individual rather than upon objective reality. The only basis of civil society which early classical liberalism could conceive was contract or an agreement between the individual and the state. The contract theory had three inter-related elements: i) the state is not created by God, but is the creation of man, ii) it is not a natural institution, but an artificial institution and iii) the basis of the state and political obligation is the consent of the individuals. Classical liberalism did not regard the state as a natural, necessity arising out of man's needs and social nature with a purpose transcending the subjective wills of the individual, but us an artificial institution based upon the egoistic nature of man. The state comes into existence by mutual consent for the sole purpose of preserving and protecting the rights of the individual and the relationship between the state and the individual is a contractual one. When the terms of the contract are violated, individuals not only have the right, but also the responsibility to revolt and establish a new government. Through the notion of consent, liberalism tried to safeguard the rights and liberties of the people and check the arbitrariness of the rulers. Consent was also made a precondition of the state, because liberalism believed that the authority of the state was a restraint upon individual freedom and it should be checked as far as possible.

Inspite of being the creation of man, classical liberalism saw the state in purely negative terms. It was termed as a necessary evil. It was necessary because only it could provide law, order, security of life and property, but it was an evil also because it was an enemy of human liberty. Since liberalism considered the rights and liberties of the individual as sacred, any increase in the functions of the state was seen as a decrease in the liberty of the individual. Hence, the state was seen as having a negative function; to provide security of life and property and leave the individual free to pursue his good in his own way. The philosophy of the state as a necessary evil and the self-regulating economy left a very limited role for the government. The liberal slogan was 'that government is the best which governs the least'. To illustrate this point further, Adam Smith restricted the functions of the state to: i) 'protect the society from violence and invasion, ii) protect every member of society from injustice and oppression of every other member and iii) to erect and maintain certain public works and certain public institutions in which the individual may not be interested because it would be unprofitable'. Similarly, William Senior wrote 'the essential business of government is to afford defence, to

protect the community against foreign and domestic violence and fraud'. Bentham reduced the task of the government to security and freedom. Another writer Thomas Paine said 'while society in any state is a blessing, government even in its best state is but a necessary evil'. Herbert Spencer advocated the doctrine of survival of the fittest and pleaded that the state should have a minimum role in the socio-economic sphere.

As a political theory, liberalism can be traced to the political thought of Thomas Hobbes, but its clear expression was found in the thought of John Locke. Locke declared that no one can be subjected to the political power of another without his own consent. For him, freedom meant freedom from the state. State and government were deemed as restrictive institutions. Locke propounded a theory of natural rights – of life, liberty and property- for the protection of which the state comes into being. He conceived rights as prior to the state. The basis of the state is a contract which the ruler or the ruled can get rid of. Government is the result of individual will, civil society is sovereign and the state is an artificial institution created for certain specific ends like order, security, protection of the rights of life, liberty and property. State was given a very limited sphere of action, namely, establishment of law and order, suppression of violence, protection of rights and property. The American and French revolutions of the eighteenth century were largely influenced by liberal ideology. Like Locke, Thomas Paine also denied that the state has unlimited absolute power and asserted the political liberty of the community and the defence of the individual against the possible tyranny of the monarch. Similarly, Montesquieu endeavoured to do for France what Locke had done for England in the seventeenth century as a liberal; his first concern was individual freedom and he endeavoured to discover checks on political authority by means of which it might be secured. To this end, lie developed a theory of the separation of powers which had a far reaching influence.

The nineteenth century produced a group of writers called philosophical radicals like Bentham, James Mill and J.S. Mill. The doctrine they propounded is known as 'Utilitarianism' which dominated liberal thought for more than half a century. Utilitarianism provided a new theoretical foundation to liberalism. It was based upon the theory of hedonism. It means that all men seek pleasure and avoid pain. Pleasure is the only thing desirable in and for itself. Wealth, position, power, health and even virtue itself is desired merely as a means to the ultimate end of pleasure. What gives pleasure is utility and is desirable and what gives pain does not have utility and is avoided. In his opening paragraph of his *Introduction to the Principles of Morals and Legislation*, Bentham wrote. 'Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do as well as to determine what we shall do'. However, all happiness being impossible, man must seek the greatest happiness in terms of quantity. Similarly, the greatest happiness of all the people being impossible, we must seek the greatest happiness of the greatest number. Bentham applied the principle and methods of utility to the spheres of law, politics and the state.

For Bentham, state is an instrument devised by man to satisfy his desires and reflects his will. The sole justification for it is that it provides peace, order, security and helps them to satisfy these desires. It is a means to promote happiness of the individual. Utility in the context of the state is expressed through law. It is law which unites people together and puts them on the road of utility. Bentham considered law as an important instrument of expression of utility and regarded legislation as the only device through which utility could be attained. Hence, he considered the state as a law making body because it is only through law that the state rewards or punishes so as to increase happiness and decrease pain. The purpose of law is to regulate

the motive of self-interest. Mere morality is not sufficient and unless law comes into operation, bad things cannot be out of place. Bentham believed in the command theory of law and regarded it as the command of the sovereign. The sovereign is the source of law. All men are equal in the eyes of law and all have equal rights as regards the promotion of happiness. But inspite of the fact that the state is an instrument to promote happiness of the individual, the character of the state, according to Bentham, remains negative. Believing that men are moved by their self interest and everybody is the best judge of his pleasure or pain. Bentham came to the conclusion that the 'main function of the state was to remove all the institutional restrictions on the free action of the individual... the purpose of the state is not to foster and promote but only to restrain them from indulging in activities which affect the general happiness by punishing them'. To increase the national wealth, means of subsistence and enjoyment, the general rule is that to achieve the greatest happiness of the greatest number, 'nothing should be done or attempted by the government'. Bentham reduced the functions of the state only to security and freedom. In other words, to promote the happiness of the individual, the state is a negative institution; simultaneously, along-with conceiving the state, as an instrument of promoting security and freedom'. Bentham foresaw the need and aspirations of the modern democratic state. He preferred the democratic form of government because a representative democracy was more likely to secure the greatest happiness of the greatest number by adopting constitutional devices like suffrage, annual parliaments, vote by ballot, election of prime minister by the parliament and the appointment of civil servants through competitive examinations. Also, he favoured the unicameral legislature, vote by secret ballot, recall of public officials, civil and criminal code and prison reforms. These contributions went a long way in the development of the liberal perspective of the state.

The tradition of classical liberalism was further extended by Bentham's pupil J.S. Mill. Mill's 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 not merely against the interference of the state, but also against the pressure of society, public opinion and conventions in the affairs of the individual. 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 realize his own interest 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 their or impede their efforts to obtain it'. 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 any one 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 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'.

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 compulsion in regard to matters which affect the individual alone and have no concern with 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 they do not harm others, (iii) liberty of combination among individuals; freedom to unite for any purpose not involving harm to others.

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 regarded all restraints as evil. According to him, the individual is not responsible to society for his action, in so far as they concern the interests of no person other 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 should be left to pursue his good in his own way. Although the artificial division between self-regarding and other-regarding functions of the individual was not accepted by the latter generation of liberal writers like Green, Hobhouse, Lindsay, Laski etc, the importance of Mill lies in his emphasis on the fact that social and political progress depended largely on the 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 anti-thetical 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 upon liberty. Similarly, his plea for freedom of speech, thought and expression became fundamental tenets of liberal philosophy.

We can conclude this discussion on classical liberalism by the views of L.T. Hobhouse. In his book Liberalism, Hobhouse pointed out certain basic principles of liberalism. According to him, these principles were evolved as a consequence of the struggle of the rising middle class against feudalism, aristocrats and clergymen. In short, these principles were: i) Personal liberty: the essence of liberalism lies in individual liberty. This doctrine covered several rights and duties of the individual. It was to secure freedom of speech, discussion, writing, freedom of thought and faith. The American Declaration of Independence, the English Bill of Rights and the Habeas Corpus Act, the petition of rights were all meant to secure these freedoms. Personal liberty also meant that there should be no discrimination on grounds of caste, colour, creed, sex, race and economic position. ii) Civil liberty: according to this principle, the government must be conducted not by the arbitrary will of any one individual or class but by law. This was necessary to counteract the evil of oppression of the kings or feudal lords and churchmen. Milton's libertarian doctrine declared that all human beings are by nature born free and endowed with reason and the right to work out their own destiny and that the rulers must exercise their authority under the restraints of law. Similar was the declaration of Jefferson that 'all men are endowed by their Creator with certain inalienable rights to secure for which governments are instituted' and which appears substantially as an expression of the first principle of liberalism; iii) Economic liberty: it meant that the individual should have the right to property and contract. This freed the individual from economic restraints and economic liberty for classical liberalism was the acceptance of the policy of laissez faire which meant that the state should intervene as little as possible in the economic affairs; iv) Political liberty and popular sovereignty: they mean that all men should have rights and all must be enabled to enjoy equal opportunities. These two concepts were described by Hobhouse as the crown and glory of liberalism. The doctrine of popular sovereignty was stressed by the Declaration of Independence in America. It meant sovereignty of the people, it vested in them the supreme power of political decision

and action. Concepts of political freedom and popular sovereignty led to many far reaching consequences and formation of principles such as universal suffrage, direct election of public officials, public accountability of governors, annual parliaments, subordination of the executive to the legislature; v) and last but not the least, classical liberalism also included domestic freedom, administrative and racial liberty and international liberty. It was opposed to the use of force as an instrument of national policy or militarism. It was primarily because capitalism needed peace and international cooperation for the free flow of goods from one country to another and hence, it pleaded for the removal of all political and other barriers which stood in the way of efficient exploitation of world resources.

15.6 CRITICAL EVALUATION

The political philosophy of liberalism has been a subject of criticism at the hands of its advocates as well as its opponents; by the former on account of their polemical interpretations and by the latter, on account of their indictment of the premises of individualism. The curious thing about the philosophy of liberalism is that it has been denounced, rejected, revised and defended by leading writers. For example, Laski who criticized the values of the 'bourgeois class' and yet laid emphasis on the virtues of freedom and tolerance. Likewise, Michael Oakeshott commented that 'a philosophy of crude and uncritical individualism is, in fact, inconsistent with social democracy.' Some important points of criticism of classical liberalism are as follows:

i) **An Amorphous Ideology**

Both as a doctrine and as a movement, liberalism is an amorphous ideology. Liberalism is commonly used by everyone; who talk in public for every divergent and contradictory purpose. As Bottomore writes, 'one can remain liberal and be *for*, and the other remain liberal and be *against*, a vast range of contradictory political propositions'. The business man and the labour leader, the general and the soldier, the subsidized farmer and the watchmaker all speak in terms of liberalism, defending their interests and making their demands. Similarly, Bullock and Shock write that no student of modern political philosophy would reasonably deny the name of liberal to any of the men represented in this connection, yet each of them, Fox and Bentham, Richard Cobden and Lloyd John Russell, Macaulay and Acton, Herbert Spencer and T.H. Green, Gladstone and Lloyd George, Mill and Keynes held views widely different in some respect from those of others. Arid these differences are differences not only of policies and programmes – those are more easily explained, but also of principle, for example of the role of the state, the vexed question of *laissez faire*. This means that as a public policy, liberalism is without a coherent policy, that its goals have been made so formal and abstract as to provide no clear moral standard, that in its terms genuine conflict of interests, classes, parties and ideals can no longer be stated clearly. Used virtually by all, it lacks political, moral and intellectual clarity. This very lack of clarity is exploited by all interests. It calls its indecision as open-mindedness, its absence of moral criterion as tolerance, arid formality (or political irrelevance) of criteria as 'broadly speaking'.

ii) **Wrong View of Man and Society**

The liberal view of man and society has also been criticized. Although the liberal view of human nature has changed in the twentieth century, nevertheless, it considers man as egoistic, lonely, separate from the society, possessive and concerned with the fulfilment of his selfish

interests. Consequently, the society was also seen as an aggregate of individuals, an artificial institution with no organic unity of its own, and the function of politics being the conversion of individual and group conflicts into cooperation, harmony and unity. In other words, society is no more than a jungle where animals roam in the garb of men. The socialist ideology completely rejected this notion of man and society. It argued that man is dependent upon others not only for material needs, but also for cultural and spiritual needs. Socialism viewed man as a social, cooperative being and held the view that the nature of man cannot be studied apart from the society in which he lives. For example, Owen called it unethical, Box termed it unnatural, Marx called it animal like; Mao called it poison, Morris called it hell. Liberalism has no convincing view of the structure of society as a whole other than the now vague notion of it as some kind of a big balance in which all social classes work for the common good. It has no firm sense of history of our times nor of our generation's place within that history.

iii) **Philosophy of the Capitalist Class**

Notwithstanding the highly flexible character of the principles of liberalism, it cannot be denied that it remained the philosophy of the capitalist class and continues to retain its 'bourgeois' character. Liberalism has been the firm ideology of one class inside one epoch – the urban entrepreneurial middle class which later on became the industrial/capitalist class. It has been the economic philosophy of capitalism and its basic purpose has been the maintenance of socio-political arrangements necessary for capitalist economic relations. Critics point out that its welfare measures have been incidental to its fundamental purpose of protecting and promoting the interests of the capitalist class. According to Laski, liberalism has always seen the poor, as if they became poor because of their own mistakes. Classical liberalism always underplayed the fact that property also brings with it the power to rule over men and things. Although it gives the right to property at a universal level, yet at a practical level, the right is enjoyed only by a minority. The attitude of liberalism towards the poor, trade union activities, education, health, housing, social security is witness to the fact that in the ultimate analysis, all questions are related to profit. The whole economy is geared to the production for profit for the owners of the means of production, however, regulated and controlled the economy may be by the state. As Laski wrote we must, if we are to be honest, admit that liberalism for which Hobhouse battled so bravely has suffered an eclipse as startling and as complete as that which attended the doctrine of the divine right of the kings after the revolution of 1688. The main reason for this was that liberalism became an instrument in the hands of the privileged class to retain its rights.

iv) **Negative Concept of State**

The criticism commonly passed on this kind of liberalism was that it neglected institutions and their historical growth and that, it worked with a falsely schematic conception of human nature and motives. It had no positive conception of social good and that its egoistic individualism made it look with suspicion on the validity of any such conceptions, at a time when the total welfare of the community was becoming a principal object of concern. Its weakness as a political philosophy was that its theory of government was almost wholly negative at a time when it was becoming inevitable that the government should assume a larger responsibility for general welfare. That early political economy was full of contradictions was well explained by Karl Marx, who turned its arguments to a quite different purpose. Ricardo had emphasized that the interests of the landlord were antagonistic to that of both labour and capital. Karl Marx said that it was equally true that the interests of the capitalists

were antagonistic to that of the working class because whatever share of the product went to profit was drawn from the wages of the workers. If the landlord could extract rent because he monopolized land, the capitalist in an industrialized economy monopolized the means of production and his profits are a kind of surplus value or the economic rent'. In fact, negative liberalism provided Marx with a ready picture of the exploitation of labour. Liberal economists thought that the system they were describing was natural, whereas Marx explained that it was rooted in history and ascribed the exploitation to the capitalist system. Similarly, Laski also said later on: 'the purpose of capitalism was to free the owners of the means of production from all those constraints which hampered the complete economic exploitation'. Its concepts of human nature, society, social harmony economy and state began to be challenged by the mid-nineteenth century, as a result of which it changed to welfare liberalism.

To criticize liberalism is not to belittle its historical importance and contribution. During the past 400 years, liberalism has given many humanistic and democratic ideas and almost all the issues of modern western philosophy have been connected with liberalism in one way or the other. It has been the mainstream of western socio-economic and political philosophy. Liberalism has given progressive slogans like liberty, equality, fraternity, natural and inalienable rights of man, democracy, development of human personality etc and it has vigorously fought against the orthodoxies represented by monarchy, papacy and the feudal socio-economic order. In the beginning, as the philosophy of the revolutionary bourgeoisie class, liberalism guided many revolutionary struggles, against the feudal order. Its economic philosophy played an important role in the industrial development of the west, its social philosophy helped in the establishment of an open market society, its political philosophy paved the way for liberal democracy, its ethical philosophy led to the triumph of individualism, and its promoted secularism in all walks of social life. Classical liberalism freed the individual from traditional authorities and the state, and maintained that political power is the trust of the people. However, during the later half of the 19th century, a number of contradictions began to emerge in the face of marxist challenge and gradually, classical liberalism was replaced by welfare (or positive) liberalism. But we continue to need liberalism, though it may not be enough. The drift towards authoritarianism and the decay in civil liberties, the increase in police powers and the curtailment of rights are developments underlying the fragility of liberal achievements even in its traditional heartlands and make a firm commitment to the best of liberal values and institutions all the more necessary.

15.7 SUMMARY

Liberalism is the dominant ideology of the present-day western world. It was the product of the climate of opinion that merged in the context of renaissance, reformation and industrial revolution in England and Europe. Classical liberalism has been enriched by a host of thinkers, prominent among whom are Thomas Hobbes, John Locke, Adam Smith, Malthus, Ricardo, Bentham, James Mill, Herbert Spencer, William Senior and Thomas Paine.

Classical liberalism had faith in the absolute value and worth and spiritual equality of the individual.

It believed in the masterless individual, in the autonomy of the individual will and the rationality and goodness of the individual..

The individual must have freedom in all spheres: political, social, cultural, economic, moral intellectual, spiritual etc. Freedom meant absence of restraints or freedom from all such authorities which could act arbitrarily or capriciously,

It believed in the inalienable rights of the individual. It cherished the rights of life, liberty and property as natural rights, riot at the mercy of either state or society

It supported free economy, free trade, contract, exchange and competition. It opposed state interference in the economy,

It considered the state as an artificial institution. It is the creation of man and is based upon social contract. The relationship between the state and the individual is contractual and if the state violates the contract, revolution against the state (government) is the duty of the individual,

The state, in spite of being the creation of man, is, necessarily an evil; its role is purely negative i.e. to maintain law and order, protect the rights of the individual and leave the individual free 'to pursue his own good in his own way'.

15.8 EXERCISES

- 1) Explain the concept and characteristics of liberalism.
- 2) Discuss the rise of liberalism.
- 3) Critically examine free market liberalism.
- 4) Discuss classical liberalism.

UNIT 16 WELFARE STATE

Structure .

- 16.1 Introduction
- 16.2 Evolution of Positive Liberalism
- 16.3 Liberal Democratic Welfare State
 - 16.3.1 Welfare State is a Positive State
 - 16.3.2 Welfare State is Democratic
 - 16.3.3 Welfare State Relieves in a Mixed Economy
 - 16.3.4 Welfare State is a Permanent Institution of Society and a Neutral Agency
- 16.4 Justification of the Welfare State
 - 16.4.1 State and the Market
 - 16.4.2 Individualist
 - 16.4.3 Enhances Individual Liberty
 - 16.4.4 Equality
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 - 16.4.6 Citizenship
 - 16.4.7 Justice
- 16.5 Welfare State: Contemporary Debate
- 16.6 Crisis in the Welfare State : An Assessment
- 16.7 Summary
- 16.8 Exercises

16.1 INTRODUCTION

The term 'welfare state' describes collectively a range of social policies that aim to provide basic services such as health and education, according to the need and normally, free of charge through state funding. It is sometimes extended more loosely to areas such as social security in which individuals are legally required to make substantial contributions in order to receive the benefits. The theory of welfare state is the basis of positive liberalism. It is a sort of state, which provides extensive social services to all the citizens, protects the weaker sections, provides economic and social security and tries to reduce the gap between the rich and the poor. It makes laws to control the economy, nationalizes industries, makes laws to protect the weaker sections, arranges the supply of essential commodities, maintains essential services and through progressive taxation and income redistribution, tries to reduce the gap between the rich and the poor and thereby, harmonizes the different interests in society.

The existence of some form of welfare is now accepted across most of the political spectrum. However, of late, the concept of welfare state has been radically challenged by the libertarians for whom it represents a violation of the rights of those who are taxed to provide its funding. The major point of debate is, whether it should be regarded as a safety net establishing a minimum level of welfare beneath which no one is allowed to fall or as an agency of

redistribution from the rich to the poor fostering greater social equality. Others have also questioned the strength of the welfare state; i.e. does it ensure the citizens the necessary income to fight insecurities and enable them to lead a stable, dignified civilized life? Does it remove inequalities of real income? Does the welfare state usher a trend where private sector be curbed, crippled and made powerless? Has the welfare state been able to free the economy from booms, depressions, inflation and other economic crises? The contemporary crisis in the welfare state has given a boost to classical liberalism in the new garb of libertarianism. We shall try to answer these questions in this unit

16.2 EVOLUTION OF POSITIVE LIBERALISM

The latter half of the nineteenth century produced a critique of negative liberalism. The theories of non-interference were found to be inadequate to achieve the social and economic aims of liberalism. The *laissez faire* policy was based on the premise that in the good of the individual, lies the good of the society. Negative liberalism believed that the distribution of wealth into wage, profit and rent was not unjustified. However, the latter half of the nineteenth century saw the rapid concentration of capital in a few hands, monopolistic control of trade, and emergence of big industrial houses which created many social, economic and political contradictions. It created a sense of frustration and protest among millions whose livelihood and very life depended upon their new masters – the impersonal corporations. Another factor which undermined faith in the *laissez faire* was unemployment. When millions remained outside the work force for years, men began to doubt whether the free trade economy, if left to its own laws and harmonies, actually produced the maximum general good. In fact, the liberal slogan of liberty began to change into the privilege of the few. In England, the report of the Royal Commission appointed to investigate the coal mining industry shocked everyone about the brutality that existed in the mines, the employment of women and children, barbarously long hours of work, the absence of safety devices and the prevalence of revolting conditions, both physical and moral. Classical liberalism became a target of attack from all sides. The humanists criticized it due to its practical consequences such as poverty, inhuman conditions, unbearable exploitation, illiteracy and misery for the majority of the population. Writers like Carlyle, Ruskin, Dickens attacked the capitalist order on moral and aesthetic grounds. The utopian socialists like Robert Owen criticized the capitalist order and the injustice inherent, but appealed to the conscience of the capitalists to take care of the working class. Karl Marx challenged the capitalist system as such and declared that the salvation of the working class lay in overthrowing the capitalist order through revolutionary means and the establishment of a socialist state. In short, liberalism desperately needed revision.

A thoroughgoing revision of liberal theory required a re-examination of the nature and functions of the state, the nature of liberty and the relationship between Liberty and authority. Such a re-examination also opened the question of the relationship between individual human nature and its relations with society because the old notions such as self-interest, pleasure and utility proved less convincing. This revision is known as 'Positive Liberalism' and was carried out by J.S. Mill, T.H. Green, D.G. Ritchie in the nineteenth century and Hobson, Hobhouse, Lindsay, G.D.H. Cole, Barker, Laski, Keynes, MacIver and Galbraith in the twentieth century.

J.S. Mill's ideas of liberalism depart from those of the classical model in four ways. Firstly, he opined that the value of the personality of the individual can be realized in the actual conditions of a free society. Secondly, he accepted political and social freedom as good in

themselves. To live one's own life, developing one's own native traits and capacities is not only a means to happiness, but a substantive part of happiness itself. A good society is one which permits both freedom and opens up the opportunity for a free and satisfying way of life. Third, liberty is not an individual good, but a social good. And fourth, the function of a liberal state in a free society is not to leave the individual alone, but also to act as a means of creating increasing and equalizing opportunity.

