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Lesson No.

- 2.1 : Liberty : Meaning, Definition, Types and its Safeguards
- 2.2 : Equality : Meaning, Definition, Types and Relationship between Liberty and Equality
- 2.3 : Justice : Meaning and its various Dimensions
- 2.4 : Democracy : Meaning, Characteristics and types
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LIBERTY : MEANING, DEFINITION, TYPES AND ITS SAFEGUARDS

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2.1.1 Objectives of the Lesson

The objectives of this lesson are :-

- (a) To understand the various meanings of liberty.
- (b) To study different types of liberty.
- (c) And to know different safeguards of liberty.

2.1.2 Introduction

Liberty is a central concept in political science as understood in the West. Its history, therefore, is as old as political philosophy itself. During the ancient and medieval period, the concept of liberty was totally absent. The Greek philosophers, Socrates, Plato and others did not accept the notion of individual liberty as against society or state. They believed that freedom lies in obedience to the laws of the state. During the medieval period the emphasis was laid on the salvation and freedom of the soul rather than the liberty of the individual and freedom of the soul could only be realized through religion. By the close of medieval period there was a talk of the freedom of conscience. There on feudal society was marked by the tyrannical of despotic kings. They developed the theory of Divine Rights and were thus not answerable to people. Feudalism declined in the sixteenth century as a result of the reformation movement.

The modern period begins with the renaissance movement. Its hallmark was the emergence of capitalism and the capitalist clan. Its demand was liberty against the then existing religious, economic, social and moral order. The absence of all kinds of restraints - religious, moral economic and political was regarded as an essential condition for the liberty of the individual.

The central theme of western political thought has been the relation between

the liberty of the individual and the authority of the state. Along with this it is also necessary to clear that it is the most elusive and value-loaded term and means differently to persons who believe in different ideologies. The Marxists and anarchists understand liberty in another way. Marxists regard liberty as a bourgeois illusion and firmly believe that true liberty is attainable only in a classless society. According to the Marxists, equality i.e. economic equality should precede before liberty is achieved. According to Anarchists, only in a stateless society individual is said to be free.

2.1.3 Meaning and Definition of Liberty

The term, 'Liberty' is derived from the **Latin word 'liber'**, which means **free**. The meaning of the word liberty is absence of restraint and liberty for individual thus means that he should be free from restraints. But this is very clear that fully unrestrained liberty is not possible in human society. Alongwith it is also very difficult to give a precise meaning of liberty. The word 'liberty is rich in connotation and has suggested different ideas at different times.

At the time when the powers of state were concentrated in the hands of despotic kings, liberty meant the protection of the people from their tyranny. This was done forcing the king to accept certain rights (like the **Magna Carta**) and privileges which his people considered as fundamental for their very existence. Gradually, people felt that they must have their own representatives as magistrates in the state to safeguard their rights. By the time it was realized, the next demand was to identify the government with the people. Liberty then became synonymous with popular government. Two important points however have come to our knowledge so far - (i) the real meaning of liberty changes from age to age (ii) liberty of each individual is necessarily relative to that of others. Liberty is the power of doing a thing without harming others.

In spite of the difficulties of a precise meaning, a few definitions giving its 'essence'. According to **Massimo Salvadori**, "Liberty is free choice, each individual's own decision concerning his own course of action; it belongs to himself, not to the external world that surrounds him."

D.D., Raphael says, "Freedom means absence of restraints. A man is free so far as he is not restrained from doing what he wants to do or what he would choose to do if he knew that he could. The idea of choice itself implies a kind of freedom. Choice in the selection of one possibility among others."

In brief, liberty is the "affirmation by individual or a group of his or its own essence." It implies a harmonious balance of personality, absence of restraints; and organizational opportunities for the exercise of continuous initiative.

2.1.4 Negative Aspect of Liberty

The concept of negative liberty originated with the philosophy of the nineteenth century liberalism. **John Locke** was a great exponent of this liberty and considered it as 'a natural and inalienable right of the individual. In the nineteenth century the negative concept of liberty was supported by such classical liberals as **Adam Smith, Bentham** and **Herbert Spencer**. While Spencer talked of "the survival of the fittest", the utilitarians, like Bentham, viewed government as a necessary evil.