T.H. Green brought about an idealist revision of liberalism. He made it abundantly clear that liberalism could not be placed on narrow foundations. He inferred that at the centre of liberal philosophy was the idea of the general good or common human well-being which is capable of being shared by everyone and which provided a standard for legislation. This standard could not be individual liberty alone. Choice means opportunity and opportunity means a society that is not coercive beyond need, either in its legal and political structure or in its economic and social structure.

Freedom is really as much social as it is an individual conception; it refers at once to the quality of society and the quality of persons that make up that society. Green defined liberty as 'a positive power or capacity of doing or enjoying something worth doing or enjoying'. Freedom implies not only a legal but an actual possibility. Hence, it is impossible that a government should be liberal merely by standing aside and refraining from legislation or that a liberal society should come into being merely by political inadvertence. The function of a liberal government is to support the existence of a free society and it can remove many of the obstacles that may stand in the way of moral development such as ignorance, lack of education, poverty, illiteracy and unhealthy sanitary conditions.

Green did not claim that legislation could in itself promote moral goodness; nevertheless in many situations, legislative intervention alone could bring into existence conditions in which men could exercise freely their faculties of moral judgement, enlarging the area of 'positive freedom'. Similarly, Bosanquet in his book *The Philosophical Theory of State* rejected the negative concept of liberty and contended that the fundamental concept of a genuine and social philosophy must be based upon an idea that the assertion and maximization of self and individuality becomes possible and real in and through society. The end of the slate lies in ensuring conditions for good life; these conditions are rights arising out of man's moral being which the state seeks to promote. It is the higher sense of liberty since it presents 'the greater area to activity and the more extensive choice to self-determination...'

At the beginning of the twentieth century, liberalism was concerned with several allied problems in the context of developing capitalism; namely, to seek a theoretical justification for continued state action for the promotion of social welfare, to integrate socialism into the frame of liberalism. This was achieved by writers like Lascelles, Keynes, Barker etc. For example, Lascelles wrote, 'liberty is the power of adding something to common life, a contribution which can only be made if i) there are certain specific conditions that enable the individual to make the contribution, and ii) that institutional obstacles are not in his way' The state as an agency of the community and not of any one section of it, has through the guarantee of rights, ensured the former and through regulating legislation, removed the latter. However, during the interwar years, when the organic theory of state was abused by the fascist leaders, the neo-liberals were quick to explain the just limits of the state—the promotion of the welfare of the individual. The state was seen at best as adjustor, and a coordinator and the authority exercised by it as morally valid only if it seeks to promote liberty. For this, the liberals maintained, the

organization of authority must be democratic, the only form of polity consistent with the view of liberty. The democratic polity is to secure fundamental liberties of individuals, to secure a wider area of autonomy for the vast number of voluntary associations through which the citizens realise their several ends and to secure institutional checks against a possible abuse of power.

During 1929-33, the liberal capitalist state had to face a worldwide economic depression as a result of which the capitalist economy was completely shattered. To cope with the problem of hunger and mass unemployment, liberalism was compelled to re-evaluate its capitalist foundations. To resolve the incompatibility of 'free society and a relatively stable capitalist economy', J.M. Keynes working within the capitalist tradition went further than any other liberal writer. His conclusion was that there is an inherent imbalance within the capitalist economy. As capitalism matures, this imbalance increases and the concentration of capital reaches a limit where profitable investment becomes impossible. This leads to economic crises leading to mass unemployment. To control trade cycles, Keynes argued for the direct interference of the state so that capital investment could be made, which would, in turn, fill the gap between production and consumption, keep the industry working and will eliminate large scale unemployment. To save liberalism and capitalism, Keynes felt that 'the state should have control over the capitalist economy and the rates of savings, Investments, profit, taxation rate and wages were the state subjects. He did not agree with the anti-thesis between capitalism and socialism and thereby, also rejected the anti-thesis between the individual and the state. This marked not the end, but the enlargement of the fundamental liberal conception of liberty.

After the Second World War, how the problems arising out of the war made the interference of the state all the more necessary was reflected in the works of John Galbraith. In his books *The Affluent Society* and *The New Industrial State*, he argued for getting rid of conventional wisdom i.e. classical liberalism and adopt socialist methods, devoid of ideology. He suggested certain socialist measures for the welfare of capitalist societies and warned the developed countries that if they wanted to get rid of the recurring economic crises, then the interference of the state in the economic field will have to be welcomed.

In short, positive liberalism as it evolved during the later half of the 19th and the first half of the 20th centuries could be distinguished from classical negative liberalism in many ways. **Firstly**, although it continued to retain faith in the autonomy, rights and liberty of the individual, now it believed that man is a part of the social whole and the liberties could be secured only so long as they could be reconciled with the social good. Society was considered 'a potential harmonious and ordered structure in which all social classes work for the common good'. Society has its own interest, it has ethical and moral dimensions and the individual good cannot be achieved without social good. Secondly, liberty, like justice and equality, is not an empty social ideal, but derives its specific content from a particular social and historical milieu in which it has to be understood. Liberty in the society implied adjustment of mutual claims that are made possible through a system of rights which are both restraints and liberties. 'Liberty was not merely the absence of restraints, but conditions necessary for free and full development of the self which a state, true to its own moral purpose must ensure'. 'Liberty through compulsion' though a paradox was justified as practically valid. Only on this ground it justified social and welfare legislation. Also, liberty implied equality. Equality provided the basis through which liberty comes to acquire a positive meaning. Liberty and equality are complementary. Equality is not only equality before law or mere equality of opportunity or of being treated as a human being, but also economic equality commensurable with political

liberty – a modification through state action of the excessive disparities of wealth and of opportunity that follow. *Thirdly*, positive liberalism believed in regulated capitalist economy, in the overall interest of society. The state could check the individual capitalist, through economic and social reforms, the conditions of the working class could be improved; poverty, illiteracy, unemployment and exploitation could be checked. The gap between the rich and the poor could be bridged through the positive action of the state. *Fourthly*, at the political level, positive liberalism depended upon the proposition that the sense of public good or general welfare is an effective motive of politics. The state is an instrument for the development of human personality through welfare measures. The state has a positive character and is capable of performing socially useful functions. The institutional arrangements for achieving the good of the individual and the society are democracy, representative government, constitutionalism, parliamentary methods, universal franchise, party organization. The liberal government is one which protects the rights of the individual as well as of the community. The state is to coordinate different interests and classes in society. It does not belong to a particular class, but to the society as a whole.

16.3 LIBERAL DEMOCRATIC WELFARE STATE

Positive liberalism in the twentieth century came to be identified with the democratic welfare state. The welfare state involves a radical transformation of the nineteenth century capitalist *laissez faire* state in respect of the scope of public policy, the character of state action, the basic assumptions concerning human nature and the idea of social good. The welfare state attempted to reconcile the interests of the individual with that of the society in order the essentials of the capitalist system were preserved while at the same time removing its illeffects. The object of the state is not only to maintain law, order and justice, but it is also a part of the social process, its function in the society is to serve the common interests and perform services for the welfare of all members of the society. The main principles of the welfare state are relatively simple. Firstly, the recognition that every member of the community, solely because he is a human being, is entitled to a minimum standard of living. Secondly, the welfare state is committed to a policy of economic stability and progress, seeking to eliminate the cycles of violent booms and busts in the economy by public policies, whenever private enterprise is unable to prevent by itself the threat of economic instability or decline. Thirdly, the welfare state is committed to full employment as one of the top priorities of public policy. The economic depression of the 1930s showed not only the economic ravages of unemployment, but also the human degradation inflicted upon those who though able and anxious to work, could not find jobs for reasons over which they had no control. Adherents of the welfare state believe that free enterprise can be preserved and strengthened by full employment policies without going to the extremes of nationalization. Taxation properly adjusted to periods of prosperity and depression, interest rates determined by governmental decisions, according to current and prospective economic needs and conditions, fiscal policies designed to redistribute purchasing power in harmony with the best interests of the nation, investment incentives to private business in times of slack public works for direct unemployment relief, government credits to builders or buyers of homes—these are but a few of the measures the government can adopt in stabilizing the economy without changing its foundations.

In the field of social security, protection against want, sickness and old age is not only demanded by humanitarian considerations, but can also be justified on economic grounds since a minimum standard of living guaranteed by social security provides people with a minimum purchasing power which is indispensable to the operation of industry in prosperity and depression.

Collective bargaining between labour and management is another basic contribution towards a more stable and prosperous economy because higher wages – provided they are based on higher productivity and not on organized extortion – create a bigger market for the products of industry and agriculture.

Through the instrument of welfare, positive liberalism used the power of the state to modify the play of market forces in at least three directions: i) by guaranteeing individuals and families a minimum income irrespective of the market value of their work or property, ii) by narrowing the content of insecurity by enabling individuals and families to meet certain social contingencies such as sickness, old age and unemployment, and iii) by ensuring that all citizens without distinction of status or class are offered the best available agreed range of social services. The distinguishing characteristic of the welfare state is the assumption by the community, acting through the state, of the responsibility of providing the means whereby all its members can reach minimum standard of health, economy and civilized living and can share, according to their capacity, in its social and cultural heritage. The welfare state has the following unique features.

16.3.1 Welfare State is a Positive State

The underlying assumption behind the welfare state is that the state is not a necessary evil, but a desirable institution capable of promoting positive good. Whereas the *laissez faire* liberalism contended that the government can advance the common interest by leaving the individual alone and through the free and unrestricted play of natural forces, the exponents of welfare state argued that 'the state could best promote the general welfare by a positive exercise of its powers'. It regarded the democratic state not as an evil force but as an instrument that the people could and should use to further their common interest, to ameliorate the conditions under which they lived and worked, and to provide for their health and safety, and to some extent, for their social and economic security.

16.3.2 Welfare State is Democratic

The neo-liberals categorically asserted that the welfare state is a democratic state, possessing a certain formal institutional mechanism which is considered essential in liberal democratic society. Any state which may be a welfare state, but is not democratic from the institutional point of view, cannot be regarded a liberal state. The state can be a welfare state only, if it manifests itself through a formal democratic institutional attire. A state which merely undertakes the task of welfare such as guaranteeing a minimum income, elimination of insecurity of the individual and the family crises by supplying 'social contingencies' and which also tries to provide a certain range of services to all, but does not provide a democratic institutional framework and political and civil liberties, will not be considered a welfare state. It is on this ground that communist countries like the former Soviet Union, China and erstwhile East European countries as well as fascist states like Germany were excluded from the category of the welfare state. In other words, the term welfare state is used only for the states of those capitalist countries which undertake the positive task of providing welfare services and where the government preserves the formal democratic institutional framework.

16.3.3 Welfare State believes in a Mixed Economy

A welfare state operates within the framework of the market economy i.e. the capitalist mode of production. However, unlike the *laissez faire* capitalist economy, the welfare state believes

that unrestricted operation of the market has proved dangerous for the individual (because it led to poverty, ignorance, illiteracy etc) as well as for the economy (because it led to booms, depressions, crises lending to waste and inefficiency). The welfare state does not want to eliminate the market-based economy, but to streamline it in a manner where it could realize the productive potentialities by preventing crises. The welfare state believes that poverty, dependencies and economic insecurity are not the consequences of nature and incompetence on the part of the poor, but result from changeable institutions of society. For the first time in history, modern technology has made it possible to banish poverty from the face of earth. The economic and other insecurities are caused by social forces and could be avoided by purposeful social action. Economic insecurity stems from - a) inadequate compensation, b) disabilities incurred through accident, ill health, old age etc, and c) unemployment. The welfare state believes that these insecurities can be overcome by remodelling the *laissez faire* economy and by introducing a form of planning to realize these objectives. But planning should be combined with the market economy in various degrees. In other words, it would rectify the evils of the capitalist system by state intervention. It stands for what is now popularly known as 'mixed economy' or a 'managed economy'.

16.3.4 Welfare State is a Permanent Institution of Society and a Neutral Agency

The welfare state, positive liberalism maintains, is an eternal and permanent institution of society. The state is also a neutral instrument of power which can be used for any purpose. The state is an arbiter seeking the good of any society impartially. The ability of the state to provide quantity, quality and the type of welfare depends upon the groups who wield the state power. The personnel of the government could be changed by the will of the people through universal suffrage. The state does not belong to a particular class. It tries to intervene in the economy positively and reshape it in such a manner that a minimum of social living is created for all the citizens irrespective of the status and class position of citizens in the society. As Titmus pointed out, 'it was increasingly regarded as a proper function of government to ward off distress and strain among not only the poor, but almost all classes of society'.

In short, positive liberalism considered the welfare state as a new kind of state which is democratic in form; which though considering 'profit oriented market economy' as desirable, seeks to regulate or streamline it to serve social needs and thereby, provide social welfare to the citizens. It is a state which has evolved from the *laissez faire* state by a process of increased interference in the operation of the market economy at various levels and by gradually regulating the power of capital. It is a state in which political power is increasingly used to free the people from the tyranny of capital assuring them a certain standard of welfare. The welfare amenities are not restricted to a specific group, but belong to the society as a whole.

16.4 JUSTIFICATION OF THE WELFARE STATE

The emergence of the case for the welfare state began with the argument that instead of public welfare being the cause of dependence, loss of autonomy and capacity for individual responsibility for action and the market as the source of independence and freedom, the opposite is the case. The advocates of the welfare state argued that the individual has no control over his destiny in the context of impersonal market forces; the market system is unpredictable for some groups. That is, if people cannot be held responsible for their plight, the foundations for

welfare had to be quite different from those associated with classical liberalism. Historically, a major factor in the development of the welfare state was the growing mass unemployment during the interwar period in the western world and the assumption that only the government could alleviate it. It was acceptance of the theory that distribution was not simply the distribution of income, but 'redistribution' of resources according to ethical criteria such as need, desert and so on and even equally, for its own sake. Social welfare was associated with social justice. For example, in Britain, the Beveridge Report in 1942 identified five major categories of sufferings: *want, disease, ignorance, squalor and idleness*. This established the foundation of the welfare state. Taken with the Keynesian macro-economic policies, the idea of welfare had become completely associated with a social philosophy designed not to replace the market, but to correct it.

The birth of the modern theory of welfare depended on the reinterpretation of certain key political concepts; notably liberty, equality and justice. Their net effect was to transform the nature of society from a conception of loosely associated individuals into a more intimate form of community. It was argued that if people could be held together by social bonds that transcended contractual relationships, then they could make claims on each other as citizens of a common enterprise which could exceed their contribution as measured in more calculative economic terms. State welfare was regarded not as an act of charity, but a form of entitlement. Simultaneously, the idea of welfare also developed outside the economic sphere. It concentrated on the need itself, regardless of its cause of a particular consequence that may flow from attempts to relieve it. If to this is added the demand for minimum income and redistribution in the name of social justice, we get the ideal of a citizenship. This is not defined by civil and political liberties alone, but also include claims to economic resources, not as market determined rewards for work, but as a consequence of the membership of the community.

Inspite of the fact that the idea of the welfare state became a consensus view in the post-war period, there was no agreement within liberalism about the theoretical justification for the welfare state. Different scholars gave different justifications for the welfare state: such as to correct the ill-effects of free trade capitalism, to enhance the liberty of the individual, to bring about an equalitarian society, to establish justice (which of course included social justice), to implement the citizenship rights etc. Apart from these, there were also moral and altruistic justifications. Let us have a brief look at some of them.

16.4.1 State and the Market

In the literature on social welfare, a dichotomy between the *state and the market* is shown. The main criticism against free trade capitalism was that it leads to monopoly capitalism and an economy dominated by the power of trusts, combines, cartels, multinationals and trans-national corporations. This in turn gives rise to a variety of social, economic and political contradictions in society. In the absence of any positive interference by the state in the political economy, the exploitation of the working class by an aristocracy of monopoly capitalism without caring for any social responsibility, unemployment on a large scale, inhuman working conditions in factories, competitive low wages, long working hours, poverty, illiteracy and poor health are bound to result. Also, free trade capitalist economy is the enemy of socio-economic equality. As was pointed out by Green and Tawney, by denying redistribution of national wealth through the state, the market fosters inequality and injustice. It was argued that the old mechanism of the market, because they were powered by self-interest, cannot be sensitive to the welfare needs precisely because they cannot be translated into prices and also

those in need lack the resources to pay the price set by the market. As Titmus said, 'capitalism is a biological failure; it is promoting the extinction of the society'. Though he did not reject the market, he maintained that it is the cause of those economic misfortunes that render some people in need of welfare. Since market relations are competitive, they must also be divisive. Society's welfare is not reducible to the individual's experiences of well-being to which he is entitled to by his own efforts, but consists of a complex amalgam of rational and communal sentiments. It can be said that the individuals by living in society, in fact, receive 'economic rent' i.e., the difference between the income they would receive outside society and that which they actually get because of their existence of social co-operation which they do not directly create. Thus, welfare is a form of compensation drawn from collective resources. And this task can be performed by the state. The state can ameliorate the conditions under which people live and work by providing for their health and safety and for their social and economy security. The state can reshape the economy in such a manner that a minimum level of social living is created for all citizens irrespective of their status and class position in society.

16.4.2 Individualist

A sophisticated moral justification for the welfare state was based on *individualist* grounds. It believes that the market forces do cause distress and hence, undermine the notion of individual autonomy. This is inconsistent with the liberal belief in the equal autonomy of each individual and hence, to restrain from aiding a person in deprivation where such action is not excessively costly is morally harming that person. In other words, welfare is not an act of morality but a compelling duty. This is embedded in the autonomy of the individual. A person who is formally free in the sense of nor being coerced is not virtually free, if their choices do not emanate from their autonomous will. According to Albert Weale, certain material conditions 'must necessarily hold for individual to carry out a wide range of projects'. It is not that people make wrong choices but that in the absence of welfare, some peoples' choices are arbitrarily narrowed. If liberalism requires the conditions of equal autonomy for individuals and markets fail to provide, then government action is required to sustain the liberal social order. Similarly, Raymond Plant argues that 'basic needs have to be satisfied to do anything at all'. What makes needs objective is that they are a necessary means to the achievement of moral autonomy. Again, whereas wants cannot form the basis of a strict claim on others, needs can. This is because what makes need satisfaction of overriding importance is that the failure to provide for it is morally equivalent to harming someone.

16.4.3 Enhances Individual Liberty

An important justification for the welfare state was that it *enhances individual liberty*. In fact, the welfare state was the natural corollary of the reinterpretation of liberty from being something negative to something positive. Its intellectual roots are found in T.H. Green and continued through Bosanquet, Richie, Hobhouse, Laski etc. In his famous essay 'Liberal Legislation and Freedom of Contract', Green defined liberty as 'freedom as something to be so highly prized, we mean a positive power or capacity of doing something worth doing or enjoying and that too, something that we do or enjoy in common with others.' The function of the liberal state should be to support the existence of free society, He reached the conclusion that the function of the state can be nothing else, but of maintaining the conditions of life in which morality is possible. The state is to help man in realizing the ideal of self-realization as a member of society by removing external hindrances. Its main function is to create the external

conditions in which there will be the fewest possible impediments in the way of every man doing his best to himself. Stated in these terms, the state was made a welfare state; this is nothing less than liberating the human capacity for self-determination. If illiteracy, ignorance, poverty, drinking, insanitation are removed, the liberty of the individual is enhanced. On these grounds, Green advocated state intervention to enforce compulsory education, prohibition, state control over health and housing as necessary for the full development of the individual personality in and through the society. By insisting that it is the function of the state to remove all obstacles to good life and to provide conditions in which freedom could be pursued, Green laid the foundations of the twentieth century welfare state. The first world war, socialist revolution in Russia, rise of Fascism and the world economic depression in the first half of the 20th century created a favourable environment for the welfare state which was reflected in the writings of Laski, Keynes, Roosevelt, Galbraith etc. For example, Laski talked of liberty as 'the power of adding something to common life, a contribution which can be made if (a) there are certain specific conditions that enable the individual to make the contribution, and (b) that institutions are not in his way. The former can be guaranteed by the state through the provision of rights and the latter, through regulative legislation. In other words, the state was considered a source and condition of liberty. As he wrote, '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'. In particular, it meant reinterpreting the term economic liberty which was considered as 'security and 'the opportunity to find reasonable significance in the earning of one's daily bread'. It meant freedom from the constant fear of unemployment and insufficiency which sap the whole strength of an individual's personality.

16.4.4 Equality

Along with liberty, the social philosophy of welfare has been concerned with *equality* itself, not the justification in rational terms of socially and economically necessary inequalities or the identification and elimination of objective needs, but egalitarianism for its own sake. What R.H. Tawney called 'the religion of inequality' has been a constant source of criticism from welfare philosophers. However, the Liberal welfare philosophy has never advocated an uncompromising egalitarianism, but a system in which those legal and political equalities that classical liberalism had always valued are reflected in the economic world to a far greater extent than is possible in the capitalist market system. Equality has a potent value in welfarism. It is argued that the virtues of exchange relationship are badly compromised, if the participants in them are separated by gross disparities of wealth. Since in the capitalist societies, some entrants to the market will start with an advantage for which perhaps no rational justification can be given, this inequality will be reflected in the outcome and the results itself. The market instead of being an arena of expanding opportunities will become a source of inequalities. There is a persistent question: why should the value of equality have the significance it traditionally had in the philosophy of welfare? This is because all societies seem to exhibit pretty regular egalitarian features which seem more or less impervious to significant correction by political methods. Modern legal and political inequalities are not accompanied by economic equality. Wealth can buy political power in defiance of merely formal equal rules of the liberal system. Inspite of the disappointing results of equalitarianism, the welfare theorists feel that there is still a moral obligation to promote welfare through egalitarian measures where this would not have such an adverse effect on the output of the economy that the worst off would suffer. Not to take action in such circumstances would be to accept the level of economic inequality, which itself has adverse or welfare reducing effect on the rest of the society.

16.4.5 Rights

Some theorists have justified the welfare state in the context of '**rights**'. According to H.L.A. Hart, rights imply a special congruity in the use of force or threat of force to secure that what is just or fair or someone's right to have done shall in fact be done. It is only in these circumstances that coercion of another human being is legitimate. If there are any welfare rights, then it can only be so if coercion can be justified in the redistribution of resources than their possession necessitates. Welfare is not justified in terms of benevolence, but is a feature of entitlement or justice. However, this could have two implications for the welfare theory: i) welfare rights would be symmetrical with the familiar negative rights (i.e., right to forbearance from aggressive action on the part of others), and ii) it would provide that the very existence of welfare rights enforceable as law encourages people to adjust their behaviour accordingly, i.e. become welfare rights' claimants. However, the critics claimed that there is no exact symmetry between the negative and positive rights, since the latter are indeterminate as well as not fully justifiable.

16.4.6 Citizenship

Because of the objections raised against the rights theory, welfare state now grafts on the notion of rights as a *theory of citizenship*. This has the advantage of limiting the applicability of welfare claims to particular communities and the theoretical one of establishing the identity of persons not by their capacity to choose, but by their membership of the collective community. Citizenship as a foundation for welfare is a little less ambitious. It simply maintains that claims to resources are an extension from the legal and political rights that have emerged in the development of liberal democracy. T.H. Marshall specifically placed the economic aspect of citizenship in an evolutionary account of the development of liberal democracy. Talking in the context of British society, Marshall identified three categories of citizenship rights: i) legal – which embraced the traditional rights to free expression, property, equality before law and the familiar civil liberties; ii) political – which covered the political rights in a democracy, and iii) social – the welfare rights which give a person certain entitlement to resources. Social citizenship was an attempt to reform capitalism through legislation. The gradual development of universal provisions for basic education, health and social security were attempts to change the nature of cash nexus between the capital and labour. Legislation on minimum wages, hours of work, employment of children, working conditions, occupational safety and compensation of occupational accidents made the employees less vulnerable to the capitalist class. The state through positive intervention and by reformulating its taxation and expenditure policies is able to resolve the conflicts between the two. Though the creation of social citizenship did not remove class inequalities, nor was it able to fundamentally transform the economic basis of capitalism, still through the welfare state it was able to reduce certain social inequalities, especially those associated with the operation of the market. 'The rational for citizenship lies in its capacity for the integration of all individuals into a society; for instance the presence of economic rights that pertain to citizenship prevent class conflict getting out of hand'. Citizenship 'imposed modifications on the class.' Though Marshall was not opposed to the market, he did see an unrestrained capitalism as socially destructive. Other citizenship theorists also believe that the three types of citizenships are inter-related. For example, the right to free speech and legal equality require some measure of welfare if they are to be more than a formal guarantee. Indeed, liberal pluralism is itself only possible when some measure of economic welfare is guaranteed.

16.4.7 Justice

Apart from the above justifications, in contemporary political theory, *justice* has become almost inextricably bound up with welfare. John Rawls in his book *A Theory of Justice* insists that justice is the first virtue of a society and that it should always take priority over other goods which may be interpreted in the welfare sense. Yet his concept of justice is a welfarist concept, one specifically concerned with the legitimisation of a distribution of resources and with levels of wellbeing. Indeed, despite its individualistic methodology, it is a normative theory that posits welfare functions for society differing in substance but not in principle, from other welfare functions such as utilitarian ones. His justice is nearer to the liberal political economy. While his first principle of justice is concerned with equal rights to the most extensive basic liberties compatible with similar liberties of others, the second principle is concerned with the arrangements of social and economic inequalities in such a way that they are to the greatest benefit of the least advantaged. The purpose of legislation is largely concerned with the achievement of long term social and economic goals as well as to fulfil the principle that requires that 'social and economic policies be aimed at maximising the long term expectations of the least advantaged under conditions of fair equality and opportunity'. At social and economic level, Rawls is in favour of redistributive justice. He considers the proper function of government as not only to maintain 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 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, rising above the *laissez faire* view of classical liberalism which leaves the individual alone, Rawls propounded a theory of justice in consonance with the requirements of liberal democratic welfare state. As he writes, 'if law and government act effectively to keep the market competitive, resources fully employed, properly 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'. In the context of welfare, Rawls is a muted egalitarian who extends the ethics of redistribution beyond the ownership of tangible property to the income derived from personal talent. Superficially, at least, this seems to put the welfare imperative above the individualistic demand of justice.

16.5 WELFARE STATE: CONTEMPORARY DEBATE

The welfare state seems a compromise between the market model of classical liberalism and contemporary libertarianism. It combines the capitalist freedoms and inequalities with socialist equalities. It wants to achieve the best practical realization of the demands of liberty, equality and justice. It retains the essentials of the capitalist system while removing its attendant abuses. However, *inspite* of great claims, the concept of welfare state has raised many questions. The contemporary debate in western societies has almost been about the welfare state and the crisis in the welfare philosophy, particularly, after the slow down in the economic growth in

the 1970s. The theory of welfare state believed that the mixed economy would generate a level of national income sufficient to finance the welfare services and was justified on ethical grounds; that the primary aim of the welfare philosophers was redistributive i.e. the common provision for education, health, unemployment insurance etc which would bring equality and relief from deprivation, and that the welfare state would generate a form of citizenship that would soften the acquisitive and non-altruistic attitude which was prevalent in the market society. But the questions are: does it ensure the citizens the necessary income to fight insecurities and enable them to ensure a stable, dignified and civilized life? Does it remove the inequalities of real income by adopting measures to redistribute income between the rich and the poor and by preventing the concentration of wealth in a few hands? Does the mixed economy usher a trend whereby private sector is curbed, crippled and made powerless? Has the welfare state been able to free the economy from booms, depressions, inflation and other economic crises? Does the state supply the services efficiently? The answer to all these questions is far from satisfactory.

According to Barry, the assimilation of the welfare theory with the philosophy of the welfare state was an intellectual error. The theoretical mistake was the construction of a social philosophy that virtually ignored those welfare enhancing properties of the market system that had been stressed by earlier liberal political economists. As a result, there has been an inexorable expansion of the welfare state with the result that the welfare state has mutated from a system designed to protect the vulnerable from the random effects of market forces to a comprehensive set of social arrangements which had only a contingent connection with the original purpose of interventionism. This was because the welfare theorists did not take proper account of the institutions that are required for the delivery of the welfare goods. There can be no guarantee, for example, that the outcome of a competitive party process in a democracy will coincide with the moral imperatives of state welfare. There was a serious problem as to whether majority rule procedures are efficient translation into positive policies of whatever altruistic sentiments exist in a community.

Throughout the twentieth century, there was a sort of consensus about the necessity for some sort of state welfare because of the realization that there are certain genuine collective welfare ends which could not be met through voluntary action. What is important about the contemporary attack on the welfare state is that because welfare involves coercion, it reduces freedom. The libertarian philosophers like Nozick do not approve of the idea of the welfare state. They defend the market economy and hold that the distributive policies of the state in the name of welfare, violate peoples' rights. They do not agree with Rawls that talents and skills of the individuals are the common assets of society and the individuals are entitled to the fruits of their talents so long as they improve the conditions of the least advantaged section of society. It is nothing short of seizing one's labour and a fundamental attack on the sovereignty of the individual. Again, too much role to the state can lead to increasing bureaucracy, increasing decline of freedom and may result in inefficiency. It represents a violation of the rights of those who are taxed to provide funding for the poor. According to Barry, although the terms in which Nozick writes i.e. the invocation of absolute and inviolable individual rights puts him outside the contemporary debate, his rigorous individualism and anti-statism alerted social theorists to the possibility that many welfare goals could be satisfied outside the formal apparatus of government. Since his criticism of the state is that it leads to coercion, there is a theoretical possibility that voluntary activity outside the price mechanism could solve at least some of today's welfare problems.

The experience of post-war welfare in western democracies has cast doubts on not just the ethical desirability of entrusting collective institutions with the delivery of what came to be called typical welfare services such as health, education and insurance, but the efficiency of the method as well. The unexpected expansion of these services and the huge share of GNP absorbed by them have led to serious criticism from both the Left and the Right. The difficulty arises primarily from a confusion whether the role of the state is to provide a minimum standard of well being to those who are the victims of market economy or a broader conception that envisages collective institutions as *prima facie* appropriate for the satisfaction of a potentially limitless range of human wants. In what sense can the common provision of, say, education and health, enhance welfare in the sense understood by the philosophers of the welfare state? The welfare state is characterized by what public economists called 'churning', whereby services are funded by tax revenue which are then returned to the citizens in the form of collective and often compulsory services such as unemployment insurance. It is not quite clear what the rationale for this is, because the compulsory nature of many features of the welfare state means that individual choice is suppressed; thus, the actual structure of the system does not reflect peoples' preferences. Critics have also expressed doubts as to how far the welfare state has been able to provide social justice. For example, the empirical enquiries into the delivery of welfare services in Britain revealed that redistribution has helped the middle income groups and there is reliable evidence that it is a universal feature of all democratic societies. This is known in political economy as 'Director's Law'. Put at its simplest, this law holds that since in advanced western democracies, the probable majority of voters is neither rich nor poor, whatever redistribution takes place is likely to go to it. Also, well-intentioned welfare policies help one group while unintentionally harm the other. Familiar examples are the rent control laws which, by freezing the supply of rented accommodation, causes homelessness or the minimum wage legislation; which renders unemployed potential workers whose marginal productivity is lower than the decreed minimum. A more ethical argument is that excessive welfare produces a dependency culture which is quite inconducive to good citizenship. A major example for such arguments refers to the debates which followed the creation of 'the Great Society' programme of President Johnson. This was a massive programme of welfare intervention by the state which provided a good test case for many critics of state welfare. It cost about US\$200 billion dollars per year and included programmes like medicare, aid to families of dependent children and food stamps to about 50 million people. Implicit in this argument was that capitalism was the cause of deprivation. It should be stressed that the designers of the scheme did not want to create a welfare society, but only to aid temporarily and to enhance individual autonomy. There is some agreement among observers that the system has not fulfilled its aims. Although the number of people below the poverty line did reduce, this was not because more people had achieved individual autonomy, but because more had become dependent on the new welfare payments. Charles Murray makes a distinction between people in poverty, i.e. people who really need help and well-being, and 'latent poverty' i.e. people who would be deprived were it not for the existence of state welfare. According to him, though latent poverty fell to 18% when the scheme was introduced but as the scheme progressed, the figure began to rise and it reached 22% in 1980. Also, there was the breakdown of traditional family structures and the rise of illegitimacy due to the new benefits for unmarried mothers. This seems then to be evidence of moral hazard on a massive scale. Although there is some dispute about the figures, most commentators argue at least that the great society programme has failed to reduce the numbers on welfare.

The critics of citizenship theory also maintain that the ideal of citizenship does grant individuals a claim on the resources of the community, but that it must be accompanied by corresponding

social duties. The individuals are not anonymous agents held together by general rules of just conduct and the cash nexus, but are identifiable members of particular communities defined in terms of a complex network of social rights and duties. Work must be treated as a social obligation akin to paying taxes and obeying the law. Lawrence Mead's objection to the 'Great Society Scheme' was that its benefits were distributed as entitlements requiring no duties on the part of the beneficiary. In other words, what is required is a stronger and perhaps bigger state to enforce the social obligation of work that is relative to the receipt of welfare. But this could lead to less liberty.

There is a growing recognition that the welfare of the individual is a personal affair which is not necessarily enhanced by over-reliance on the state. A person's welfare is advanced in ways other than mere increase in income; it is as much a function of personal esteem and individual autonomy. Critics of the welfare state have such non-economic measures of value in mind when they comment on interventionist measures of whatever type which have a tendency to produce dependency and an 'anti-work ethics'. It is also argued that the phenomenon of poverty and deprivation is partly a social or cultural problem. It is not caused simply by a scarcity of resources, but by the institutional arrangements which encourage the perpetuation of the malaise they are designed to alleviate. During the 20th century, the direction of causation has been from the complex structure of welfare institutions to the reproduction of welfare problems. It is being felt that the times are propitious for a fundamental re-examination of the whole issue. The return of education, health, pension and so on to individuals through various methods of empowerment such as the voucher scheme could mark the beginnings of a new consensus. Also, it is felt that the decentralization of welfare services to smaller political units would be a more feasible way of advancing the moral claims and the attendant social obligations associated with citizenship.

16.6 CRISIS IN THE WELFARE STATE: AN ASSESSMENT

The 1990s are witness to a real setback to the welfare state. The underlying problem has been financial. It was argued that the welfare states are expensive. As the average age of population increases, so the total cost of welfare services such as medical care, pensions, education also increase whereas the working population which shoulders the burden declines in number. Thus the demand on the welfare state increases when the supply is low. For example, when unemployment goes up, the expenditure on unemployment pay also increases but the tax collected from the workers goes down. Thus, the recession of the 1980s caused many doubts with regard to the welfare programmes. Again, the international pressures also matter. If the cost of welfare in one state is higher than the other, the economy loses its international competitiveness. As Pierson has pointed out, the move to a more open international economy has curtailed opportunities for further development of the national welfare state. And lastly, the impact of welfare on the willingness to work is also a problem confronting the welfare state. If people are assured of pay and other benefits, they do not work. And it affects those who have to give a substantial amount of their earnings in tax deductions in order to pay for the welfare benefits. In many countries, public support for the welfare state has declined very sharply. Thus, in the present crisis of the welfare state, the major point of debate is whether the state is an agency of redistribution of wealth and services from the rich to the poor or should it only provide a 'safety net', establishing a minimum level of welfare beneath which no one would be allowed to fall. The present trend favours only a safety net.

16.7 SUMMARY

Welfare state was the result of the transformation of classical liberalism into positive liberalism in the 20th century. A thoroughgoing revision of liberal theory required a re-examination of the nature and functions of the state, the nature of liberty, equality, justice, the relationship between liberty and legal coercion. Instead of the state being regarded as a necessary evil, positive liberalism considered the state as a positive good, an agency of individual and social welfare and a guardian of the common interests of society.

The ideas of positive liberalism were initiated by J.S. Mill, T.H. Green, D. Richie, Hobson in the nineteenth century and were perpetuated by Harold Laski, R.M. MacIver, J.M. Keynes, Galbraith in the inter-war period.

The welfare state attempted to reconcile the interest of the individual with that of the society so that the essentials of the capitalist system would be preserved while at the same time, removing its ill-effects. The purpose of the state is not only to preserve the law and order, but also to serve the common interest and perform welfare services.

Through the instrument of the welfare state, positive liberalism used the power of the state to guarantee the individuals a minimum income irrespective of the market value of their work, to help the people in meeting social contingencies like sickness, old age, unemployment, and all citizens irrespective of social class are offered an agreed range of social services. In other words, the welfare state was to ensure that all the citizens get a minimum standard of health, economic security and civilized living and can share according to their capacity in its social and culture heritage.

Liberalism believes that the welfare state must also be a democratic state, possessing a certain formal institutional mechanism which is considered essential in a liberal democratic society. Any state which is welfarist, but not democratic from the institutional point of view, cannot be regarded a liberal state. In other words, the term welfare state is used only for the states of those capitalist countries which undertake the positive task of providing welfare and when the government preserves the formal democratic institutional framework.

The welfare state operates within the framework of the market economy i.e. capitalist mode of production. But it believes that the unrestrained operation of the market can prove dangerous for the individual and the economy. It believes that poverty, dependencies, economic insecurity etc. are not a result of the consequences of nature and incompetence on the part of the poor, but result from the changeable institutions of society. These insecurities can be overcome by remodelling the *laissez faire* economy and by introducing a form of planning to realize these objectives. But planning should be combined with a market economy in various degrees. It stands for a 'mixed economy'.

Positive liberalism has given various justifications for the welfare state, such as it enhances the liberty and autonomy of the individual, it brings more equality among the various classes in society, it provides social justice, it creates a responsible citizenship, it provides socio-economic justice by restraining and regulating capitalism. However, there have been continuing debates about how to distribute welfare such as i) should it be 'selectively given to those in need or it should be universal', ii) should it be in kind or cash, iii) should it be on the insurance principle funded by the people themselves or simple redistribution, and v) should there be a

constitutional guarantee for the welfare or should it be left to the bargaining groups, vi) should the welfare state guarantee a safety net of minimum well-being for those **unable** to survive the market society or the idea of market is opposed to welfare.

The concept of welfare state has been also a target of attack, particularly from the libertarian philosophers. They believe that the welfare state reduces the liberty and autonomy of the individual, leads to coercion and violates the rights of the individual. At a more general level, in the developed countries which have adopted the welfare model, there is the largest concentration of wealth and technological potentialities. Neither has the state been able to remove the insecurities which are considered avoidable. Welfare measures irrespective of pension, tax free sums, compensation for loss of office, life insurance, sickness, higher education, housing etc are concentrated on the better off one-third of the population. Unemployment and creeping inflation still remain the permanent problems of welfare state. The ideals of liberal equalitarianism are not wrong, but they require reforms far more extensive than have been suggested by John Rawls and others.

16.8 EXERCISES

- 1) Trace the evolution of positive liberalism.
- 2) Write an essay on the liberal democratic welfare state.
- 3) Discuss the grounds on which the welfare state is justified.
- 4) Comment on the contemporary debates on the welfare state.
- 5) Critically assess the welfare state today.

UNIT 17 LIBERTARIANISM

Structure

- 17.1 Introduction
 - 17.2 What is Libertarianism?
 - 17.3 Political Theory of Libertarianism
 - 17.3.1 Individualism
 - 17.3.2 Individual Rights and Liberty
 - 17.3.3 Civil Society
 - 17.3.4 Political Economy and the Problem of Redistribution
 - 17.3.5 Rule of Law & Limited Government
 - 17.4 Critical Evaluation
 - 17.5 Summary
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17.1 INTRODUCTION

With the rise of liberalism as a theory of welfare state in the twentieth century, its functions increased manifold. It was during this transformation that the state acquired its present all-pervasive form. However, the fight for classical liberalism was not given up. After the Second World War, an important contribution to the theory of liberalism was made by theorists whose allegiance lay with early classical liberalism. This new movement which became popular in the USA and England in the 1960s is known by the name, Libertarianism. Many libertarian texts have been written by people who only know North American political culture and society. They claim universal application for libertarianism, but it remains culture bound. The libertarian movement received large scale academic attention with the appearance in 1974 of a book *Anarchy, State and Utopia* by the Harvard philosopher Robert Nozick. The work achieved great acclaim for its brilliance of argument and was frequently bracketed with Rawls's *A Theory of Justice*. It influenced the Thatcher/Reagan administrations of the 1980s. Etymologically, libertarianism means free will or free advocacy of liberty. It is the most radical form of individualism and advocates pure capitalist economy, as the surest expression and defence of individuality. In political theory, it answers once again the fundamental question i.e. what are the legitimate functions of the state – in a radical way. Holding the liberty of the individual as sacrosanct, libertarianism asserts that welfare measures can lead to a collectivist state. Here one can ask: if the liberal principles have been rooted in American and English political culture, then why has this new term come into use. According to Martin Masse, this is because liberalism since the end of the 19th century has taken up a new meaning, which is not at all compatible with the defence of individual freedom. While in the U.K., the so-called liberal parties are only a little more moderate than the socialist parties in their inclination to use state power, in the United States, a liberal was considered a left winger who advocated wealth redistribution and supported a big government that interferes everywhere in peoples' lives; a government that tries to solve all real and imaginary problems by taxing and spending and creating bureaucratic programmes for each good cause. In short, today's liberalism aims at creating a tyrannical state that does not hesitate to trample on individual freedom in the

name of an unattainable collectivist utopia. This type of liberalism has nothing to do with classical liberalism. Libertarianism, on the other hand, is inspired by former periods of liberal progress but after one century during which collectivist and totalitarian ideologies have dominated, they realized that classical liberalism was not strong or principled enough to stem the rising tide of statism. They are more coherent or some may say radical than traditional liberals in their defence of personal liberty and market economy and in their opposition to state power. Libertarian scholars have shown that it is the decentralized action of the individuals who pursue their own ends in a free market which makes it possible to create and maintain this spontaneous order to bring prosperity and to support the complex civilization in which we live.

17.2 WHAT IS LIBERTARIANISM?

Much political and moral philosophy over the past three centuries has concerned itself with human liberty. The philosophical outlook on politics known as libertarianism takes this idea to its extreme, proposing to make liberty, the only interest that a state may properly have with respect to its citizens.

The libertarian philosophy has been propounded by a number of scholars, prominent among them are F.A. Hayek, Karl Popper, Salmon, Milton Friedman, I. Berlin, M. Rothbard, Robert Nozick, Ayn Rand. Taking liberty as the ultimate value, it asserts that in order to protect liberty, a society must have strong private property rights, a free market and minimal government. Some writers have termed libertarianism as 'freedom'. The best way to understand the various terms is to know what libertarians believe in. In a few words, libertarianism believes that individual freedom is the fundamental value that must underlie all social relations, economic exchanges and the political system. Essentially libertarians preach freedom in all fields including the right to do what one wants with one's own body insofar as one does not infringe on the property and equal freedom of others. They believe that voluntary cooperation between individuals in a free market is always preferable to coercion exerted by the state. They believe that the role of the state is not to pursue goals in the name of the community. The state is not there to redistribute wealth, 'promote' culture, 'support' the agriculture sector or 'help' small firms, but should limit itself to the protection of individual rights and let citizens pursue their own goals in a peaceful way. Libertarianism supports the formal equality of each and all before the law, but it worries little about the inequalities between the rich and the poor, inequalities which are inevitable and can be reduced only by encroaching on personal freedom and by reducing overall prosperity. For them the best way to fight poverty is to guarantee a system of free enterprise and free trade and to let private charity initiatives which are more effective and better justified morally than state programmes of wealth transfer, come to the rescue of those in need. Libertarians believe that the only way to ensure the maintenance of personal freedom is to guarantee the inviolability of private property and to limit as much as possible the size of the government and the scope of its interventions. They do not trust the state in protecting individual liberty.

Libertarianism is opposed to collectivist ideologies of all types, be it of the left or of the right which stress the primacy of the group, nation, social class, sexual or ethnic group, religious or language community etc. They oppose all whose purpose is to regiment individuals in the pursuit of collective goals. They do not deny the relevance of these collective identities, but claim that it is up to the individuals themselves to determine which group they wish to belong

and contribute to. It is not for the state or for institutions that derive their power from the state to impose their own objectives in a bureaucratic and coercive manner.

Thus, libertarianism rejects the main political developments of the 20th century; that is, the sustained growth in the size of the state and the range of its interventions in the private lives of the citizens. It is the only one that demands and works for radical change, a drastic reduction of the size and role of the state, they are the only ones who value individual freedom, above all else. More and more people realize that libertarianism constitutes the only alternative. The libertarian movement hardly existed in the 1960s but really took off in the United States in the early 1970s. Whereas collectivist philosophies and Keynesian economics used to dominate academic life, recently there has been a revival of interest in classical liberalism and free market economy throughout the world. After a century of eclipse, classical liberalism in its libertarian offspring is becoming an influential philosophical doctrine and movement in the 21st century.