The liberty of the individual could only be guaranteed if there were fewer restrictions imposed by law and least interference by the government. The greater supporter of personal liberty was **J.S. Mill**. To him, liberty meant the protection of the individual against the tyranny of the political rules. He believed that ruler's interests were antagonistic of those of the people and therefore, a limitation must be imposed on their powers. Mill divided the actions of individuals into two parts : **self-regarding** and **other-regarding actions**. The self-regarding actions may include those matters which affect the doer only, having no concern with others. Individual's independence was to be restricted in those cases in which his action had a direct or indirect bearing on others. It mean, the negative dimension of liberty is contained in an affirmation of the 'absence of restraints'. In purely idealistic terms, it means to hinder the hindrances to good life.

2.1.5 Positive Aspect of Liberty

The negative view of liberty was found to be high unsatisfactory as it totally ignored the social and other aspects of the individual liberty. It led to the exploitation of workers and bred many more evils in society. Thus, the negative concept of liberty was challenged and a more positive view of liberty emerged in society. The positive view of liberty was first put forward by the idealist thinkers- **Immanuel Kant, Hegel, Fichte** and **T.H. Green** etc.

They all emphasised that the state is not a necessary evil, but a positive good. Laws do not infringe liberty but are an essential condition for its existence. Kant said : 'A man doing merely what he wanted or wished was a slave, a slave to his lower self. He becomes really free when he subjects himself to the dictates of universal reason and when he does what he ought to do. Hegel considered freedom as a social phenomena and a gift of the social, legal and ethical institutions of the community. According to Green, liberty is the positive power or capacity of doing or enjoying something worth doing or enjoying and that too, something we do, or enjoy in common with others. Liberty therefore is a product of rights. Thus liberty includes the presence of certain rights, creating such an atmosphere which can be helpful for men to develop their best selves.

Self Check Exercise-1 (Answer should be more than 4-5 lines)

1. What is the origin of word 'liberty' ?
2. What do you mean by word 'liberty' ?
3. What is negative liberty ?
4. What is positive liberty ?

2.1.6 Types of Liberty :

There are many types of liberty. But, mostly liberty is classified into five different forms-Natural, Civil, Political, Economic and National.

2.1.6.1. Natural Liberty :

Natural liberty is as absence of all restrictions. According to natural liberty an individual can do whatever he likes. But, such a concept of the liberty is illusory. If it is allowed it will create chaos and confusion in the country. It was existed before the emergence of society and state. Soon after the state came into existence natural liberty disappeared. It may be easily understood that this kind of liberty is no liberty at all in as much as it is an euphemism for the freedom of the forest. It is not applicable to the life of man as a social being.

2.1.6.2. Civil Liberty :

'Civil Liberty' means the rule of law. It is the duty of the state to punish those who violate civil liberty of individuals. This liberty is possible in all civilized states. It took birth out of civil rights. It means the limitation of the powers of the government by established law, whether it be in the form of written constitution, or in the form of judicial precedents and conventions under which law is applied equally and impartially on all. This type of liberty working in Britain and also in our country. Civil liberty in our country implies the absence of partiality on the basis of caste, creed or race and treating all men as equals.

2.1.6.3. Political Liberty :

Political Liberty means that the people have a voice in the government. It includes right to hold public office, right to vote and the right to criticise the government. Political Liberty essentially associated with democracy. Black Stone was partly correct when he identified this type of liberty only with man's power to curb government. As a matter of fact, it consists in curbing as well as constituting and controlling the government.

2.1.6.4. Economic Liberty :

Freedom from want and right to work are regarded as economic or social liberty. Freedom to form or join trade unions, freedom of political asylum, freedom to choose a trade or profession are also come under economic liberty. There is no democracy in a particular country without economic liberty.

There is much truth in the statement that the political liberty has no meaning without economic liberty. Unless the difference between the rich and poor is removed, the government shall be controlled by the rich. Political liberty without

economic liberty is nothing but the right of the capitalists to deprive the workers of their due share in the public wealth. Karl Marx and other socialist thinkers of the present century focused that attention of the government that unless sufficient economic security is provided to the workers political and civil liberty will remain unreal far the poorer section of the community. As such a new movement emerged under which one of the major shortcomings of democracy is being tried to be removed. Socialism, for which economic liberty stands, is an essential complement of political democracy. Hence more and more states are enacting legislation to ensure fixed wages, hours of work, old age pensions, disability allowances and so on. Hence political and economic liberty have no quarrel rather they supplement the cause of each other.