Like all philosophical movements, libertarianism is varied, containing several schools and sub-groups and one will find no unanimity about its theoretical justifications, its goals or the strategy that should be adopted to reach them. Mainly, there are two types of libertarianism and each has its own answers to the queries. One group, the anarchists or also known as '*anarcho-capitalists*' advocate the complete disappearance of the state and privatisation of even the basic functions mentioned above. This goal may appear extreme or ridiculous at first sight, but it is based on a theoretically plausible argument. It is for example, easy to imagine that one could replace provincial state or municipal police forces (with the corruption, abuses of power, the incompetence and favouritism which usually characterize them all and often with impunity) with private security agencies. These would make profits only in so far as they really protect citizens and fight real criminals. Anarcho-capitalists use the same type of arguments to support the privatisation of the army and the courts which would leave nothing for a state to do. Private firms would then provide all the services that individuals might need in a pure free market. In a context where public spending now accounts for almost half of all that is produced, where governments continue to adopt law after law so as to increase their control over our life, a more realistic libertarian goal is simply to reverse this trend and fight for any practical advance of freedom and any concrete reduction in state tyranny. The other branch is known as '*minarchists*' who maintain that government may appropriately engage in police protection, enforcement of contracts and national defence, foreign relations, justice, the protection of private property and individual rights. All remaining functions should be privatised. In the context of a very decentralized federal state, libertarians accept, however, that local authorities can intervene in other fields and offer various types of social and economic arrangements in so far as dissatisfied citizens can easily move to other jurisdictions. Definitely not included, according to minarchists, is the power to tax, even to secure money for the functions just mentioned,

The question arises: why the libertarians endorse these views so sharply at variance with most political theory? Firstly, libertarians hold an extremely strong doctrine of individual rights, particularly the right of individuals to acquire and hold property. Their concept of property rights and freedom of contract excludes welfare rights, since claims to these rights require in the libertarian view compulsory labour of some on behalf of others. Secondly, libertarians believe that the operation of an unrestricted system of *laissez faire* capitalism is the most desirable social system. People unfettered by state compulsions would be likely to establish this sort of economic system and it is all for the best that they do. We shall study all these aspects in detail in the next section.

17.3 POLITICAL THEORY OF LIBERTARIANISM

It is claimed that the key concepts of the political theory of libertarianism have developed over many centuries. The first inklings of them can be found in ancient China, Greece and Israel; they began to be developed into something resembling modern libertarian philosophy in the work of such seventeenth and eighteenth century thinkers as John Locke, David Hume, Adam Smith, Thomas Jefferson and Thomas Paine. In the twentieth century, they were reinvented by neo-liberal thinkers such as Michael Oakeshott, F.A. Hayek, Milton Friedman, Robert Nozick etc. While these scholars have given a new intellectual impetus to the libertarian movement, a growing concern for personal autonomy has provided personal ground for the sowing of the idea. Some of the important concepts of libertarian theory are as follows:

17.3.1 Individualism

While the libertarian ideal of individualism has certain family resemblance with the neo-classical defence of capitalism, anarcho-individualism and classical liberalism, it is reducible to none of these. Libertarianism can only be understood against the backdrop of the emergence of totalitarianism and the modern welfare state since the 1930s. Libertarians see the individual as the basic unit of social analysis. Only individuals make choices and are responsible for their actions. Libertarian thought emphasizes the dignity of the individual, which entails both rights and responsibility. The progressive extension of dignity to more people – to women, to people of different religions and different races – is one of the great libertarian triumphs of the western world.

Libertarianism represents the most radical form of individualism, short of outright anarchism. Along with it, it exalts the pure capitalist economy as the surest expression and defence of individuality. Nevertheless, the near anarchism of some libertarian doctrines have prompted the expression ‘anarcho-capitalism’. However, the libertarian defence of capitalism would legitimise a degree of economic inequality that true anarchists could not abide. The works of Ayn Rand are a leading expression of the libertarian ideal of individualism, even if it sometimes takes an extreme and occasionally unrepresentative form. A brilliant novelist, she developed the libertarian ideal both in fictional works and polemical essays. Utterly rejecting any theological notions or ideas that rank the community over the individual, she held that the individual is the basic unit of society, the prime focus of moral concern and the sole source of human creativity. According to her, the root cause of our modern troubles is the philosophy of *altruism*, a moral position that effectively destroys the supreme value of individuality. Altruism – the notion that man should place the welfare of others above his own – is the root of all evils and not money. Indeed, money is cherished as the just reward and fair estimation of the individual's inherent excellence. For Rand, altruism is a vice and selfishness is a virtue, though selfishness does not mean a petty snivelling self-indulgence but accepting full personal responsibility for one's life and fate. Altruism is the villain of the piece because it plays upon the morbid guilt feelings of the donor and keeps the recipient in a state of childish subservience. Neither party can develop a mature confident outlook on life which should culminate in a fair and equitable and truly voluntary exchange of goods and services. The ethics of *altruism* is always gratuitous; it preaches that someone has a prescriptive right to a free ride on someone else's back. According to this theory, the notion that one person should sacrifice himself for the sake of another is radically evil. It is an affront to human dignity and an open invitation to prefer death over life.

17.3.2 Individual Rights and Liberty

Central to libertarianism is the claim that the individual should be free from the interference of others. Personal liberty is the supreme moral good. Hence, one's liberty can justifiably be restricted only if he consents to the restriction. Any other restriction, including taxing incomes for the purpose of redistribution is unjust. In other words, the libertarians couch their theory in the language of rights. Each individual has natural negative rights - to at least life, liberty and property. No one can justifiably harm him, restrict his freedom, or take his property, i.e., no one can violate his rights without his consent. Moreover, these are general rights; they apply, so to speak, against the whole world. And since rights invariably have correlative duties, all the people in the world have the duty not to interfere with the rightholder's life, liberty and property. Each person possesses these rights simply by virtue of his humanity - he does not have to do anything to obtain this moral protection. The possession of rights does not depend upon the consent of others. They are essential moral constituents of personhood. They are not granted by the government or by the society; they are inherent in the nature of human beings. It is intuitively right that individuals enjoy the security of such rights; the burden of explanation should lie with those who would take these rights away. Libertarian theorists often move back and forth between talk of negative rights and talk of liberty. This, according to Hugh La Follette, is because they ultimately see rights and liberty as equivalent or because they hold a theory of rights which is grounded in personal liberty. There are no circumstances in which the negative general rights can be justifiably overridden in which one's liberty can be justifiably limited without his consent. For example, A's right to property (or life or liberty) can never be overridden for the benefit of others (to satisfy the alleged positive rights of others). 'A' can choose to charitably give his property to someone or he can voluntarily give someone a positive right to his property. Nevertheless, morally he cannot be forced - either by legal sanctions or moral rules - to give up his life, liberty or property. This moral/legal prohibition insures that an individual's liberty cannot be restricted in any way without his consent.

In the context of rights, what is important to note is that libertarians make a distinction between negative and positive rights. For example, take the general right to life; in its negative version, it says that only others must not kill (or take the life of) the rightholder but in its positive version, it would also require that others do something to help save the rightholder's life if it is possible for them to do so. The importance of this distinction is that the libertarian holds that people have no basic positive rights - that all positive obligations have to be in some way assured or undertaken by the obligated individual i.e. by promising that he will perform the indicated action.

Thus, we see two important features of libertarianism. First the primary purpose of negative general rights is the protection of individual liberty, to ensure that no one's life is restricted without his consent. Or as Nozick puts it: 'side constraints (which are equivalent to negative general rights) upon action reflect the underlying Kantian principle that individuals are ends and not merely means; they cannot be sacrificed or used for the achieving of other ends without their consent... (these constraints reflect the fact of our separate existences)'. They reflect the fact that no more balancing act can take place among us. Secondly, the libertarian holds that a sufficient reason to reject any alleged moral rule or principle of distributive justice is that such a rule or principle restricts someone's freedom without his consent. Hayek, for example, argues that we should reject plans to expand governmental roles since such expansion necessarily undermines individual liberty. And Nozick's primary objection to Rawls is that Rawls's two principles restrict individual liberty without consent.

As mentioned above, much political and moral philosophy over the centuries has concerned itself with human liberty. However, the philosophical outlook on politics known as libertarianism, takes this idea to its extreme, proposing to make liberty the only interest that a state may properly have with respect to its citizens. Libertarianism takes liberty as our sole right (this is also called 'deontological libertarianism') against considering liberty as *the sole* value to be promoted by the government and the individual. The point of making liberty a general right is to prevent the government from forcing people to do things. According to it, our sole fundamental right is the right to liberty, all other rights are subordinate to that—they are either special cases of that one or derived from it directly or indirectly.

Just like the concept of negative rights, libertarianism also emphasizes the negative aspect of liberty i.e., liberty as absence of imposition by other people, specifically those impositions that are caused by their intentional actions. In this version, each person is to be entitled to do as that person likes, or judges best, except only when his or her action would impose on others – would interfere with the intended desired courses of action of someone else or (if this is different) damage that person, in the sense of doing what that person did not want to be done with or to his or her body or mind. It is as Hobbes called it 'absence of external impediments' or 'seeking peace'; that is, of not 'making war' on others; or as Locke termed it 'not harming them in respect of life, health, liberty or property'; or Kant's version of 'acting only on maxims that can coexist alongwith the freedom of the will of each and all'. These have been echoed in the contemporary American philosopher John Rawls' formulation of a liberty principle that 'each person participating in a practice, or affected by it, has an equal right to the most extensive basic liberty compatible with a similar liberty for others'. What is important in all these versions is that the emphasis is on the negative liberty; people encounter each other and in doing so they are to refrain from actions that would cause the other person harm, danger, disease and the like. Any other actions are permissible whether or not they have the effect of 'maximising' something. Again coercion is also thought to collide with liberty. Libertarians also take liberty as the 'absence of coercion' and they condemn it along with overt force. Liberty is the absence of obstacles, imposed costs; the coercer does impose a cost on his victim.

The natural baseline to which libertarians appeal for liberty is our body. The libertarians hold that we ought to make anyone's liberty into a right; that is, we ought to make it the case that imposition or proposed impositions against anyone's liberty is a ground for taking action to rectify or prevent them, and that is what the libertarian principle does. This right is equivalent to the right of self-ownership. Each person would be regarded as 'owning himself' in the same straightforward sense as that in which we can own all sorts of things such as cars and footballs; namely, being able to do what one wants to with the self in question; at the same time, one is not able to do that with others; rather, their willingness or consent must be established before one may do things with others.

And last but not the least, why would people value liberty? For the libertarians, liberty is not another good like peanut butter or a car, it is rather a necessary condition of action, in the sense that if we do x, it has to have been the case by definition that nothing prevented us from doing it. Liberty is the condition of being able to do whatever it is, the liberty to do which is in question. In other words,, it is not really up in the air whether liberty is a good thing or not. Liberty is as good as whatever can be achieved by acting. According to libertarians, liberty is not a value, it is a condition of action.

17.3.3 Civil Society

A great degree of order in society is necessary for individuals to survive and flourish. It is easy to assume that order must be imposed by a central authority, the way we impose order on a stamp collection or a football team. The great insight of libertarian social analysis is that order in society arises spontaneously, out of the action of thousands or millions of individuals who coordinate their action with those of others in order to achieve their purpose, over human history. We have gradually opted for more freedom and yet managed to develop a complex society with an intricate organization. The most important organization in human society – law, language, money and markets – all developed spontaneously without central direction. Civil society is another example of spontaneous order, the associations within civil society are formed for a purpose, but civil society itself is not an organization and does not have a purpose of its own. The associations we form with others can make up what we call civil society. Those associations can take an amazing variety of forms – family, churches, schools, clubs, fraternal societies, condominium associations, neighbourhood groups and the myriad forms of commercial society such as partnerships, corporations, labour unions and trade associations. All these associations serve human needs in different ways. Civil society may be broadly defined as all the natural and voluntary associations in society. Some analysts distinguish between commercial and non-profit organizations, arguing that business is a part of the market and not of civil society, but according to Baum, the real distinction is between associations that are coercive i.e. the state, and those that are natural or voluntary – everything else. Whether a particular association is established to make a profit or to achieve some other purpose, the key characteristic is that our participation in it is voluntarily chosen. It should be noted that the associations within the civil society are created to achieve a particular purpose but civil society, as a whole has no purpose. It is the undersigned, spontaneously emerging result of all those purposive associations. These associations give people connections with other people. No one of them, however, exhausts one's personality and defines one completely. In this libertarian conception, we connect to different people in different ways on the basis of free and voluntary consent. Ernest Gellner says that modern civil society requires a 'modular man'. Instead of a man who is entirely the product of and absorbed by a particular culture, modular man 'can combine into specific purpose, *ad hoc*, limited associations, without binding himself by some blood ritual'. He can form links with others which are 'effective even though they are flexible, specific, instrumental,' and as individuals combine in myriad ways, community emerges; not the close community of the village or the messianic community promised by, say for example, by marxism, national socialism and all fulfilling religions, but a community of free individuals in voluntary chosen associations. Individuals do not emerge from community, community emerges from individuals. It emerges not because anyone plans it, certainly not because the state creates it, but because it must. To fulfil their needs and desires, individuals must combine with others. Society is an association of individuals governed by legal rules or perhaps an association of associations, but not one large community, or one family. Membership in a group need not diminish one's individuality; it can amplify it, by freeing people from the limits they face as lone individuals and increasing their opportunities to achieve their own goals. Such a view of the community requires that membership be chosen and not compulsory.

17.3.4 Political Economy and the Problem of Redistribution

Libertarianism claims that the only economic order that respects individual freedom is the *free market*. To them, the free market is an example of freedom in action. At the heart of the free market is the voluntary bilateral exchange. If two parties exchange some goods voluntarily

or make some contract voluntarily, then so long as this does not involve the violation of another's rights, no one has the right to interfere in it. According to libertarians, the free market is the sum of the voluntary exchanges and contracts going on in a society, nothing more and nothing less. Any distribution that occurs in the operation of a free market is therefore, just since at no stage has anyone's right been violated and all the exchanges were voluntary. For example, Hayek proposed that the rules of conduct in a society are evolving; that they survive because they are useful and help that society survive. The market, he believed, had survived the test of time, in that the most successful societies were market based in some way. The market is superior to other economic systems, since it handles human ignorance by passing information in coded form through the price mechanism which indicates areas where profits could be made and resources efficiently used. It does all this and allocates resources without being predicated on any specific goals or assuming what the goals of the people are. It also facilitates freedom, in that for it to work, there need to be rules demarcating 'protected domains' for each person where no other has the right to interfere.

The market arises from the fact that humans can accomplish more in cooperation with each other than individually and the fact that we can recognize this. If we were a species for whom cooperation was not more productive than isolated work, or if we were unable to discern the benefits of cooperation, then we would not only remain isolated and atomistic, but as Ludwig Von Mises explains, 'each man would have been forced to view all other men as his enemies, his craze for the satisfaction of his own appetites would have brought him into an implacable conflict with all his neighbours'. Without the possibility of mutual benefit from cooperation and the division of labour, neither feelings of sympathy and friendship nor the market order itself could arise. Those who say that 'humans are made for cooperation, and not competition' fail to recognize that the market is cooperation.

Many people accept that markets are necessary, but still feel that there is something vaguely immoral about them; they feel that markets lead to inequality or they dislike the self-interest reflected in markets. Markets are often called 'brutal' or 'dog-eats-dog'. But libertarians believe that markets are not only essential to economic progress, but that they are more consensual and lead to more virtue and equality than government coercion. This is done through: i) information and coordination, ii) prices, iii) efficiency in production, iv) technological innovations, and v) competition. Firstly, markets are based on consent. No businessman sends an invoice for a product not ordered. No business can force anyone to trade. Businessmen try to find out what is required by the consumers. Whatever is produced is done so in response to or in anticipation of consumer demand, since the only way in which the producers can maximize his own position is by selling his goods to the consuming population. But where do they get the information? It is not in a massive book. In the market economy, it is not embodied in orders from a planning agency. Secondly, this vital information about other peoples' wants is embodied in prices. Prices do not just tell us how much something costs at the store. The price system pulls together, all the information available in the economy about what each person wants, how much he values it and how it can best be produced. Prices make that information usable to the producer and the consumer. Each price contains within it information about consumer demands and about costs of production, ranging from the amount of labour needed to produce the item to the cost of labour to the bad weather on the other side of the world that is raising the price of the raw materials needed to produce the good. The information that prices deliver allows people to work together to produce more. The point of an economy is not just to produce more things. It is to produce more things that people want. Prices tell all of us what other people want. The price system reflects the choices of millions of producers,

consumers, and resource owners who may never meet and coordinates their efforts. Although we can never feel affection for or even meet everyone in the economy, market prices help to work together to produce more of what everyone wants. Unlike a government which at best takes the will of the majority and imposes it on everyone, market uses prices to let buyers and sellers freely decide what they want to do with their money. Thirdly, competition between producers ensures that the most efficient ones to supply the consumer market since only they will be able to produce goods cheaply. The consumer, in maximizing his economic welfare, purchases only at the lowest available price. Fourthly, since producers can improve their economic position by expanding their market, each producer will be in constant competition with others. Seeking to expand one's market can be accomplished only by reducing prices (price competition), and this can be achieved only by reducing production costs via technological innovations. The system automatically generates technological change and development. And lastly, the market system is highly competitive. As explained above, it is precisely through competition that it can be found how things can be produced at the least cost, by discovering who will sell raw material or labour services for the lowest price. Any interference with free competition between economic units will defeat the system's ability to provide automatically the advantages described above. Also rapid and smooth shifts of labour and capital must be possible from one industry to another. People are motivated by material well being and by economic gain. Hence, to the extent that they are deprived of economic incentives, the market mechanism will break down or seriously compromised as a basis for allocation of goods and services. The basic question, according to libertarians, is how to combine all the resources in society including human effort to produce the greatest possible output which will satisfy people most. It is through competition to attract new customers that this coordination is generated. It is possible that many firms may not do well and could be out of business. This, according to libertarians, is the 'creative destruction' of the market. Harsh as the consumers' judgement may feel to someone who loses a job or an investment, the market works on the principle of equality. In a free market, no firm gets special privileges from the government and each must constantly satisfy consumers to stay in business. Thus, far from inducing self-interest, as critics charge, in the market place the fact of self-interest induces people to serve others. Markets reward honesty because people are more willing to do business with those who have a reputation for honesty. Markets reward civility because people prefer to deal with courteous partners and suppliers.

Apart from defending market freedoms and limitations on the use of the state for social welfare policies, libertarians are opposed to any *redistributive* taxation scheme. It believes that redistributive taxation is inherently wrong, a violation of the people's right. People have a right to dispose of their goods and services freely. As Nozick 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'. This has been best explained by Robert Nozick in his famous entitlement theory.

The central theme of the *Entitlement Theory* is that '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 peoples' free exchanges. Any distribution that arises by free transfer 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

the justice system needed to enforce peoples' free exchanges. This 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 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 peoples' current holdings are justly acquired, then the formula of just distribution is: *from each as they choose, to each as they are chosen*.

Nozick gives two arguments as to why the claim of peoples' entitlement should be accepted: i) *free exercise of property* is more attractive, and ii) *property right lies in 'self-ownership'*. The first argument i.e. free exercise of property is more attractive; it is that if we have legitimately acquired something, we have absolute property rights over it. Then we can freely dispose of it 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 skills will get few rewards. Due to these under served differences in natural talents, some people will flourish while others will starve. These inequalities are the result of unrestrained capitalism. 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. As he says, 'no one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements.' The second argument is the principle of 'self-ownership'. By this Nozick means that people should be treated as 'end-in-themselves'. The heart of Nozick'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.' In short entitlement theory believes that recognizing people as self-owners is crucial to treating people as equal, and only unrestricted capitalism recognizes self-ownership.

17.3.5 Rule of law & Limited Government

Libertarianism is not libertinism or hedonism. It is not a claim that 'people can do anything they want to and nobody else can say anything'. Rather, libertarianism proposes a society of liberty under law, in which individuals are free to pursue their own lives so long as they respect the equal rights of others. The rule of law means that individuals are governed by generally applicable and spontaneously developed legal rules, not by arbitrary commands; and that those rules should protect the freedom of individuals to pursue happiness in their own way, not aim at any particular result or outcome.

To protect rights, individuals form governments, but government is a dangerous institution. As stated above, libertarianism arose as a reaction against the social welfare state. Hayek in his book *The Road to Serfdom* warned that the adoption of welfare/socialist policies would

bring totalitarian government in the long run. Any tolerable future for the western civilization would demand that the socialist ideas be abandoned and classical liberalism may be restored once again. Like early liberals, he considered the state the greatest enemy and any interference with the right to private property as an assault upon the rights of the individuals. On the economic side, Milton Friedman suggested that competitive capitalism promotes political freedom because it separates economic power from political power and in this way, enables one to offset the other. Another writer Ralf Dahrendorf complained that the welfare state produces the iron cage of bureaucratic bondage and to a great extent repeated the traditional liberal attitude of suspicion towards the government and the state. As lie writes, 'there is no such thing as benevolent government. Government is an unfortunate necessity. It is always and by definition liable to encroach upon the individual liberties. More than that, there is a need for less government'.

A more powerful definition of the libertarian view of the minimal state has been developed by Robert Nozick in his book *Anarchy, State and Utopia*. Nozick talks about the state in the context of individual rights. Following the tradition of John Locke, Nozick speaks of prior and inalienable rights of the individual possessed independent of society. He says that rights are the property of the individual and are so strong and far reaching that they raise a number of basic questions such as: what, if anything, the state may do? How much room do individual rights leave for the state? What is the nature of the state? What are its legitimate functions and what is its justification? The state, according to Nozick, should be a minimal state, limited to the narrow functions of protection against force, theft, fraud, enforcement of contract and so on. Any more extensive state will violate the person's right not to be forced to do certain things and as such would be unjustified. 'The minimal state is inspiring as well as right'. What is important is that the state must not use its coercive apparatus for the purpose of getting some citizen to aid others, and prohibit activities of people for their own good or protection.

Since Nozick strongly believes in the rights of the individuals, he seriously considers the anarchists' claim that the monopoly of use of force by the state may violate the individual's rights and hence, the state is immoral. Against this claim, Nozick argues that the state will arise from anarchy even though no one intends this. Individuals in the state of nature would find it in their interest to allow a 'dominant protective agency' to emerge which would have de facto monopoly of force and could constitute a state like entity. The formation of such an entity, if done in an appropriate way, may violate no one's rights, i.e. if it does not go beyond its legitimate powers of protection, justice and defence. Justifying the minimal state, he categorically asserts that liberty must get absolute precedence over equality. He opposed the policies of progressive taxation and positive discrimination and asserts that realization of liberty should not be inhibited by the policies of the government in providing public health care, education or minimum standard of living. He argued that those who own wealth may voluntarily adopt some redistribution. He is against any redistribution of property by the state because it may transgress the liberty of those who have property. For Nozick, the state is no more than a night watchman, protecting the inviolable rights of the citizens. He asserts that the welfare notion which advocates that it is the society which allocates resources is not only wrong, but illegitimate because there is no such thing as 'society' except in the minimal sense of being an aggregate of individuals. 'There are only individual people with their own individual lives' and society is no more than the sum of its individual components, State intervention means appropriation of both 'one's resources and one's self'. And 'seizing the results of someone's labour is equivalent to seizing hours from him and directing him to carry on various

activities. If people force you to do certain work or unrewarded work, for a certain period of time, they decide what you are to do and what purpose your work is to serve apart from your decisions. This process whereby they take this decision from you makes them a part-owner of you; it gives them a property right in you. Thus, the welfare state is a threat to liberty and independence of the individuals because individual is the sole owner of himself and his talent.