1.6.5. National Liberty :

It is synonymous with national independence. As such, it implies that no nation should be under the subjection of another. For instance, the Americans gained national liberty in 1776 and the Indians in 1947. Thus, national movements of wars of independence can be identified as struggles for the attainment of national liberty. For this reason, love for national liberty is identified with patriotism. Historical evidence shows that love for one's country is deep-seated in human heart as a result of which millions of people lay down their lives for the sake of the honour and security of their motherland.

Self Check Exercise - 2

1. Write briefly important types of liberty and their meanings.
2. What do you mean by natural liberty ?
3. What is political liberty ?
4. What is the difference between Political and Economic Liberty ?

2.1.7 Idealistic View of Liberty :

We have defined liberty negatively as the absence of restraint on what person wants to do. Then freedom means that we choose to do what we wish to do. This common sense is criticized by philosophical idealists. Philosophical idealism is a school of thought going back to Plato and holds the view that the mental or the spiritual is real and the material is not. According to idealists, the stuff of reality is 'ideas' the contents and activities of mind. Idealists object to the negative character of liberty. Freedom is a precious value; in fact it is one of the highest human values and hence it must be viewed in positive terms. Their ethical theory of 'self realization' holds that the end of human life is the realization of the 'true' or 'higher' self. Since self realization is the ultimate value, freedom, if it is to be regarded as a value, would enable a man to achieve self-realization. A man is truly free, according to idealists, when he has realized his true or higher self. Thus, idealists define freedom in term of self-realization and consider it a positive

idea. They value liberty as a means to self-realization and it is a necessary condition for self-development or self-fulfilment.

Secondly, idealists criticize the common sense view of liberty on the ground that it makes freedom as a means to doing what we want, and the end it serves is simply 'desire'. There is no value in mere desire. Action that has value is moral action which is the doing of what is good or right. Often an individual's desire goes against his doing what is good or right. Idealists identify 'true' freedom with doing one's duty. This is positive and always good. For when we perform a duty, such as obeying a law, we exercise freedom of choice is the true form of freedom. On the other hand, the freedom to do what we want, which is restrained by the requirements of duty, is not real freedom. The idealists argue that when a man feels that the call of duty restrains his freedom, he is in bondage to his 'lower self' i.e., to his desires. He has not fully realized his 'higher self'. Only in the higher self, real freedom is to be found.

2.1.8 Safeguards of Liberty :

It is necessary to take into the special safeguards whereby the abuse of power may be effectively restricted, otherwise there will be no liberty.

2.1.8.1. Absence of Special Privileges : The first necessary safeguard is that there should be no special presence of special privileges. All persons must be considered as equal before law and should enjoy equal opportunities. All people should have equal access to power. No person should inherit any special privileges merely because he happens to be born in a rich family.

2.1.8.2. Presence of Rights : The second condition for the realization of liberty is the presence of rights. There cannot be liberty where the rights of some depend upon the pleasure of others. No persons should be strong enough to take away the rights of ordinary citizen. Now, in most of the modern constitutions rights constitute an important part of written document. This gives them a sacred place and special sanctity.

2.1.8.3. Free and Fair Electoral System : The people should have freedom to choose and control their rulers. For this, now we have free and fair election system and these elections held periodically on the basis of universal adult suffrage.

2.1.8.4. Independent Judiciary : Independent and impartial judiciary also guards the rights of the people. If judiciary is under the control of the legislature or executive, then the rights of the people will not be secure.

2.1.8.5. Separation of Powers : According to Montesque, for the security of individual liberty, functions of the government should be divided into three organs and should be headed by separate persons independent of each other. It is a sight

of tyranny when the three powers of the government are concentrated in the hands of a single person. So separation of powers are necessary for liberty and also for democracy.

2.1.8.6. Rule of law : Every one should be equal before law irrespective of his richness, poverty and other social disabilities. Rule of law have special importance, the will of the people, moreover, practically means the will of the most numerous or the most active part of the people, the majority. There can be tyranny of majority also. Rule of law also provides protection against this.

Self Check Exercise - 3

1. What is Idealistic view of liberty ?
2. Explain the purpose of safeguards of liberty.
3. 'There can be no liberty where the rights of some depend upon pleasure of others' comment.
4. Explain briefly various safeguards of Liberty.

2.1.9 Conclusion :

In the end, it may be reiterated that liberty is one of the important political themes. A proper discussion of liberty should not be treated like an isolated phenomenon. It is integrally connected with the study of other related themes like those of equality and justice. In brief, liberty is the 'affirmation by an individual or a group of his or its own essence.' It implies a harmonious balance of personality, absence of restraints; and organizational opportunities for the exercise of continuous initiative.

2.1.10 Answers to the Self Check Exercises :

Self Check Exercise - 1

- Q.1. Word 'liberty' has been derived from the Latin word 'liber', which means free. In the way liberty means freedom.
- Q.2. (a) It is difficult to give precise meaning of liberty.
(b) The meaning of liberty has been changing from time to time.
(c) Liberty is the power of doing something without harming the others.
(d) It means free choice, it is each individuals own decision concerning his own course of action.
- Q.3. (a) Negative liberty means absence of restraints.
(b) It means unlimited liberty and it is a natural and inalienable right of the individual.
(c) Governments or state is a necessary evil on individual liberty.
- Q.4. (a) State is not a necessary evil but a positive good.
(b) Freedom as a social phenomenon and a gift of the social, legal and

- ethical institutions of the community.
- (c) Positive liberty means presence of certain rights and creating such an atmosphere by which everyone develop his best self.
 - (d) It means ones rights are others duties.

Self Check Exercise - 2

- Q.1. (a) Natural Liberty : Absence of all restrains, a man can do what ever he likes.
- (b) Civil Liberty : It means rule of law. It imposes limitation on governments and provides civil rights to people.
- (c) Political Liberty : It includes right to vote, right to have public office, right to contest the election and right to criticize the government.
- (d) Economic Liberty : Freedom from want or freedom from basic needs is called economic liberty.
- (e) National Liberty- it means no nation should be under the subjugation of another.
- Q.2. Natural liberty simply means that nature has bestowed certain rights on individual. Man is naturally free from any restraints. An individual can do whatever he likes. But this concept is illusory.
- Q.3. Political Liberty means that people have a voice in the government. They possess the right to vote, right to be elected and right to criticise the government's action. Obviously it means to constitute or check the government.
- Q.4. This is very much right that political liberty has no meaning without economic liberty. Unless the difference between the rich and the poor is controlled, political liberty will be limited to rich class only. Generally economic liberty is freedom from want and political liberty is freedom of casting a vote, to be elected or to criticise the government.

Self Check Exercise - 3

- Q.1. Idealistic view of liberty is related to philosophical idealism. It means that 'mental or the spiritual is real' and material is not. Reality means 'ideas', the contents and activities of mind. Liberty means 'self realisation' and certainly it is positive liberty.
- Q.2. The purpose of the safeguards of liberty is to provide the protection to individual liberty so that no one can exploit the rights of others. Safeguards are necessary to control the abuse of power.
- Q.3. There is no liberty where rights are not guaranteed by the constitution. Rights of people should not be in the hands of government or powerful persons.

- Q.4. (a) Absence of Special Privileges- these should not be special privileges to some. All persons are equal before law.
- (b) Presence of rights- when rights are important part of constitution. They are protected by independent judiciary which not under the control of either legislature or executive.
- (c) Free and fair elections is not under the control of other organs of government.
- (d) Independent Judiciary - when the judiciary.
- (e) Separation of power - when the power of the three organs of government : legislature, executive and judiciary are divided and provided by the constitution.
- (f) Rule of Law - Every one is equal before law in spite of his caste, creed, race, social status etc.