How far is the non-interventionist, minimal and market dominated concept of libertarian state justified? Nozick's views are based on certain inalienable rights of the individual, possessed independent of society. However, a feature of the modern state is that it has recognized a range of individual rights which were not recognized by ancient Greek or medieval society. Rights are socially and historically constituted. In fact, the rights which Nozick defends are actually those rights which were historically specific to the market and were defined and constituted in the context of capitalist relations. They were neither natural nor prior to the state. Secondly, if the resource allocation is to be done by the market, it cannot be equal because in a capitalist society, the market also privileges some groups over others within the system of production and exchange. Hence, the idea of a free and sovereign individual choosing what to do with his resources is a myth. Nozick's account of the minimum state fails because it contains no theory of taxation. For this reason, other libertarian scholars insist that taxation be according to general rules, uniformly applied. For example, Hayek and Friedman have argued that only a system of proportional taxation is fully consistent with the libertarian requirements. Proportional taxation would prevent the imposition of redistributive taxation on wealthy and unpopular minorities and would, thereby, remove a major area of arbitrariness from public policy. They advocate that the taxation policy be governed by general rules so that governments are prevented in their service activities from curbing economic freedom in subtle and covert ways.

In short, the concept of limited government propounded by the libertarians acknowledges the state as a permanent necessary evil, in doing so, it exploits the insights of philosophers such as Adam Smith. As Hayek admits, there is a spontaneous order in social life, but qualifies that insight with the recognition that the spontaneous process of society can only be beneficial against a background of legal institutions in which the basic liberties are guaranteed for all. The libertarian concept of the state eschews no less firmly the revisionary conception of government as the guardian and provider of general welfare, empowered to act on its own discretionary authority in the pursuit of the common good - a conception whose reality is everywhere that of a weak government, prey to collusive interest groups and incapable of delivering even the security in enjoyment of basic liberties which is the state's only title to authority.

17.4 CRITICAL EVALUATION

Libertarianism has been criticized on many grounds such as its theory of rights, nature of liberty, role of the state, political economy, problem of redistribution of resources etc. Let us have a look at these:

- Some libertarians argue that we are born with a set of rights - the rights to life, liberty and property - which must be respected. But the question is why these rights and not others! The libertarians' answer is that they are essential to allow people to lead their own lives, that they reflect the imperative to treat people as ends in themselves and not merely

as a means to some ends and that they recognize the separateness of individuals. But this does not answer the question of why these rights are natural. According to Hammerton, there is no reason to believe that the rights are natural, pre-existing rights independent of the laws of a society.

'There is no doubt that treating individuals as ends in themselves is good. One can also agree that people can not plan ahead effectively if they cannot rely on being able to keep their possessions. However, one can also argue that providing people with the necessary resources for survival is also consistent with respect for others. If a person has no shelter, no job, no money, then one cannot plan effectively since one is subject to the decisions of others to the extent that one cannot even be certain of survival. Hence, to give enough resources to lift oneself out of the predicament helps on both the counts: of treating one as an end and in enabling one to plan effectively. This can be done by taxing the rich which the libertarians do not like. But if you do not do this and let the poor go hungry, you are also violating the principle and claiming in effect that allowing people to keep every last penny of their money is more important than preventing someone from starving. The simple point is that in a libertarian society those without any property are unfree – they cannot act without other people helping them and allowing them to use their property – unless you view freedom as the freedom to act within your rights. However, since it is the rights themselves being discussed here, the libertarian cannot fall back on this view of freedom to defend those rights. In short, the libertarian view as to what are legitimate rights cannot be accepted.'

- Critics also do not accept the libertarians' definition of freedom as 'absence of coercion'. If we take this definition of freedom, then the amount of freedom a person has is the extent to which they act without being coerced to do (or not to do) something against their will. In a libertarian society, one cannot (legitimately) do anything with another's property if they do not want you to, so your only guaranteed freedom is determined by the amount of property you have. This has the consequence that someone with no property has no guaranteed freedom, and that the more property you have, the greater is your guaranteed freedom. In other words, a distribution of property is a distribution of freedom, as the libertarians themselves define it. Thus, taking this definition of freedom and a belief in the free market together, the libertarians are saying that the best way of promoting freedom is to allow some people to have more of it than others, even when this may lead to some having very little freedom or even none. In other words, though the libertarians want everyone to have an equal sphere of guaranteed freedom, yet the market does not give everyone such a sphere and does not guarantee anyone any freedom at all. Again taking property from someone definitely restricts one's freedom in some way, but all societies restrict peoples' freedom in some way and libertarians themselves accept some restrictions on freedom – such as the restrictions of not violating other peoples' property rights. In fact, there is no harm in taxing the wealthy in order to prevent the poor from starving since the resulting restrictions of freedom on the wealthy can be very small indeed. In short, libertarians need a way of defining freedom in such a way as to disentangle it from the distribution of property.
- Libertarians also define liberty as the 'absence of the initiation of force'. Again this definition also does not help much. Force can be initiated in order to protect property rights, and property rights can be violated without initiating force (i.e. copyright)

violations). Libertarians who use this definition cannot claim, as they would like to, that they are always opposed to the initiation of force. This amounts to saying that you are allowed to act within your rights without anyone initiating force against you. However, this leads us back to the consequence of your property rights determining the extent of your guaranteed freedom. What determines freedom is what the legitimate rights of an individual are. Given the libertarian claim that the right to property is absolute, Freedom and property become one and the same. Hammerton calls this ‘Propertarianism’. Moreover, non-coercion is not the absolute good: other values override it. For instance, other things being equal, it is not wrong to secure justice by coercion. And when the alternative to coercion is non-innovation, then coercion to secure innovation is also legitimate. Libertarians say that they believe in political freedom. But even to simply enforce the principles of free market, the apparatus of a state would be necessary – an army to prevent invasion, a police force to suppress internal revolt and a judicial system. Most libertarians go much further; they want a libertarian regime, a political system. Some of them have written complete and detailed constitutions. But like any state, a libertarian state will have to enforce its constitution – or it will remain a proposed constitution. Even if the state is founded on Mars, someone else with different ideas will probably arrive sometime. The libertarian constitution might work in a freshly established libertarian colony, inhabited only by committed libertarians. But sooner or later, there will be an opposition perhaps resolutely hostile to the founding principles. States which fail to enforce their own political system against opposition will ultimately collapse or disappear. If libertarian states want to survive in such circumstances, they will use political repression against their internal opponents.

- Anti-statism is a central element of libertarianism, but it rests on no foundations other than the libertarian principles themselves. Often libertarians suggest that the state is inherently wrong. But even if they say it explicitly, it is simply their belief, that is all. By its nature, the state uses coercion of the type that libertarians oppose, but that is not inherently wrong either. In return, the state can end coercion of the type that libertarians tolerate and welcome, especially in the free market. And the state is almost by definition the only means to implement large scale change and innovation in society – as opposed to simply letting market forces shape the future. The fundamental task of the modern liberal democratic state is to innovate. To innovate in contravention of national tradition, to innovate when necessary in defiance of the 'will of the people' and to innovate in defiance of market forces and market logic. Apart from the protective functions, the state acts as the final arbiter of disputes with the highest authority to avoid endless arbitration processes. Many libertarians seek partial or total privation of the tasks being done by the government at present, but that is not the only issue. Paradoxically, to enforce such privatisation of the state would require the exercise of state power by libertarians, and a functionally libertarian state.
- Critics of libertarianism also claim that the redistribution of wealth is not wrong. Libertarians argue as if it was self-evidently wrong to steal the legitimately owned property of the rich and give it to the poor. For example according to Nozick, 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 talent. Hence, the demand for redistribution taxation from the talented to the disadvantaged violate self-ownership.

However, the egalitarians 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. Others believe that redistribution of wealth is inherently good; infact, it is a moral obligation of the state, Excessive wealth is ther'e to be redistributed; the only issue is what is excessive. And, of course, this may lead to coercion, but it is still not wrong, not wrong at all.

The libertarian view that the liberal welfare programmes by limiting property rights unduly limit peoples' self-determination is also not accepted by the egalitarians. Redistribution programmes do restrict the self-determination of the well-offs 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 a fair distribution of the means requireti for self-determination. The libertarian view allows undeserved inequalities in the distribution. which ham those who need help in securing those conditions.

Malting a difference between the libertarian image and the libertarian reality, one critic has pointed out that: i) they believe in non-coercion and non-initiation of force, while in reality libertarians legitimise economic injustice by refusing to define it as coercion or initiated force, ii) they depend upon the moral autonomy of the individual, while in reality libertarians demand that the individual accept the outcome of the market forces, iii) it believes in political freedom, but some form of libertarian government imposing libertarian policies on non-libertarians would be necessary, iv) libertarians condemn existing states as oppressive, while at the same time they use the political process in the existing states to implement their policies, and v) they boast of the benefits of libertarianism , but they claim the right to decide for others what constitutes a 'benefit'.

As mentioned in the beginning, libertarianism is a part of the Anglo-American liberal tradition in political philosophy. Infact, it is a legitimisation of the existing order, atleast in the United States. All political regimes have a legitimising ideology which give an ethical justification for the exercise of political power. It is not a revolutionary ideology in the sense of seeking to overthrow fundamental values of the society around it. In fact, most US libertarians have a traditionalist attitude towards American core values. Libertarianism legitimises primarily the free market and the resulting social inequalities. Libertarianism is a legitimisation For the rich. Also, libertarians are conservative; they are not really interested in the free market or the non-coercion principle or limited government as such, but in their effects. Perhaps, what libertarians really want is to prevent innovation, to reverse social change, or in some way to return to the past.

17.5 SUMMARY

Libertarianism is a political philosophy which has appeared in the last 20-30 years in the United States. This is the political philosophy which has been at the heart of the so-called 'New Right' which influenced the Thatcher/Reagan administrations in the 1980s. Its important exponents are F.A. Hayek, Milton Friedman, Karl Popper, Talmon, I. Berlin, M. Rothbard, Robert Nozick etc. Its key concepts are as follows:

Individualism: Libertarianism sees the individual as the basic unit of social analysis. Only

individuals make choices and are responsible for their actions. It emphasises the dignity of the individual which entails both rights and responsibility.

Individual Rights: Because individuals are moral agents, they have a right to be secure in their life, liberty and property. These rights are not granted by the government or by the society, they are inherent in the nature of human beings. It is intuitively right that individuals enjoy the security of such rights, the burden of explanation should lie with those who would take rights away.

Spontaneous Order: A great degree of order in society is necessary for individuals to survive and flourish. The great insight of libertarian social analysis is that order in society arises spontaneously, out of the action of thousands of individuals who coordinate their action with those of others, in order to achieve their purposes. The most important institutions of human society such as language, law, money and markets – all have developed spontaneously, without central direction. Civil society is another example of spontaneous order, the associations within the civil society are formed for a purpose, but civil society itself is not an organization and does not have a purpose of its own.

Free Markets: To survive and to flourish, individuals need to engage in economic activity, The right to property entails the right to exchange property by mutual agreements. Free markets are the economic system of free individuals and they are necessary to create wealth. Libertarians believe that people will be both free and more prosperous, if government intervention in peoples' economic choices is minimized.

Minimal state: to protect rights, individuals form governments. But government is a dangerous institution. Libertarians have a great antipathy to concentrated power. They want to divide and limit power and that means especially, to limit the government generally through a written constitution enumerating and limiting the power that the people delegate to government. Limited government is the basic political implication of libertarianism. The state should be limited to the narrow function of protection against force, theft, fraud, enforcement of contract etc. Any more extensive will violates a person's right not to be forced to do certain things and as such would be unjustified.

Natural Harmony of Interests: Libertarians believe that there is a natural harmony of interests among peaceful productive people in a just society. One person's individual plans – which may involve getting a job, starting a business, buying a house etc – may conflict with the plans of others, so the market makes many of us change our plans. But we all prosper from the operation of the free market, and there are no necessary conflicts between farmers and merchants, manufacturers and importers. Only when a government begins to hand out rewards on the basis of political pressure, do we find ourselves involved in group conflicts; pushed to organize and contend with other groups for a piece of political power.

Peace: Libertarians have always battled the age-old scourge of war. They understood that war brought death and destruction on a grand scale, disrupted family and economic life and put more power in the hands of the ruling class – which might explain why the rulers did not always share the popular sentiment for peace. Freemen and women, of course have often had to defend their own societies against foreign threats, but throughout history, war has usually been the common enemy of peaceful productive people on all sides of the conflicts.

In short, libertarianism contains the standard framework of modern thought i.e. individualism, private property, capitalism, equality before law and minimal state. However, it applies these principles fully and consistently far more so than most modern thinkers and certainly more so than any modern government.

17.6 EXERCISES

- 1) Explain in your own words the meaning of libertarianism.
- 2) Write an essay on civil society.
- 3) Discuss individual rights in the context of liberty.
- 4) Critically examine the problem of redistribution.

UNIT 18 MARX, LENIN AND MAO

Structure

- 18.1 Introduction
- 18.2 Karl Marx (1818-1883)
 - 18.2.1 Alienation
 - 18.2.2 Historical Materialism
 - 18.2.3 Class War
 - 18.2.4 Surplus Value
- 18.3 V. I. Lenin (1870-1924)
 - 18.3.1 Party as Vanguard of the Proletariat
 - 18.3.2 Democratic Centralism
 - 18.3.3 Imperialism
 - 18.3.4 Weakest Link of the Chain
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- 18.4 Mao Tse-Tung (Now Mao Zedong) (1893-1976)
 - 18.4.1 Peasant Revolution
 - 18.4.2 Contradictions
 - 18.4.3 On Practice
 - 18.4.4 United Front and New Democracy
- 18.5 Summary
- 18.6 Exercises

18.1 INTRODUCTION

For over the last two hundred years, Liberalism has been the most dominant strand in political philosophy. In its earliest incarnation, which is now called classical or negative liberalism (as distinct from its later versions as welfare or positive liberalism and neo-liberalism) it stood, more than any thing else, for individual liberty. While as a political doctrine it was a defence of certain inalienable natural rights of the individual, in its economic dimension it stood for *laissez faire* or free-market economy. Because of these twin postulates of liberalism, it soon became the economic philosophy of capitalism aimed at protecting and promoting the interests of the bourgeoisie or the capitalist class. While on the one hand, it led to the concentration of capital in a few hands, on the other, it culminated in the alienation and exploitation of the proletariat (the working class). As a result of this negative fall out, liberalism became a target of attack from different quarters. The most virulent and systematic attack on classical liberalism and *laissez faire* economics came from Karl Marx, who went so far as to assert that the working class could be redeemed from its alienation and exploitation only by the revolutionary overthrow of the whole capitalist order. Because of the highly polemical nature of his political, social and economic philosophy, the marxian ideas soon acquired the character of a powerful, anti-liberal, political ideology which has popularly come to be known as socialism or communism. In fact, for about the last one hundred and fifty years, liberalism and marxism

have emerged as the two major contending ideologies each criticising, denigrating and attacking the other. In this whole process, the theory and practice of liberalism as well as marxism have undergone several changes. So much so that many of the original marxian formulations have been enriched, adapted and even modified by the various post-Marx marxists. In this respect, the contributions of V. I. Lenin and Mao Tse Tung (now Mao Zedong) have been most seminal and noteworthy. This unit is aimed at familiarizing you with some of the most significant aspects of marxism, particularly with the ideas of Marx, Lenin and Mao.

These three have been the most prominent theoreticians of marxism, each of whom has, in his own unique way, dominated the minds of millions of men and have changed the face of the world during the twentieth century. While Marx laid the theoretical foundations of this change, Lenin and Mao successfully modeled their respective societies – the erstwhile Soviet Union and the People's Republic of China – by adapting the principles and postulates of marxist theory to the conditions prevailing in their countries. In the process of doing so, they have enriched the marxist theory and practice by adding various new dimensions and by offering diverse interpretations to the original marxian formulations. Let us briefly look at the contribution of each of them.

18.2 KARL MARX (1818-1883)

Born at Trier in Germany in 1818 (May 5) Marx studied law at the University of Bonn and later at the University of Berlin where he got attracted to the young Hegelian movement which was highly critical not only of the Prussian Government, but also of Christianity. Because of his association with this anti-government movement, his career options in university or government were virtually closed. Therefore, he took to journalism and became the editor of *Rheinsche Zeitung* (1842). Here, he began writing radical articles on economic issues criticizing the government's economic policies. The Prussian rulers were annoyed at his views and ordered the closure of his newspaper. Feeling suffocated in Germany, Marx migrated to France in 1843. During his stay at Paris, he came into contact with the French socialists and began to organise the migrant German workers. It was also at Paris that Marx wrote his first major work: *Economic and Philosophical Manuscripts* popularly known as *EPM* (which was written in 1844 but was first published in 1932). The central concern of this work is *alienation*. It was also during his stay at Paris that he met Friedrich Engels who became his life long friend and benefactor. However, because of his revolutionary ideas Marx was expelled from France as well in 1844 and (along with Engels) he moved to Belgium. During his stay in Belgium, spanning over three years, Marx got involved in a serious study of history which led him to propound his famous *theory of historical materialism* or *materialistic interpretation of history*. This theory is contained in the first joint work of Marx and Engels titled, *The German Ideology*. Like *EPM* even this work was not published during Marx's life time. Around this time, he joined the *Communist League*, which was an organisation of emigrant German workers. When the league held its conference at London in 1847, Marx and Engels were assigned the task of writing a *Communist Manifesto*. It was the publication of this work in 1848 which led to a wave of workers revolutions in Europe, more particularly in France. Marx's analysis of these revolutions is contained in two works: *The Class Struggle in France and the Eighteenth Brumaire of Louis Bonaparte*. In 1848 Marx returned to France and from there to Germany where he again started the publication of his earlier newspaper, *Rheinsche Zeitung*. Like its earlier stance, the paper was highly critical of the Prussian Government and it was again closed down by the authorities. In 1849 (May) Marx moved to England and stayed at London till his death in 1883.

Marx's 34 years stay in England is marked by two changes in him. Firstly, he moved gradually but decisively from *Philosophy to Economics*. Unlike *alienation* which is the central theme of *EPM*, Marx now got engrossed in the analysis of the phenomenon of *exploitation* (see T.R. Sharma, "Karl Marx: From Alienation to Exploitation", *Indian Journal of Political Science*, Vol. 40 (No. 3) September, 1979, Pages 339 ff). He devoted his attention to serious economic questions like *wage labour*, *capitalism* and *surplus value*. Secondly, he was as much involved in writing serious treatises as in leading the workers' movements in Europe. He was not merely an arm-chair theoretician critical of capitalism, and its exploitative nature but also a revolutionary and an ideologue of communism. His most incisive work in this direction was a massive manuscript titled "*Grundrisse*" (Outline) which he wrote around 1857 but which came to light only in 1939. An abridged version of this work is contained in his *A Preface to Contribution to Critique of Political Economy*. His thesis about *labour theory of value*, *surplus value* and *laws of capital accumulation* are contained in his three volume magnum opus *Capital* whose first volume came out in 1867 and the remaining two volumes were published by Engels after Marx's death.

Marx's stay in London was also devoted to organising the British and French workers. In 1864 he (alongwith others) set up the first major organisation of workers of Europe which was named "International Working Men's Association (popularly known as Communist International). It remained active up to 1876 and its brightest hour was in 1871 when it succeeded in setting up the *Paris Commune*. The workers of Paris captured the city and ruled it for nearly two months. Marx's *Civil War in France* written in 1871 is an elaboration of the aims anti working of the Paris Commune. After 1870, Marx was mostly reacting to various political developments which were taking place in Europe. He was critical of those communists who were supporting state socialism of Lassalle. This criticism is contained in his *Critique of the Gotha Programme* (1875).

18.2.1 Alienation

As pointed out above, Marx in his early years was attracted to Hegelian idealism, but under the influence of Feuerbach lie embraced communism of the humanist variety which he articulated in his *EPM*. He criticized capitalism because it leads to the alienation of labour. It is only in communism that human beings will be redeemed from this phenomenon. Alienation is a very complex concept. Sometimes, it is equated with such concepts as *estrangement*, *objectification* and *reification*. To put it in simple words, it implies *de-humanization* or *the loss of self*. The worker in a capitalist order works in a mechanical manner and does not derive any pleasure from his work. His labour becomes a commodity which he must sell in order to survive. Thus, lie gets alienated from his work. He is also alienated from *the product* of his labour, from his fellow workers and from the natural world. Marx argued that in a capitalist society, the worker is alienated from the product of his labour because it does not belong to him but belongs to somebody else (the capitalist). The competitive nature of capitalism also alienates the worker from his fellow workers. In essence, the worker is alienated from his creative potentialities that are characteristic of his species being. Marx advocated that it is only in a communist society that man will return to his real self as a free creative agent and the work will no more remain a monotonous activity. Private property is **the** product and the consequence of alienated labour and, therefore, its abolition will lead to redemption of man from his alienated state.

18.2.2 Historical Materialism

In the history of ideas there are three main explanations of how the human societies have developed over the ages – the *spiritualist* interpretation, the idealist interpretation and the *materialist* interpretation. According to the first, all developments in human history are due to divine dispensation or God's will. According to the second, it is the ideas that constitute the motor of human history. In other words, it is the developments of ideas that lead to corresponding developments in all the domains of human activity. The idealist interpretation is associated mainly with Hegel (a German thinker who preceded Marx). According to the third, which Marx expounded, all developments in human history are due to changes in the material conditions of life. In this unit, we are concerned only with the third, i.e., the materialist interpretation which *inverted* the Hegelian idealist interpretation. In the idealist interpretation it is the *mind* which is primary and *matter* secondary; while according to Marx's materialist interpretation, it is *matter which is primary* and the *mind secondary*. The doctrine of historical materialism constitutes the core of Marxian writings. It is the main theme of Marx's *German Ideology*. It seeks to explain all historical events in terms of changes occurring in the *mode of production*. The changes from *primitive communism* to slavery, from *slavery* to feudalism, from *feudalism* to capitalism and from *capitalism* to socialism and communism are all explained in terms of changes in the material conditions of society and in the lives of individuals. The mode of production consists of the *forces or means of production* (land, labour, capital, machine tools and factories, etc.) and *relations of production*: slave-master, serf-baron, proletariat-capitalist. The economic structure of each society which is constituted by relations of production is the real *foundation* of that society. It constitutes the *base* on which rises the legal, political and ideological *super-structure* and to which correspond definite forms of social consciousness. This was quite the opposite of the Hegelian assertion that consciousness determines existence.

Marx's theory of historical materialism is also dialectical. Marx borrowed the *dialectical* method from Hegel who had described all the historical changes in terms of thesis, *anti-thesis* and *synthesis* in the domain of ideas. An idea (thesis), according to Hegel, gives rise to a counter-idea (anti-thesis) and finally their contradiction is resolved in a synthesis. This synthesis itself acquires the status of a thesis and gives rise to its anti-thesis which is again resolved in a synthesis, and the process goes on. It is important to note that whereas Hegel had applied the dialectical method in the domain of ideas, Marx applied the dialectical method in explaining the material world. As such, while the Hegelian position is characterised as *dialectical idealism*, that of Marx is known as *dialectical materialism*.

18.2.3 Class War

The mode of production or the way social production is organised in a society and the way instruments of production are used for such production determines social, political, legal and ideological character of society. At a certain stage, the forces of production out-grow (develop) beyond the relations of production and get out of tune with the existing relations of production which fetter (hinder) the former's growth. This *contradiction* (opposition) between the forces of production and relations of production leads to a *class war*, i.e., a war between the class which owns the means of production and the class which owns only labour power. Class war, according to Marx, has been the most prominent and recurring feature of all human societies. In the *Communist Manifesto*, Marx – Engels wrote, "the history of all hitherto existing society is the history of class struggles; freeman and slave, patrician and plebian, lord and serf, guild master and journey man, in a word, oppressor and oppressed...". When this class war reaches

a high water mark and contradictions become intense, it is resolved through a social revolution which ensures newer and higher relations of production corresponding to the forces or means of production. But in due course, the forces of production again outgrow the relations of production again necessitating a social *revolution*. This process goes on. A marked feature of a class-based society is that antagonism or contradiction arises due to divergent economic interests. In order to defend its class interest, the class owning the means of production establishes its class rule. "No antagonism, no progress" asserted Marx. You can see from the above argument that Marx's contention is that the state in a capitalist society is a vehicle of class rule. It follows from this argument that if classes are abolished and a class-less society comes about, then the state will become redundant and gradually it will wither away.

18.2.4 Surplus Value

Another important theory that Marx enunciated is the theory of surplus value. It is with the help of this concept that Marx explained the whole phenomenon of exploitation in the capitalist society. To put it in simple terms, surplus value is what is normally called *profit*. Marx's argument is that the worker produces social objects which are sold by the capitalist for more than what the worker receives as "wages". Thus, the worker is not paid for the whole of his labour (or labour power) that he spends in producing the social commodities. Some part of his labour is appropriated (or stolen) by the capitalist. The theory of surplus value is rooted in the *labour theory of value* i.e., that value of a commodity depends on the amount of labour spent in producing it. In other words, surplus value arises because some part of the worker's labour is not paid to him. Marx further argued that it is only in class based societies that surplus value exists because the bourgeois class exploits the proletariat. The bourgeoisie consists of those who own the means of production (land, capital and factories, etc.), while the proletariat consists of those who own nothing but their labour power which they must sell in order to survive. As the surplus value increases, the worker gets paid less and less. As pointed out above, this gives rise to a sharp contradiction between the bourgeoisie and the proletariat which is resolved finally in a proletarian revolution. This revolution will bring about the demise of capitalism. The state power will be captured by the proletariat. After the capture of state power by the working class, Marx visualized a brief period of *dictatorship of the proletariat*. It is during this dictatorship that the society would usher in *socialism* (*where each will work according to capacity and get according to work*) and finally, *communism* (*where each will work according to capacity and get according to need*). Thus, communism is viewed by Marx as a class less society of associated producers.

Communism for Marx was a society which revolutionary dictatorship of the proletariat would bring about after capitalism is overthrown. It will also undertake positive *abolition of private property* and the abolition of private ownership. In a communist society, there will neither be exploitation nor alienation. Communism for Marx is the return of man to himself from his alienated condition. It is marked by abolition of classes in society. This can only be done by the proletariat by establishing its control over the means of production. Once the society becomes class-less, the state will no more be required. The capitalist state is a managing committee of the bourgeoisie because it facilitates the exploitation of one class by another. Therefore, in a classless society, the state will become redundant and it will wither away. Such conditions, according to Marx, existed in ancient times in the tribal societies.

18.3 V. I. LENIN (1870-1924)

Born at Simbirsk in 1870 (April 22) Lenin had normal schooling. However, when he was taking his final school examination at the age of 16 his elder brother (Alexander) was charged of conspiring to kill the Tsar (King in Russia was known as Tsar) and was sentenced to death by the Tsarist regime. Despite all the trauma that this event brought to Lenin, he secured the highest possible marks in the school examination. After school education, he joined the Kazan University. It was during his stay at the University that Lenin began taking part in the various student agitations which ultimately led to his expulsion from the University. Thereafter, he involved himself fully in revolutionary activities and soon became the leader of the Marxist group at St. Petersburg. He was arrested in 1895 by the Tsarist regime and exiled to Siberia. It was here that he wrote his first major work – *Development of Capitalism in Russia* (1899). In this work, he described how capitalism was growing in Russia during its initial phase. In 1900 he migrated to Geneva and joined Plakhanov's revolutionary group. He also started editing a paper named *Iskara* in which he launched an anti-Tsarist campaign. In 1902, he wrote his second important work – *What is to be done* which deals with party organisation. In 1916 when the first world war had reached a very grim stage, Lenin produced his most incisive work *Imperialism, the Highest Stage of Capitalism* wherein he analysed the phenomenon of imperialism. In October 1917, he assumed power in Russia. By doing so, Lenin earned the credit for the first successful Marxist revolution and that too, in a capitalistically less developed country like Tsarist Russia where feudalism was deeply entrenched. Soon after the success of this revolution, Lenin started suffering from frequent strokes. His ill health forced him to gradually withdraw from the active governance of the Soviet Union. However, during the few years that he lived after the success of his revolution, he laid the foundation of a socialist state which his successor, Joseph Stalin, developed into a super power in a short span of time.

18.3.1 Party as Vanguard of the Proletariat

'There are several seminal contributions of Lenin to Marxist theory and practice. In his *Development of Capitalism in Russia*, he tried to offer an interpretation of Tsarist Russia in Marxist terms. He argued that there was a large wage-labour class in Russia. However, he expressed the view that this wage labour class was not fully conscious of its exploitation. He further added that only the industrial proletariat (factory workers) was capable of articulating the grievances of this whole class in the revolutionary direction. This could be done only by transcending local economic grievances and narrow trade unionism. For this, there was a need of a national level political organisation. Only such an organisation could raise the level of political consciousness of the workers by transforming the wage labour class into a revolutionary proletariat class capable of staging a successful revolution. Lenin indeed tried to do so in actual practice. The biggest task for him was to create a working class in Russia which was conscious of its exploitation. This in his view needed a communist organisation, but he realized that the autocratic Tsarist regime would not allow any such organisation to operate openly. The only alternative was to operate underground in a clandestine manner. In short, the problem for Lenin was how to do these twin tasks: (i) creating a national level organisation of Russian wage workers and (ii) raising their level of political consciousness. The Leninist strategy on these two issues is contained in his *What is to be Done*. In this work, Lenin argued that in conditions prevailing in Russia there was need of a Communist Party which could act as a *Vanguard of the Proletariat*. (Stalin further elaborated this idea when he argued that a working class without a Communist Party was like an army without the General

staff). Lenin did not only emphasise the need of such a Communist Party in Russia, he also added that this vanguard party should consist of or at least be led by *whole time professional revolutionaries*. Only then a successful revolution could be brought about. You must have noticed that by making this argument Lenin departed from the original Marxian position. In fact, the task which Marx had assigned to the proletariat class in staging a successful revolution got transferred to the Communist Party as the vanguard of this class. Lenin's vanguard thesis was criticized by several of his contemporaries, particularly by a Polish Marxist Rosa Luxemburg. She argued that this would place the working class in tutelage of the party. She also pointed out that due to Lenin's vanguard thesis, the workers would lose all their initiative and become mere tools in the hands of the party. While she did not altogether deny the need of a well organised party and the role of able leadership in its functioning, she asserted that it would kill or at least blunt the self-emancipatory efforts of the working class.

18.3.2 Democratic Centralism

Having made the Communist Party as the vanguard of the proletariat, Lenin advocated a certain type of organizational structure for the party. His thesis is popularly known as 'democratic centralism'. To put it in simple words, democratic centralism consisted of two elements: democracy and centralism. It meant that the hierarchical structure of the Communist party should be such that each higher organ of the party should be elected by the lower organ and all the party matters should initially discuss freely at all the levels of the organisation, from the lowest to the highest. However, once a decision has been taken by the highest organ it should be imposed strictly on all the lower organs and all of them must abide by it. While theoretically democratic centralism has democracy as well as centralism, in actual practice the party became less and less democratic and more and more centralized. Like his vanguard thesis, Lenin's views on democratic centralism were also criticized by several of his contemporaries.

18.3.3 Imperialism

Marx in his analysis of capitalism had argued that in the task of over-throwing autocracy and feudalism, the bourgeoisie plays a revolutionary role and brings about democracy and capitalism. This is called the 'bourgeois democratic revolution'. It puts the bourgeoisie into power. Under the rule of the bourgeoisie, capitalism would develop further. Finally, it would reach a stage where the class contradiction between the bourgeoisie and the proletariat would become very sharp. This would create conditions for a *proletarian socialist revolution* which would mark the demise of capitalism. This prediction of Marx, however, did not prove true and the development of capitalism in Europe did not lead to proletarian socialist revolutions. Lenin tried to explain why the Marxian prediction about the proletarian socialist revolutions and demise of capitalism had not come true. Now had capitalism received a lease of life. Now had capitalism failed in its historic mission? Lenin in his *Imperialism: The Highest Stage of Capitalism* tried to explain this lease of life which capitalism in the west had received. Capitalism, in his view, had grown so much that raw material and domestic markets in the capitalist countries were not enough to permit its further growth. Therefore, it had become necessary for these countries to find raw material and new markets for investment in Asia, Africa and South America. Thus, capitalism was exported from Europe. It had acquired a monopolistic position and had become reactionary. Due to colonization of Asia, Africa and South America, capitalism had acquired a *parasitic* position. Thus, capitalism had reached its highest stage (imperialism) and had exhausted the historical mission of creating conditions

for a proletarian revolution in different capitalist countries. However, capitalism in its imperialist manifestation had created conditions for a socialist revolution at the global stage.

18.3.4 Weakest link of the Chain

The success of the Bolshevik Revolution in a capitalistically under-developed country like Russia in 1917 raised two new problems for Lenin. The first problem was to reconcile and interpret this revolution in Marxian terms. Lenin did so by inventing 'the weakest link of the chain' argument. It meant that Tsarist Russia where capitalism was not yet fully developed constituted the weakest link of the imperialist chain and strategically it is quite appropriate to break the chain at its weakest rather than at its strongest point. In fact, this whole idea is also implicit in Marx. Marx had argued that with the development of capitalism, the bourgeoisie becomes stronger and stronger. But it also gives rise to its equally powerful gravediggers i.e., the proletariat class. The bourgeoisie cannot grow strong without leading to simultaneous growth of the proletariat. So in societies where the bourgeoisie is strong, the proletariat is also strong. Similarly, where the bourgeoisie is weak, the proletariat is also weak. The Leninist argument was that the capitalistically advanced countries of Europe constituted the strongest point of the imperialist chain; while Tsarist Russia constituted the weakest link.

The second problem for Lenin was more serious. Since the revolution had occurred in Tsarist Russia where capitalism was still unripe, the problem was to draw a plan for building a socialist state. The problem got further compounded because Marx in his writings had given a very sketchy picture of the socialist stage and had not explained in detail how a socialist society would come about. The Capitalist State, according to Lenin, emerged as an organ of class rule. It was a special organisation of force and violence for the exploitation of the working class. This capitalist state had to be replaced by a socialist state. In his *State and Revolution*, Lenin offered some outlines of his strategy to build such a socialist state in Russia. He argued that the bureaucratic military state was to be replaced by soviets modelled on the lines of the Paris Commune. Moreover, he did not subscribe fully to the Marxist notion of withering away of the state. Instead, he began to argue that during the transitional phase, the communists could use the state apparatus to achieve their political and economic goals. It meant that it may be necessary to live with a mixed economy for sometime (private and public sectors could co-exist) till the public sector is strong enough to take over the task of socialist reconstruction. Only then the possibility of withering away of the state would be there.

18.3.5 Spontaneity Element gives way to Selectivity of Time and Place

As pointed out earlier, Lenin assigned the task of staging a successful proletarian revolution to the communist party as the vanguard of the proletariat. This amounted to some deviation from the Marxian position. Marx had expressed considerable faith in the revolutionary potential of the working class. But in Lenin's argument, the spontaneity element inherent in Marx gave way to selectivity of time and place. Lenin was critical of the view expressed by the Mensheviks (minority faction in the party) that revolutionaries should wait for the development of spontaneous revolutionary action of the masses. He argued that without strong leadership from outside its ranks, the working class could never rise beyond trade unionism. He considered such trade unionism reformist rather than revolutionary. It amounted to saying that the leadership of the Communist Party would decide where and when the revolution is to be attempted. In other words, the agenda of revolution would be decided by the party and not by the workers. This view of Lenin was criticised by some of his contemporaries, particularly

Rosa Luxemburg. She argued that since the decision about time, place and strategy of the revolution was to be decided by the Communist Party, the spontaneity element of a revolution which is inherent in Marx would give way to selectivity of time and place. This, she further added, would blunt the self-emancipatory efforts of the working class.

18.4 MAO TSE-TUNG (NOW MAO ZEDONG) (1893-1976)

Born at Shaoshan in Hunan province of China in 1893 (December 26) Mao is the second Marxist revolutionary (Lenin being the first) who brought about a successful revolution in a backward country like China. Moreover, he did so primarily with the help of the peasantry – a class which, Marx thought, had no revolutionary potential. Even Lenin had not placed much faith in the peasant class. Mao, like Lenin, was both a practitioner of Marxism and also its theoretician. After a little formal education, he joined the army of Hunan province during the 1911 revolution led by Kuomintang (KMT), a bourgeois nationalist party of Sun Yat Sen. Soon after the success of the KMT revolution, he moved to Changsha (Capital of Hunan) and later to Peking (Now Beijing). It was here that he came under the influence of the radical Marxist leader Li Dazhao who arranged a job for him in the university library. However, he left the job and returned to Changsha and became active in the Communist Party of China (CPC). Between 1921-25, he organized the mine workers. He also travelled to various parts of China which gave him a first hand impression about the exploitative conditions under which the Chinese peasantry was reeling at that time. This was a period of cooperation between the KMT and the CPC. However, tension between the two began to develop when the CPC, pressed for agrarian reforms which were not acceptable to the KMT, because they were bound to adversely affect the interest of the KMT members many of whom were landlords. By 1927, the relations between the KMT and the CPC became so bitter that the KMT decided to hit at the communists. After this break between the KMT and the CPC, Mao was asked to organise a rebellion of Hunan peasants. During the course of this rebellion, Mao wrote his first major work – *Analysis of Classes in the Chinese Society*. Here, he identified the various strata of Chinese peasantry – small, marginal, middle and the big peasant and the revolutionary potential of each of them. He highlighted the contradiction between the peasantry and the feudal lords. He argued that in the Chinese conditions, the peasantry was going to be the vanguard of the revolution, unlike Tsarist Russia where revolution was led by the proletariat. He also identified the strata which could be reliable and vacillating allies in a peasant led revolution. He attempted the *Harvest Uprising* of peasants in 1928, but the uprising was crushed and Mao had to flee alongwith his supporters to Chingkangshan (now Jinggangshan) mountains. From these mountains, Mao's party started its guerrilla warfare tactics. By this, Mao became the originator of guerrilla warfare within the marxian revolutionary framework. By these tactics, the CPC was able to capture various parts of South-east China. It set up a number of peasant Soviets in the captured areas. These successes of the CPC in rural China, however, were not according to the policy laid down by the Communist International, which had been advocating that the revolution must begin from the urban centres. The urban centred revolution, Mao thought, was bound to fail in China because there was a very small proletariat. Therefore, he continued his guerrilla warfare tactics in the rural areas. The KMT tried to crush these guerrilla attacks and encircled the areas where peasant Soviets had been set up.

Finally, the KMT armies drove out the revolutionaries who took shelter in the north-west hills of China. This escape became famous as Mao's *Long March*. This also made Man the undisputed leader of the CPC, a position which he maintained till his death. Mao's stay in the

north-west (Yenan Province) was the most fruitful period for the CPC. It was here that Mao began an extensive study of Marxist philosophy. Mao is believed to have written two serious pieces during this period; one titled "On Practice" and the other called "On Contradiction", both of which were published after the success of the Chinese revolution. In the 1940s, he gave a blue-print of the future Chinese Government titled "New Democracy" (1945). During 1942-43, Mao consolidated his position in the CPC by eliminating all his possible potential rivals through a *rectification campaign*. He also advocated a strategy of mass mobilization of peasants which is known as *Mao's Mass-line*. Here, he took a highly nationalist posture against the Japanese invasion and tried to organise the Chinese people around the national sentiment. He also refined his theory and practice of guerrilla warfare. The threat to Chinese security during the second world war again brought the KMT and the CPC together. When the cooperation between the two finally ended in 1949, Mao became the head of the Chinese state which began to be called the People's Republic of China (PRC). During the course of reconstruction of the Chinese society, Mao gave a model different from the one envisaged by Marx in his writings or the one attempted by Lenin in the Soviet Union. In the early 1950s, Mao gave his famous call of "Let Hundred Flowers Bloom" which allowed different viewpoints in the CPC to be expressed freely and openly. Later, he attempted collectivization of agriculture followed by a call for a *Great Leap Forward* to bring about quick transition to communism in China. These attempts of Mao did not fully succeed, which generated some resentment and even opposition to Mao's management of the economic agenda. Mao tried to fight this opposition on an ideological plank and gave a call for a Cultural *Revolution* in 1966. This was an attempt at re-charging the revolutionary zeal of the CPC cadres. He remained wedded to this idea till his death in 1976 (September 9).

18.4.1 Peasant Revolution

While the Marxist Leninist legacy greatly influenced him, Mao is a great innovator in his own right. He modified Marxism Leninism by relying heavily on the peasantry's revolutionary potential. It needs to be remembered that Marx has treated the peasantry with some degree of contempt. For the most part, peasantry for him was conservative and reactionary; it was no more than a bag of potatoes unable to make a revolution. Even Lenin had relied mainly on the proletariat in the urban centres of Russia for mass insurrections and had not placed much faith in the peasantry's revolutionary potential. Mao's fundamental contribution, therefore, was to bring about a successful revolution in China mainly with the help of the peasantry. More than anything else, his revolutionary model became relevant for several Afro-Asian peasant societies. Secondly, Mao in his cultural revolution phase drew some lessons from the course of post-revolutionary reconstruction in the Soviet Union and warned (like Milovan Djilas) against the emergence of the new bourgeois class who were beneficiaries of the transitional period. In other words, Mao was aware that the party's top hierarchy could itself become a new class. Mao used this argument to side-line his rivals in the top echelons of the CPC.

18.4.2 Contradictions

In Marxist theory, the main vehicle of all changes in society is contradiction. Mao further elaborated this idea. For him, contradictions or the unity of opposites (thesis and anti-thesis) leading to a higher level and transforming quantity into quality (synthesis) was the fundamental law of historical development. But he did not fully endorse the Marxist position on contradiction. It may be mentioned that Marx, in his writings, seems to have used the terms contradictions and antagonisms almost interchangeably. However, Lenin began to distinguish

between the two. He expressed the view that contradictions would remain even in a socialist society, but antagonisms would not. Mao immensely enriched the debate. In his famous essay titled "On Contradictions (1937), he formulated the notions of *antagonistic contradictions* and *non-antagonistic contradictions*. According to him, antagonistic contradictions are those which can be resolved peacefully. In his 'On Correct Handling of Contradictions' (1957) Mao further elaborated this view. He argued that the contradictions between the peasantry and the proletariat were non-antagonistic; the contradictions between the peasantry and the proletariat on one hand, and the petty bourgeoisie on the other were non-antagonistic; the contradictions between the peasantry, the proletariat and the petty bourgeoisie on the one hand and the national bourgeoisie on the other were non-antagonistic. Contradictions between the various communist parties were non-antagonistic, but contradictions between the Chinese people and the compradore bourgeoisie were antagonistic. Contradictions between the socialist and the capitalist camp were antagonistic. Contradictions between colonial countries and imperialism were antagonistic. He also argued that at any one point of time, one contradiction becomes the *principal contradiction* whereas the other contradictions become minor. Further, he argued that even a principal contradiction has a principal aspect and several minor aspects. For example, in the era of imperialism the contradiction between the imperialist camp on one hand and the socialist camp and colonial countries on the other, is a principal contradiction and contradiction between the Soviet Union and the US was a principal aspect of this principal contradiction. However, he also added that which contradiction is to be treated as antagonistic and principal and which as minor and non-antagonistic or which aspect is to be treated as principal would be contingent on relative historical tactical considerations.

18.4.3 On Practice

This elaboration of contradictions led Mao to expound his epistemology or theory of knowledge. In his famous essay titled, *On Practice* (1973) Mao argued that all knowledge of the real world comes to us through concrete investigation and empirical analysis. He was opposed to mere book learning or intuitive theorising. For example, if one wanted to understand the Chinese society, then one must understand its class structure, its pattern of land ownership and the impact of imperialism on the local economy of China. Theory without continuous reference to empirical reality would become a mere dogma. However, he visualized two stages in the understanding of empirical reality: The *Perceptual stage*, and *The Conceptual Stage*. At the perceptual stage, we only get the impression of reality through our senses. This sense perception has to be compounded into conceptual knowledge. For example, when one looks at the empirical reality of rural China, it is only the perceptual stage of knowledge. But having seen this reality, one has to understand it in terms of different stratas of peasantry: landless, marginal, small, middle and big farmers etc., that is the conceptual stage.

18.4.4 United Front and New Democracy

Mao realized that the peasantry in China was not strong enough to win the revolutionary struggle against imperialism and feudalism. Therefore, it was necessary to seek the help of the other classes of Chinese society. It was in this context that Mao emphasized the concept of a United Front. It was seen as an alliance between different partners who had some common interest like opposition to imperialism. The nature of such a United Front would depend on the historical situation. Its object would be to pursue the resolution of the principal contradiction. Such a United Front strategy was employed by Mao by establishing the alliance of Chinese *peasantry* with the *proletariat*, *the petty bourgeoisie* and even the *national bourgeoisie*. It

also intended the non-party elements among the Chinese intellectuals. The United front had to be a broad alliance of the Chinese people against Japanese imperialism and western powers.

In pursuance of his United Front strategy, Mao gave a call in 1940 for a new democratic republic of China. It was to be a state under the joint dictatorship of several classes. In 1945, he proposed a state system which is called *New Democracy*. While the united front consisted of an overwhelming majority of the Chinese people, the leading position in the alliance had to be in the hands of the working class. It meant that the petty bourgeoisie and the national bourgeoisie would not only be partners in the United Front, they would also be partners of the ruling alliance, but they had to be only junior partners. He called such a state as the 'People's Democratic Dictatorship'. It was a combination of two aspects – *democracy* for the people and dictatorship over the 'enemies of the people' or the 'running dogs of imperialism'. In concrete terms, it meant that the Chinese democratic state would incorporate the peasantry, the working class, the petty bourgeoisie and the national bourgeoisie in the ruling alliance. In doing so Mao deviated from the classical Marxist notion of the dictatorship of the proletariat. In fact, he combined Marxism and nationalism.

18.5 SUMMARY

In this unit, we have discussed the founder and two prominent advocates of Marxism: Marx, Lenin and Mao. We have discussed Marx's theory of alienation, historical materialism, surplus value, class war and revolution. Broadly, Marx's views on the state, dictatorship of the proletariat and the socialist society are also mentioned. This is followed by a discussion of Lenin's ideas on party organisation and democratic centralism, his theory of imperialism and his views on the nature of the post-revolutionary state. Lenin's views about selectivity of place and time of revolution as against the Marxist view about spontaneity are also discussed. Finally, Mao's views about classes in the Chinese society, his notion of peasant revolution, his views on contradictions and new democracy are discussed. Maoist notion of antagonistic and non-antagonistic contradictions is an important contribution to the Marxist theory. In addition to it, his advocacy of 'let hundred flowers bloom' and 'great leap forward' is also discussed.

18.6 EXERCISES

- 1) What is the main intellectual contribution of 'early' Marx? How does 'early' Marx differ from 'later' Marx?
- 2) What is materialistic interpretation of history?
- 3) What is Lenin's theory of Party Organisation?
- 4) What is Lenin's analysis of imperialism?
- 5) Describe Mao's analysis of classes in the Chinese society.
- 6) What has been Mao's contribution to the theory of contradictions?
- 8) Comment on Mao's notion of New Democracy.

UNIT 19 LUKACS, GRAMSCI AND THE FRANKFURT SCHOOL

Structure

- 19.1 Introduction
- 19.2 Georg Lukacs (1885-1971)
 - 19.2.1 Rejection of Dialectical Materialism
 - 19.2.2 Denial of Lenin's Vanguard Thesis
 - 19.2.3 Relation of Subject and Object
- 19.3 Antonio Gramsci (1891-1937)
 - 19.3.1 Notion of Hegemony
 - 19.3.2 Role of Intellectuals
 - 19.3.3 Philosophy of Praxis
 - 19.3.4 Relation between the Base and the Super-Structure and the Notion of Historic Bloc
- 19.4 Frankfurt School (Or Critical Theory)
 - 19.4.1 Opposition to all Forms of Domination
 - 19.4.2 Critique of Orthodox Marxism
 - 19.4.3 In Search of Emancipation
- 19.5 Summary
- 19.6 Exercises

19.1 INTRODUCTION

In the previous unit, we have discussed the main ideas of the three prominent advocates of Marxism: Marx, Lenin and Mao. As indicated earlier, all the three have contributed not only to the Marxist *theory*, but have also made significant contribution to revolutionary practice. This is particularly true of Lenin and Mao. In this unit, we propose to discuss another three major streams which have enriched Marxist theory. These are associated with Lukacs (a Hungarian), Gramsci (an Italian) and the Frankfurt School (Germany). It is important for you to remember that their contribution is more to theory than to revolutionary practice. It is also useful to bear in mind that besides these three, there are several others like Trotsky, Plekhanov, Stajanovic, Althusser, Kolakowski and Poulantzas etc. who have also contributed to the theory of Marxism. Similarly, many others including Che Guevara, Regis Debray, Frantz Fanon etc. have contributed a great deal both to the Marxist theory as well as to revolutionary practice. However, in this unit the discussion will be limited only to Lukacs, Gramsci and the Frankfurt School.

19.2 GEORG LUKACS (1885-1971)

Georg Lukacs was born at Budapest (Hungary) in 1885 (April 13). After graduating from Budapest University, he studied at the universities of Berlin and Heidelberg. He had diverse interests, During the first phase of his life, even while he was studying he devoted considerable

time to literary criticism. In this field, his early works are *Soul and Form* (1910), *History of Development of Modern Drama* (1911), *Aesthetic Culture* (1913) and *the Theory of Novel* (1916). His initial inclination during this period was towards ethical idealism. Plato and Hegel seem to have considerably influenced him in this respect. Gradually, he was attracted by Marxian philosophy and within a couple of years he got intensely involved in the communist movement of his country. He joined the Communist Party of Hungary and became the Education Minister in 1919 in the short-lived Communist Government. After the fall of the communist regime, he was tried by the new Hungarian Government and sentenced to death. He fled from Hungary and spent nearly 20 years in Austria, Germany and the Soviet Union. It was during his stay in Austria that he wrote his most seminal work – *History and Class Consciousness*. This is the most important work of Lukacs and it has influenced a large number of Marxists. In fact, the Student Movement in France and in other countries of Europe in the 1960s is said to have been inspired by this work. The Frankfurt School was also influenced by him. He returned to I-Lungary in 1945 to become a professor of Aesthetics at the Budapest University. Here, he got actively involved in political activities and consequently, became a target of serious criticism. In 1956, in the wake of de-Stalinization, he became the Minister of Culture in the Communist Government of Imray Nagi in Hungary for a few months. After the fall of this government, he was deported to Romania but he returned in 1957. Thereafter, till his death in 1971 (June 4) lie was engaged in writing philosophical and literary works.

19.2.1 Rejection of Dialectical Materialism

You would recall that Marx had predicted that when contradictions in capitalism would grow, it would be overthrown in a revolution by the proletariat. However, it was noticed during the twentieth century that this prediction of Marx did not come true and capitalism continued to grow despite its periodic crises. It was a problem for all post-Marx Marxists to explain as to why capitalism was not coming to an end. In the previous lesson, we discussed that Lenin's explanation was that capitalism was still surviving because it had reached its highest stage of imperialism which was the last stage of capitalism. Lukacs, Gramsci and the Frankfurt School offered other answers to explain this phenomenon. Lukacs argued that for the overthrow of capitalism, the mere existence of the proletariat class was not enough as Marx had argued; this proletariat must also acquire revolutionary consciousness. He was critical of the view that Marxism was like physical sciences. He criticized Engel's argument that human behaviour was governed by dialectical laws. He also criticized Engels for applying dialectics to the social world, because the interaction of subject and object in the social world is not the same as in the natural world. He went on to say that thought does not merely mirror or reflect the physical world sans mental activity. He rejected the Marxian theory of dialectical materialism. Likewise, Gramsci questioned the very Marxian view that the economic base determines the ideological political superstructure. He tried to explain how one class maintains its hold on the other. He argued that the rule of one class over the other does not depend merely on the economic and physical power, it depends on the ability of the ruling class to impose its social, cultural and moral values on the ruled. Thus, while Lukacs emphasized the role of consciousness instead of material forces, Gramsci highlighted the role of cultural aspects instead of the economic base determining the super structure.

Lukacs carried out a philosophic revisionism of Marxism. He questioned several key aspects of Marxism, Leninism. He attacked historical materialism which is the very basis of Marxism. He argued that it was vulgar Marxism to say that a set of economic laws will determine whether the situation was ripe for revolution or not. He asserted that material conditions in

themselves cannot change history. Socialist revolution is not a consequence of sharpening of just contradictions of capitalism. It is only when a class becomes conscious of these contradictions that revolutionary change occurs. Thus, he emphasized the creative role of human consciousness. In the previous unit, it was pointed out that according to Marx, it is the sharpening of contradictions between the forces or means of production and relations of production that leads to changes in society; Lukacs reversed this argument. He asserted that contradictions between means and relations of production (which is an objective fact) cannot itself bring about any change in society, unless there is a human subject (proletariat class) which grasps this contradiction. To put it in other words, Lukacs **did not** accept the basic Marxian position that *matter is primary* and *mind is secondary*. Mere fact that there is exploitation and alienation of the proletariat class is not enough to bring about a revolution; rather it is only when the proletariat class becomes conscious of this alienation and exploitation that revolution would take place. Thus, Lukacs took a *semi-Hegelian* or quasi Hegelian position. It almost amounted to saying that *mind is primary* and *matter is secondary*. In fact, Lukacs seems to agree with the Marxian thesis of Feuerbach that the essential element in historical evolution is not contradiction, but proletariat's awareness about this contradiction which it acquires when engaged in resolving it. Further, the proletariat's consciousness about this contradiction is not direct, but only through its having experienced alienation. Lukacs' argument is that in the social world (unlike the natural world) there are no objective historical laws which are not subject to human control.

19.2.2 Denial of Lenin's Vanguard Thesis

The above position of Lukacs also amounts to a *denial* of Lenin's thesis about the role of the Communist Party as the vanguard of the proletariat, because he maintains that such revolutionary consciousness will not come to the proletariat through some intermediary, but directly by experiencing alienation and exploitation. Consciousness in this way does not remain a super-structural category as in Marx. In Lenin's position as stated in *What is to be Done* (1902), the proletariat can acquire revolutionary consciousness (awareness about the need to overthrow capitalism) only by relying on outside elements (professional revolutionaries) who have a clear awareness of historical evolution which the proletariat cannot have on its own. The Communist Party, in Lenin's argument, represents a suitable mechanism for imparting such revolutionary consciousness to the proletariat; but for Lukacs the proletariat must acquire this consciousness about its class position without any outside help. To a question as to how the proletariat will acquire such revolutionary consciousness, Lukacs' response was that it would come through Workers' Councils and not by the party organisation as Lenin had maintained.

19.2.3 Relation of Subject and Object

In classical materialism, consciousness is considered a mere reflection of reality and the only valid category is totality which can be grasped by the dialectical method alone. Lukacs calls it the "reflective" or copy theory of knowledge which apprehends a false objectivity. This is a very complex argument of Lukacs. He is saying that to stop at the reality of a mere object is to grasp only at the *appearance* of things. According to him, the revolutionary *praxis* of the proletariat enables it to have a new and higher form of consciousness. When the proletariat begins to see that in capitalism, it has become a mere commodity or a mere object, it ceases to be a mere commodity and a mere *object*. It becomes a *subject* (agent of change). Thus, comprehension of this reality enables it to change this reality. Lukacs further argued that

object and subject (being and *consciousness*) are not related to each other as *base* and *super-structure*, but co-exist in a single dialectic. In other words, while Marx had argued that it is the material conditions of society which change history, according to Lukacs consciousness is not a simple reflection of the process of history, but it truly is an agent by which history may be transformed. While consciousness is a *product* of material conditions, it is also the driving *force* by which material conditions may be changed. While the orthodox Marxian position states that the proletariat's conditions of existence determines their *consciousness*, Lukacs maintains that the proletariat's consciousness would change their conditions of existence. Thus, consciousness is the most decisive factor in the self-liberation of the proletariat. It is through the acquisition of revolutionary consciousness that the proletariat transforms itself from a '*class in itself*' to a '*class for itself*', from an object of history to a subject of history.

19.3 ANTONIO GRAMSCI (1891-1937)



Gramsci was born in a poor family in Sardinia which was the poorest region of Italy. His father was arrested for embezzlement when Gramsci was a small child and sentenced to five years imprisonment. In his absence, the family lived in utter poverty because of which Gramsci suffered physical deformity and became a hunchback. After some elementary education, Gramsci started working in an office. In 1911 he won a scholarship and joined Turin University. At Turin, he noticed that there was a lot of difference in the standard of living in the rural areas of Italy and its cities. While at the university, he got associated with the Italian Socialist Party. By and by he was attracted to Marxist ideas. He was also influenced by Corce's emphasis on the role of *culture* and *thought* in the development of history. It was this idea of Corce which provided the historical framework within which Gramsci carried out his adaptation of Marxian ideas. In 1914-15 he attended a series of lectures on Marx which made him particularly interested in the problem of relation between the *base* and the *super-structure*. He began to engage himself in the workers' movement. When the Italian Communist Party was founded in 1921, Gramsci became one of its founding member. Soon, he became its General Secretary and was also elected to the Italian Parliament. He was arrested in 1926 in the wake of the rise of fascism and remained imprisoned till his death. During his prison life he wrote on several topics. These writings were published later as *Prison Notebooks*. It is these Notebooks of Gramsci which made him a great theoretician of Hegelian Marxism (alongwith Lukacs). His other major work is *Modern Prince* and other writings.

19.3.1 Notion of Hegemony

Gramsci's *Prison Notebooks* and *Modern Prince and Other Writings* deal with diverse issues of politics, history, culture and philosophy, but in this unit we will refer to only some of them: his notion of *hegemony*, his views about the role of *intellectuals*, his *philosophy of Praxis* and his analysis of relations between the *base* and the *super-structure*. Out of all these, his notion of *hegemony* is considered to be the most significant and original contribution of Gramsci. In the previous unit, it was pointed out that in all societies there are two classes: the class which owns the means of production and the class which owns only labour power. The class which owns the means of production establishes its rule over the class which owns labour power and exploits it. Thus, in the Marxian scheme, the capitalist state is the managing committee of the bourgeoisie, which facilitates and legitimizes the exploitative processes in the society. It is the economic power (or the ownership of means of production) that enables the ruling class to remain in power. Gramsci contested this Marxian position. He argued that the ruling class maintains its domination in diverse ways including the use of *force*, use of its *economic power*.

and the *consent* of the ruled. In other words, the bourgeois class maintains its domination not merely by force, but in several *non-coercive* ways. Two such non-coercive ways prominently come out in his writings. One of them is the ability of the ruling class to impose its own values and belief systems on the masses. Gramsci argued that the ruling class uses various processes of socialization to impose its own culture on the ruled. The ruling class attempts to control the minds of **men** by imposing its own culture on them in several subtle ways. So, *cultural hegemony* of the ruling class is the basis of its ruling power. Secondly, he argues that the ruling class does not always work for its narrow class interest. In order to maintain its ruling position, it enters into compromises and alliances with other groups in societies and creates a historic bloc. It is this strategy of creating a social bloc which enables the ruling class to get the consent of the ruled. You will notice that this argument of Gramsci is completely at variance with the orthodox Marxian position in which the class rule of the bourgeois is justified on the basis of its control of means of production. In other words, in the Gramscian argument the role of *ideas* and *culture* become central instead of the economic factor. Secondly, Gramsci's explanation of dominance of the ruling class in terms of its compromises and alliances with other allies underplays the orthodox Marxian position in which the state is viewed merely as the managing committee of the bourgeoisie. So much so that Gramsci also suggested a system of alliances for the working class to enable it to overthrow the bourgeois rule. He emphasized the need for creating a *historic* bloc.

19.3.2 Role of Intellectuals

Here a question arises as to how does the ruling class establish its hegemony in society? Gramsci argued that it does so with the help of intellectuals. But he added that intellectuals could also play a significant role in the revolutionary transformation of society. He argued that intellectuals provide a philosophy for the masses so that they do not question the ruling position of the bourgeoisie. In this respect, Gramsci talked of two categories of intellectuals: *traditional* intellectuals; and *organic* intellectuals. The former largely refers to those who think that they are not linked to any class. In this sense, they are independent. Organic intellectuals, on the other hand, are those who are actively and closely associated either with the ruling class or with the masses. Those who are associated with the ruling class churn out ideas, which helps in legitimizing the rule of one class over the other. Those who are associated with the masses work for and provide leadership to bring about revolutionary change in society. Such intellectuals emerge from within the working class.

19.3.3 Philosophy of Praxis

Gramsci wrote in his *Prison Notebooks* that his philosophy of praxis is a reform and a developed form of Hegelianism. For him, philosophy of praxis is interaction of theory and practice. In Marx's writings, praxis refers to creative and self-creative activity through which human beings create and change their historical universe and themselves. It is activity specific to human beings and it differentiates them from other beings. It is a mix or rather interaction of theory and practice in such a way that theory enriches practice and practice enriches theory. Marx had discussed the notion of praxis in his *Theses on Feuerbach*. Gramsci treated Marxism as the philosophy of praxis. He was himself involved in practical revolutionary activity. Gramsci maintains that man can affect his own development and that of his own surroundings only in so far as he has a clear view of what possibilities of actions are open to him. To do this, he has to understand the historical situation in which he finds himself and once he does that, he can play an active part in modifying that situation. The man of action is the true philosopher and

the philosopher must of necessity be a man of action. Gramsci holds the view that man does not enter into relations with the natural world, just by being himself a part of it, but actively by means of work and technique. It is only through historical awareness and understanding of historical circumstances in which man finds himself that he can remake his surroundings and remake himself.

19.3.4 Relations between the Base and the Super-Structure and the Notion of Historic Bloc

It was in 1914-15 when Gramsci attended some lectures on Marxism that he got interested in the problem of relations between the base and the super-structure. You would recall that Marx had expressed the view that no society can undergo any transformation till necessary and sufficient conditions for such transformation are already there. One form of society cannot be replaced by another, unless it has developed all forms of life which are inherent and implicit in its economic relationship. In the *Critique of Political Economy*, Marx had stated that "no social order ever perishes before all the productive forces for which there is room in it have developed; and new higher relations of production never appear before the *material conditions* for their existence have matured in the womb of old society". For Marx, the economic order of society constituted the base and the political order constituted the super structure. The nature of super structure depended on the nature of the economic base. Gramsci modified this Marxian position. He talked of a historic bloc. The historic bloc for Gramsci was a situation when *both* objective and subjective forces combine to produce a revolutionary situation. It is a situation when the old order is collapsing and there are also people with *will* and *historical insight* to take advantage of this situation. The union of base and super-structure, material conditions and ideologies, constitute the historic bloc. In other words, even when the material forces have reached a point where revolution is possible, its occurrence would depend on correct intellectual analysis in order to have a rational reflection of the contradictions of the structure.

For Gramsci, dialectics means three things:

- i) interaction between the intellectuals (party leaders) and the masses;
- ii) explanation of historical developments in terms of thesis, anti-thesis and synthesis;
- iii) the relation between the sub-structure and super-structure.

In vulgar Marxism, the super-structure i.e., ethics, laws, philosophy, art and the whole realm of ideas is directly conditioned by the economic system, by means of production and exchange. Material conditions determine man's consciousness' Gramsci criticized this view. Like Lukacs, he argued that revolution and preparations for it would involve profound changes in the consciousness of masses. Dialectics in the physical world are different from dialectics in society. In physical nature, it is the backlash of physical forces but in society, it is a moment in which men contribute to becoming a deliberate force in the dialectical process. Thus, it is the moment when *sub-structure* and *super-structure interact on each other to produce a historic bloc*.

You must have noticed that there is a lot in common between Lukacs and Gramsci. Both emphasized the role of cultural and philosophical factors in understanding historical materialism of Marx. Both brought out the element of Hegelian idealism in Marx. Both attached greater

importance to consciousness than to material forces. Both saw the relationship between the base and the super structure in a new light.

19.4 FRANKFURT SCHOOL (OR CRITICAL THEORY)

Frankfurt School refers to a group of philosophers who were together at the Frankfurt Institute for Social Research during the 1920s and 30s. Prominent members of the school were Horkheimer, Adorno, Pollock, Eric Fromm, Neumann and Herbert Marcuse. All of them, one way or the other, contributed to the Marxist theory. Of course, there were differences among them on many issues, but there is some common streak which emerges from their writings. Their view also came to be called Critical Theory. They were all critical of all forms of domination and exploitation in society. They were also critical of the Stalinist variety of socialism. They argued that Marxism was not a closed system. They are more concerned with cultural and ideological issues than with political economy which is the core of orthodox Marxism.

19.4.1 Opposition to all Forms of Domination

At the very outset, you must understand the context in which they wrote and the issues which bothered them. They wrote in a period which was marked by the rise of Nazism (in Germany) and Fascism (in Italy). Moreover, the rise of Stalinism in the Soviet Union with its totalitarian thrust was a cause of serious concern for them. They were also aware of the failure of communist movements in western Europe. They were critical of all ideologies because ideologies do not offer a true account of reality. They were particularly critical of those ideologies which attempt to conceal and legitimize systems of exploitation and domination. Through critical analysis of such ideologies, they wanted to trace the hidden roots of domination in them. By doing so, they tried to create true consciousness among the masses and prepare them for revolutionary action. Thus, their goal like Marx is revolutionary transformation of society, but in a different way.

They were critical of cultural and social philosophies and practices which aim at offering a false escape from monotonous every day life under capitalism, or which advocates the idea that inequalities are not man-made, but natural or have come from God.

19.4.2 Critique of Orthodox Marxism

The Frankfurt School tried to offer a critique of some of the notions of orthodox Marxism which had acquired repressive and authoritarian intent in the Soviet Union. Some of them even went to the extent of saying that Marxism is not adequate to explain trends like *bureaucratization*. Like Lukacs and Gramsci, they also questioned the Marxian doctrine of historical materialism which tries to explain all stages in historical developments in economic terms. They argued that it underplays the role of human subjectivity. In fact, they tried to show that this 'determinist' thrust (economic base determining everything) was the result of Marx's acceptance of positivist *methodology of natural sciences*. Moreover, the contradiction between forces and relations of production may not have similar results in all societies. It will depend on how people view these contradictions and how they try to resolve them. History is made by the situated conduct of partially knowing subjects. Therefore, for understanding any historical situation, it is essential to comprehend the interplay between socio-economic structure and social practices.

19.4.3 In Search of Emancipation

The central concern in the writings of the Frankfurt school is *domination* and *authority*. They argued that in liberal as well as socialist societies, domination and authority are justified in the name of reason which they call *instrumental rationality*. In fact, it is the result of the application of the positivist methods of natural sciences to social sciences. In natural sciences, we study the physical phenomenon with a view to control and regulate it, but in human sciences the object of study of society should not be to control and regulate human beings, but to emancipate them from all sorts of bondages. All socio-cultural practices in western as well as eastern societies are aimed at stabilizing the system of domination. In this sense, you can treat the Frankfurt School as the advocate of a *counter-culture*. They are also critical of authoritarian family structures and the socialization processes in education. They stand for sexual liberation as well. They are critical of the processes by which public opinion is manipulated by political parties and through market research and advertising agencies.

19.5 SUMMARY

In the foregoing pages, we have discussed three major streams in Marxism which have been witnessed during the twentieth century; those associated with Lukacs, Gramsci and the Frankfurt School. While they do differ with each other in matters of detail, there are some common elements in all the three of them. For example, they underplay the Marxian doctrine of historical materialism where the economic base determines the super-structure. Instead, they emphasize the role of human consciousness and will (Lukacs) and cultural aspects (Gramsci and Frankfurt School). All the three attempt to explain why bourgeois rule and capitalism have not been overthrown as Marx had predicted. Why is it that despite the existence of a large proletariat class in several societies, revolutionary change has not occurred? In their search for answers to these questions, they found that the mere existence of the proletariat class is not enough for a revolution to occur; this proletariat class must acquire the necessary revolutionary consciousness. They also found that ruling classes are able to maintain their hegemony and domination by various subtle methods like imposing their cultural norms, their beliefs and values on the masses. It is the responsibility of intellectuals to guide the masses in this respect. They also explained how and by what methods the authority structures of domination are legitimized in order to ensure stability of the system.

19.6 EXERCISES

- 1) What is the main contribution of Lukacs to the Marxist theory?
- 2) What did Gramsci mean by hegemony'? In what way did he modify the orthodox Marxian position?
- 3) What is meant by the Frankfurt School? What critique of liberal and socialist societies did it offer?

UNIT 20 SOCIALISM

Structure

- 20.1 Introduction
 - 20.2 The Doctrine of Social Progress, Individualism and Capitalism
 - 20.3 Socialism: Meaning and Early Strands
 - 20.4 Karl Marx and Socialism
 - 20.5 Critiques of Marxism and Democratic Socialism
 - 20.6 Exercises
-

20.1 INTRODUCTION

In this unit, we will discuss the following issues: What is it that calls forth the need for socialism? And, what is socialism? Socialism is a set of doctrines or a cluster of ideas and a political programme that emerged at the beginning of the 19th century. It arose out of a revolt against bourgeois property. Property in all "civilized" societies has been considered sacred. (Exceptions were "primitive" communities also known as tribal.) In bourgeois society, it loses its sacredness but gets a new type of sanction; it now becomes an inalienable right. (Inalienable is anything which cannot be separated from the person, something entrenched with the individual.) What then are the implications of property rights as inalienable?

One main objective of the state is taken to be to ensure the liberty of property. Right to private property has been regarded, by much of the liberal theory, as the key to liberty of the individual and to the pursuit of his happiness. To John Locke, the father of liberal view of society, right to "life, liberty and property" is a natural right and human beings enter into a contract to create a state for the protection of this right. From then on, through Adam Smith to Jeremy Bentham and the modern proponents of capitalism (which now has taken an aggressive posture under globalisation in our times) the institution of private property has been politically sacrosanct and an essential condition of social progress.

20.2 THE DOCTRINE OF SOCIAL PROGRESS, INDIVIDUALISM AND CAPITALISM

The doctrine of social progress is predicated on the assumption that the perusal of (rational) self-interest by every individual will over a period of time, even if temporary set backs have to be faced, lead to social good. This means that general social welfare will be the result of individual maximization of interest. This prevailing view of the new man was well captured by Alexander Pope in the following verse:

Thus God or nature formed the general frame

And bade self-love and social be the same.

We all know Adam Smith's oft quoted maxim of the "invisible hand." Everyone is not only a maximizer of self-interest, but is an infinite appropriator and an infinite consumer of goods of every kind. Property is the measure of man and in a capitalist society, whichever way one looks at it, all routes converge on property and through it the individual's pursuit of his

happiness. What we get, as a picture of man under such a social arrangement is an egoistic person, dissociated from all other individuals and all by himself in a space called the market place.

This extreme individualism is best captured in the words of John Locke, the father philosopher of liberalism. He says, the state exists to promote civil interest and "civil interest I call life, liberty, inviolability of body, and the possession of such outward things as Money, Lands, Houses, Furniture and the like." ('A Letter Concerning Tolerance'). He then argues that "Though the earth ... be common to all men, yet everyman has a 'property' in his own 'person'. This nobody has a right but himself." (Two Treatises of Government, Ch.: 'Of Property'.) It is clear in the above statement that bourgeois property is exclusively individual and that it legitimates the exclusion of others from it. (In feudal property, other members too had entitlements on the fruits of property.) In this view of things, there is no sense of an individual's social obligation to others or of sharing in the benefits of a social system in the creation of which people cooperate together. In any complex system, even property is the result of the common exertions of people, but its possession is always exclusively private. The common good is identified with the individual good. The individual good is each man for himself. The state has the function to ensure that those who succeed in acquiring property have full protection.

All the means of production (land, factory, raw material, tools and instrument and such other things which go into the production of necessities of life & other goods) in such a society are privately owned. And these get, as history shows, concentrated in fewer and fewer hands as capitalist production is based on (increasing) accumulation. This has two very important consequences for society. First, all decisions about investment choices – which commodities to produce and in what quantities – is determined by a small group of people who own these means of production. Whether the commodity is socially beneficial or not is not the main consideration. What determines the investment choices is whether effective demand can be created. In other words, profitability of goods is the sole consideration in the making of choices about investment. Whether luxury cars will be produced when there is a crying need for buses – public transport – is left to be decided by the profit motive of the individual entrepreneurs; same is the case whether guns or bombs should have precedence over the urgent need to have a hospital or a school. Production in society is without any plan and often can be of a wasteful nature; expensive fatless potato chips can score over the need for cheap bread which ordinary people may badly require. Distribution following from the above investment choices for wrong kind of commodities goes on regardless of social need or urgency of one who can pay.

Secondly, such an economic system or mode of production creates a class freed from social and legal obligations to perform labour. This is the class of capitalists. It stays out of the labour process and imposes the burden of productive labour on the rest of the society. So we have a large part of society, a majority, who live solely on their wages which in turn are determined by the cost of reproducing the labour power of the person as well as the demand and supply of labour. We, thus, find that the capitalist society is sharply divided between those who own the capital and other means of production and those who have nothing but empty hands and sell this labour power under conditions which are loaded against them. Just look around the world to see the truth of this statement.

A society with such a class division cannot respect the person who labours. One who labours is dispossessed as he just survives on the wages he receives. Property and possession is the basis of esteem. All the economic privileges, social predominance and prestige are with those

who own the means of production, the capitalists. All of these social assets are **means** to and provide immediate access to political power. That is why the bourgeoisie in capitalist societies have rightly been called the ruling class, the class with the power to determine the main features of any capitalist society. In sum, we can say that class **determines** the structure of society, which in turn **conditions** the values, attitudes, actions, and the overall articulation of any civilization.

So when we talked in the beginning that socialism has been a revolt of sorts against bourgeois property, it was not just property per se, but the entire system of production and government that the bourgeois property gives rise to and imposes on the rest of the society.

20.3 SOCIALISM: MEANING AND EARLY STRANDS

What is the shape that this revolt takes; in other words what is socialism? In the early decades of the nineteenth century, the common elements of what was emerging as the socialist outlook were falling in place. There grew the

.... Conviction that the uncontrolled concentration of wealth and unbridled competition was bound to lead to increasing misery and crises, and that the system must be replaced by one in which the organisation of production and exchange could do away with poverty and oppression and bring about a redistribution of the world's gifts on a basis of equality. (Leszek Kolakowski, Main Currents of Marxism)

Early socialism did not grow into any clear-cut doctrine, but a set of values and beliefs held together by the view that private ownership of production should be replaced. But there was no unanimity about "replaced by what." There were common currents of thinking that some or other form of common ownership of productive property should be the basis of social organisation of society.

Socialism is not against property per se. For example, owning a flat or a refrigerator or driving in one's own car does not militate against the spirit of socialism. All these are consumable items. When socialism talks against the private ownership of property, it means such property, which is productive and yields profit, or rental income; that is, the private ownership of means of production. Early socialists thought that property is theft. This comes to mean that the owners of means of production cheat the workers – the direct producers – of whatever production which takes place over and above the wages paid to them. This denial of what they produce is theft. The accumulation of this theft is property in the form we see it in our societies. Being a theft it is morally unacceptable. So it must be abolished and as a form, private ownership must be converted into one or another form of common ownership.

The later socialists did not consider property as a theft, but viewed it as the appropriation and accumulation of the surplus value that the worker produces. This process is built into the labour process, which produces goods for exchange in the market. It is, therefore, internal and structural to the capitalist process and this is also instituted in law and is therefore, legal. So it cannot be theft, but is exploitation and nevertheless remains, from a normative point of view, illegitimate and unacceptable. Therefore, they agreed with the early socialists that it must be abolished and common social ownership instituted. This common notion about the unwelcome nature of private ownership of the means of production and following on that, the idea of one

or another form of common ownership is what unites the socialists, anyone who agrees with these views is a socialist, whatever else their differences. This common outlook is well summed up in the following words. Socialism is:

"That organisation of society in which the means of production are controlled, and the decisions on how and what to produce and on who is to get what, are made by public authority instead of by privately-owned and privately managed firms". (Joseph A. Schumpeter, Capitalism, Socialism and Democracy.)

Within these broad agreements, it is the differences about (a) how does one replace capitalism and (b) what exactly is the version of social ownership, which, create so many different schools of socialism. There is finally the all important question of how does one arrive at socialism; in other words, who will bring it about. In looking at these questions, we will know the different versions or schools of socialism.

In the aftermath of the French Revolution of 1789, two important features changed in the way people related to the world. The French revolution put into the shape of political agenda, the theories of Enlightenment and it furthermore, enthroned the value of equality (and fraternity) as of the same importance as liberty and thus, egalitarianism became a creed with the masses. The second momentous development was the fast emerging working class all over western Europe in the wake of the Industrial Revolution, a class large and growing in number but living in deep misery.

Early socialism grew as a popular movement with a festive play of ideas. The earliest of the voices were those of Robert Owen (1771-1858), Saint – Simon (1760-1825), Charles Fourier (1772-1837) and Proudhon (1809-65) and many lesser figures. But it was only with Karl Marx (1818-1883) that a general theory of socialism emerged which could rival those of Adam Smith or Ricardo about capitalism. The ideas and prescriptions of these men were very different, but there was a general accent, which was common. An emphasis on social as against individual, cooperation as against selfishness or egoism, cooperative activity as against competition; they all agreed private ownership and market competition is bad for common good and that inspite of large increases in production, there has been no social progress. Social progress as society-wide happiness can come about only with the removal of the criteria of profit and its replacement by a system of rewards based on moral adequacy of claims.

Robert Owen was the first to use the word Socialist in 1827 in his Cooperative Magazine. He was a self-made Scottish Cotton Manufacturer who believed Industry-Factory could work as the liberator of mankind from poverty and ignorance. This could happen only if, as he showed, production is organised on cooperative principles and not on competition. He carried on many experiments in cooperative organisation of production. On a nation wide scale, only the state could do it. He also believed that human nature could be transformed, if environment could be reconstructed. In this reconstructed environment, education would be a powerful conditioning influence. He also advocated the formation by public authorities of "villages of cooperation" to put the unemployed to work. He looked at cooperation not merely as a better alternative to competition in production, but also looked at it as a way for moral improvement of human beings. Owen was also a strong advocate of the right to work. He addressed memorials to the heads of states of Europe in 1817 urging them to implement his new proposals so that an 'age of plenty' could be ushered in for the human race. His ideas caught the imagination of the working classes in Britain who moved on to build popular movements around his ideas leading eventually to the formation of trade unions which in his times, were considered illegal.

A different socialist vision emerged from Charles Fourier who came from a merchant family made impoverished during the French Revolution. Waste, inefficiency, boredom, and inequality of modern work appalled Fourier. His main interest was in making work pleasant and adjusted to the character of the individual. Therefore, he found division of labour unacceptable because it broke up work into minute repetitive operations. Unlike Robert Owen, he did not believe in the efficacy of big industry. Work should be concentrated in the countryside and small shops in towns where family life can be lived in communities and where all can know each other. Work can be varied and enjoyable only if competition is eliminated and organised in cooperatives of small producers. Goods should be well crafted and good to look at and made to last. He, therefore, opposed large industry, which he felt threatened individuality and the pleasure of work. He was a spokesman of the fast dwindling craft manufacturers who conceived and executed work all by themselves, unlike in modern industry where conception and execution of work is separated from each other.

Saint-Simon was, in contrast to Fourier, a man of science, industry and large administration. He was Rousseauian in spirit in that he believed the common man of work to be good, honest and virtuous. He disliked both aristocrats (corrupt) and scholars (arrogant) may be because he came from an impoverished junior branch of an aristocratic family. He was all for people's causes. He fought in the American War of Independence and strongly supported the French Revolution. Like Owen, he was a great believer in science, technology and Industry. The nineteenth century, he foresaw as the era of science and industry from which will follow the unity of mankind and the prosperity of (wo)man. But in contradiction to his distrust of scholars as arrogant, he believed that social reconstruction should follow the advice of what he called 'luminaries' – a learned elite. They must work towards the redesigning of social institutions with the aim of moral, intellectual and physical improvement of the poorest who also happen to be the most numerous class in society. In all of this, the state has to play a central role. The state must find work for all because all are capable of and want to work. What made him a socialist was his conviction that there is room only for one class in society, the workers. Wages should be according to one's capacity to work for the good of society. The non-workers are layouts and should be weeded out. Through state control of education and propaganda, the state should seek to bring about harmony.

Another very important figure among the early socialists was Proudhon. He was the one who explicitly referred to property as theft and also had a very polemical argument with Marx on the nature of property and poverty. He wrote a book called Philosophy of Poverty to which Marx replied with Poverty of Philosophy, pointing to the inadequacies of his philosophical convictions. One central concern of Proudhon was the importance of liberty of the ordinary people. He thought that the greatest obstacle in the way of realisation of liberty is inequality. So we can say that equality was sought by Proudhon as a precondition of liberty and in that sense, he is in tune with modern radical ideas. An equalitarian ethos, Proudhon believed, can only be achieved in a classless society, but he shunned the idea of classwar for social change. Voluntary agreement of the working people should lead the way towards a classless society. He advocated a nation wide system of decentralised workers cooperatives, which can bargain with one another for mutual exchange of goods and services. At the apex, constituent assemblies of these cooperatives should define the nature of the state, which in effect meant that the bourgeois oppressive state will cease to be.

It is clear from the exposition of the views of the four leading exponents, there were many lesser ones too, that 'early socialism', was not any kind of theory, but a festive play of ideas

against capitalism and all that it represented. Many of these ideas are still around us, in different garbs and exercise considerable influence. Marx was both critical and appreciative of these writings on socialism. He critically referred to them as purely "Utopian" in character. What is utopian about these, for Marx? There is, first of all, no conception of "revolutionary action." What are the forces within the capitalist society who will fight to replace it and how they will fight? Instead what we have, secondly, is an assortment of vague and diffuse ideas. All the early socialists were sceptical of class struggle waged by the working class. They all talked of, as we have seen above, voluntary agreements, change of heart, propaganda and practical carrying out of social plans, personal inventive actions, small experiments expanding into society-wide activity, even while all agreed that the working class is the most suffering class, but that the entire society be convinced through peaceful means of the need to replace capitalism without distinction of class. Marx thought that it would be impossible to bring about socialism by such means. But he appreciated the contribution of these writers. He thought that by these "instinctive yearning for the reconstruction" of society, these early thinkers had succeeded in creating an atmosphere in favour of socialism. Moreover, as Marx remarked in the Communist Manifesto, these ideas became 'valuable materials for enlightenment of the working class'. So Marx's attitude was one of criticism without being dismissive as happened with many later Marxists.

20.4 KARL MARX AND SOCIALISM

Marx's importance in the history of the struggle for socialism lies in the fact that he was the first man who could propound a theory of socialism, which could, as noted earlier, rival and stand on an equal footing with the theory of capitalism developed by Ricardo and **Adam Smith**. Marx did not simply propound a theory in the old style, but developed a doctrine which unified, or at least so he claimed, theory with practice such that theory could guide practice and practice could rectify the errors in theory. In short, what Marx did was to build up a theory of revolutionary action identifying the class, which will carry out the revolutionary task of replacing capitalism with socialism.

In a general historical theory of, in what has now come to be known as historical materialism, (a) why and how human societies change, and (b) what further changes are in store for human society, Marx showed that historical change is neither accidental nor a result of sheer will; that it has laws which are dialectical. Contradiction is the essence of dialectics. This contradiction is not logical (like incompatibilities in an argument) but an inner attribute of reality. Social reality is more discernibly marked by this inner contradiction. (In contradistinction to logical, let us call contradiction, in Marxian view, as ontological.) This fact of contrary pulls or oppositions within a reality impels a movement in reality. In other words, society changes because of its inner contradictory pulls towards evolving stages. Like in other earlier stages (feudalism for example), so in capitalism, it is its internal contradictions which propel it towards change into something else. I-low? (What are dialectics and their laws and the exact working of this, etc. we have discussed in another unit on Marxism.)

Every mode of production (sum total of forces and relations of production) gives rise to two classes, in perpetual opposition to each other. One is the ruling or the exploiting class and the other is the oppressed or the exploited class. The constant conflict and opposition between these two classes to get the better of the other is class struggle. Marx remarks in the very beginning of Communist Manifesto that "The history of all hitherto existing society is the history of class struggle." He then goes on to remark:

Our epoch, the epoch of the bourgeoisie, possesses, however, this distinctive feature: it has simplified the class antagonisms. Society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other: Bourgeoisie and proletariat. (Manifesto)

So, one pole of the Marxist structure of theory is class struggle.

It was in terms of this that Marx had concluded after a very detailed study of the capitalist mode of production (in Capital, Vol.1) that contradictions within it would go on intensifying leading to increasingly intense struggle between the capitalists and the working class. This would give rise to a revolutionary consciousness among the workers and teach them that only a take over of power from the minority of capitalists could create conditions to free the working class from exploitation and lead to the emancipation of society.

All this sounds neat, and on the face of it, is persuasive too. But it begs the question. What needs an answer is; why should the contradiction intensify so much that the proletariat will feel compelled to overthrow the bourgeois rule and institute its own in place of that? There is an elaborate answer for this in Marx, which is what makes Marx claim that his system is scientific. (But it is not easy to summarise, still an outline is required to complete the answer.)

This then takes us to the second pole of Marxian analyses, which looks at the future of class struggle from the view point of the process of accumulation of capital and the rate of exploitation. These two are internally related to each other. There is first the appropriation of surplus value (S.V.) from the labourer. The labourer who is given a wage is paid at the cost of reproducing his labour power, that is, what it costs to buy the subsistence goods for living. In other words, the labour power of the worker is bought in the same way as any other commodity, say iron or cloth or whatever else is needed to produce further goods, i.e. at the cost of its production. So labour power is like a commodity among other commodities. It has been established that he reproduces that much of value in 4/5 hours of work, whereas a worker normally works for 8/10 hours. The extra hours of work that he puts in is the basis of additional value that he produces which is appropriated by the capitalist. This Marx calls exploitation, a built-in structural and relational feature of capitalist production, which has nothing to do with cheating or theft. It is legal and necessary for capitalism.

Such a process goes on along with improvements in the technical means of production. Over a long period of time, the cost of machinery and other fixed capital – known as Constant Capital (C.C.) becomes more and more expensive in relation to the cost of hiring labour power – referred to as Variable Capital (V.C.). In other words, in the overall (composition) of capital, there is an increase in the relative importance of C.C. vis-à-vis V.C. This goes on as the capitalist mode of production progresses. This Marx shows leads to the centralisation of capital; that is, the ownership of capital gets into fewer and fewer hands; the big fish eating the small ones, as we popularly hear. This Marx further shows leads to a fall in the rate of profit. To compensate for this, the capitalist tries to intensify exploitation, which means he tries to increase the rate of exploitation and this is resisted by the workers. This results in the impoverishment of the working class in relative as well as absolute terms vis-à-vis the capitalist. This Marx demonstrates will necessarily lead to greater and greater class struggles leading eventually to the overthrow of capitalism and the capture of power by the workers. That is why Marx could say in the Manifesto that "What the bourgeoisie therefore produces, above all, are its own grave-diggers." The first stage of the working class rule is the establishment of

the dictatorship of the proletariat which prepares the way for the establishment of socialism which then paves the way for communism – the stage where everyone works according to capacity and takes according to need; the world of choice.

20.5 CRITIQUES OF MARXISM AND DEMOCRATIC SOCIALISM

At the end of the unit, it is important to look at a two way challenge to Marxism that emerged at the end of the 19th century. This took the shape, during the course of the 20th century, to evolutionary or "democratic" socialism. (Many other versions like Guild Socialism and Syndicalism and so on are also there, but we will not deal with these as these are by now unimportant and can also be easily read in any chapter on socialism in a standard theory book).

When the workers' revolution did not take place, as Marx had foreseen that it soon will, there emerged strong reservations about Marxism as a body of doctrines. One who expressed this in systematic terms was a long time German Marxist Eduard Bernstein. In a book entitled Evolutionary Socialism, he elaborated a wholly different route to and tactics for achieving a socialist society. The other line of development took shape not because revolution did not come about, but because a large group of British Socialists had intrinsic reservations about Marxism. They thought that some of its goals and methods and tactics will result in authoritarian, despotic politics. They took exceptions to goals like the dictatorship of the proletariat, class warfare, violent overthrow of capitalism etc. To further an alternative way of achieving socialism together with strengthening democracy, leading socialists formed themselves into a Fabian Society in the middle of the 1880's and this version eventually came to be known as Fabian Socialism. Important names within this tradition are Sydney and Beatrice Webb, G.D.H. Cole, Bernard Shaw, Laski, Tawney, and many others. (Remember that some leading Indian nationalist leaders led by Nehru during the Freedom Struggle were deeply influenced by this current and which after independence gave birth to in the middle of 1950's to the idea of "Socialist Pattern of Society.")

Bernstein argued that the wages of workers are not falling but are, relatively rising because the rate of profit is not, as Marx argued, declining and therefore, the expected impoverishments of the workers and the consequent uprising will not come about. Rather, the workers would get more and more integrated into the capitalist system. Hence, the need is to work within the capitalist system by accepting its institutional framework of parliament, elections, open political activity and thereby, striving to improve the condition of the working class. The class of workers has already become the majority and by proper organisation, it is now possible to win a majority in parliament and strive towards socialist ideals. In short, they declared that there is no need for revolution. (This viewpoint came to be termed, in organised Marxism, as 'revisionism' and 'reformism', a pejorative way of referring to those who abdicated their responsibility of working for the revolution.)

Through the different routes, these two critiques of Marxism came to similar conclusions, which can be stated as the core tenets of "democratic socialism". Four of these deserve a mention. First, socialism is not as Marx thought a historical necessity or inevitable but a moral need for the good of humanity. Humanity can realise its potential only within a radical egalitarian ethos. For this to happen, people will have to be won over for socialism and parliamentary majorities gained by carrying political education among the masses. It is,

theretore, important to realise, secondly, that in a transition to socialism it is not only the working class, but the entire people who will play a part; working class as the predominant part of the world will no doubt be strategic. But middle classes too can be imbued with socialist ideas and can play a major role in building public opinion.

Thirdly, the route to socialism will not be through a violent rupture, as Marx thought, but would be by a gradual ascent. In this, by degrees, through closely interconnected legislative measures, the structure of socialist economy can be put in place. Equal opportunity of effective participation in the running of the state, cooperation rather than competition, equality to fully develop human personality and similar other values will become norms of society. And, lastly, the state will remain an institution of strategic importance. Through a series of nationalisation measures, the state will ensure that the private ownership of the means of production will be socialised; that is, different forms of state and cooperative ownerships in industry and public services like health care, education, electricity, railways, etc., will be instituted. Every body will thus have equal access and entitlement to goods and services. That is how the planned economy of public ownership of the means of production together with the deepening of democracy and freedom of intellect will be the way for the emancipation of humanity.

Socialism is no simple, monolithic doctrine like Soviet communism was. It represents a variation upon variation, a multiplicity of viewpoints but, as we have seen, sharing some core assumptions and presuppositions. One such presupposition is that every human being is capable of making an equal contribution to the common good and this can only be done when human beings exert together for common welfare. Socialism is a special form of democracy which extends the idea of freedom from civil and political rights to equal claims on economic well-being and social status and this can only be achieved when human beings cease to be egoistically competitive as under capitalism. So long as capitalism is there with its exploitation and disregard for human dignity in favour of efficiency of production and market equilibrium, the yearning for socialism will be there; the revolt against bourgeois property will not come to an end.

20.6 EXERCISES

- 1) Explain what is socialism.
- 2) Write an essay on the doctrine of social progress in the context of individualism and capitalism.
- 3) Discuss any two early trends in socialism.
- 4) Discuss Karl Marx's Theory of socialism.
- 5) Examine the critiques of Marxism.
- 6) Describe the salient features of Democratic Socialism.