2.1.11 Suggested Readings and Web Sources

1. Barker - Principles of Social and Political Theory
2. H.J. Laski - A Grammar of Politics
3. J.S. Mill - On Liberty
4. N. Jayapalan - Political Theory
5. Asirvatham, Eddy - Political Theory
6. Gettell - Introduction to Political Science
7. James Bryce - Modern Democracies, Vol. 1
8. Sushila Ramaswamy- Political Theory
9. www.wikipedia.org
10. <http://jccc-ugcinfonet.in>

EQUALITY : MEANING, DEFINITION, TYPES AND RELATIONSHIP BETWEEN LIBERTY AND EQUALITY

- 1.1 Objectives of the Lesson
- 1.2 Introduction
- 1.3 Meaning and Definition of Equality
- 1.4 Political Equality as basis of the American and French Revolutions
- 1.5 Types of Equality
- 1.6 Relationship between Liberty and Equality
- 1.7 A proper view of equality
- 1.8 Conclusion
- 1.9 Answers to Self-Check Exercise
- 1.10 Suggested Readings

1.1 Objectives of the Lesson :

- (a) To explain the meaning of Equality
- (b) To know the types of equality
- (c) To discuss relationship between Liberty and Equality.

1.2 Introduction :

The formulation of the doctrine of equality is a product of the eighteenth century-a century which was marked by social disorders, upheavals, disharmony and imbalance in European society. Originally, the principle of equality was a common man's protest against the gross inequalities created by the superior claims of the nobility in ancient societies. The idea of equality has, therefore, grown out of the idea of privileges. As a result of the growth of new ideas. And the resultant consciousness among the people for their rights, many movements came to the fore to pull down the old structure of social which was based on injustice and inequality. And, the existence of glaring inequality between the privileged and the unprivileged made to fight for equality.

1.3 Meaning and Definition of Liberty :

The term, 'equality' is understood in many ways. It has several facets. It cannot be described easily, and it has no precise definition. In fact, like liberty, equality is also a great democratic ideal and like liberty, it has been also understood in different ways. Liberty and equality are two pillars of democracy. In popular parlance, 'equality' is considered synonymous with 'natural equality'. The protagonists of 'natural equality' assert that all men are born equal and nature

has willed them to remain so. But men by nature are not equal. Nor absolute equality is a feasible proposition. In fact, inequality is an inescapable natural fact and it has to be accepted by society.

The ideal of equality is fundamentally a levelling process J.C. Johari explains it in following words : 'The idea of equality has insisted that men are politically equal, that all citizens are equally entitled to take part in political life, to exercise the franchise, to run for and hold office. It has insisted that individuals shall be equal before the law, that when the general law confers rights or imposes duties, these rights and duties shall extend to all; or conversely that the law shall not confer special privileges on particular individuals or groups. **Laski** says : 'Undoubtedly, it (equality) means that no man shall be so placed in society that he can over reach his neighbour to the extent which constitutes a denial of the latter's citizenship. It means that my realization of my best self must involve as its logical result the realization of other of their best selves.' By equality, Bryce implied 'equality of estimation, i.e., all human beings were equal in their ultimate value.' Commenting on it, **Sartori** says : 'For this reason, American democracy, as a way of life, is basically expressed in a general leveling status, in equal treatment and respect for the next man, whoever he may be. Therefore, equality involves, first of all absence of legal discrimination against any one individual, group, class or race. Secondly, it implies equal claims to adequate opportunities for all and the recognition of the fact that there can be no difference inherent in nature between claims of men to happiness. Especially, that no one, person or group, may be sacrificed to another. Finally, it recognize the claims of all to a minimum of education, housing, food and guarantees against economic insecurity.

Self Check Exercise-1

(Answer should not be more than 4-5 lines)

- Q.1. Write about origin of the concept of equality.
Q.2. What is the meaning of 'Equality' ?

1.4 Political Equality as the basis of the American and French Revolutions :

The American and French revolutions were the modern harbingers of equality. Both stood for the abolition of special privileges. The American Revolution stood for the abolition of colonial preferences and privileges enjoyed by British. Americans resented the blatant discrimination practiced against them by the foreign country. The French revolutionaries opposed the feudalism : privileges enjoyed by the noble, who were exempted from taxation. The emphasis of these two eighteenth century revolutions was on political equality, i.e., on the abolition of special privileges. The American accepted the Lockean doctrine of natural equality and the French revolutionaries accepted the views of the philosophers

of the enlightenment. **Locke, Voltaire and Rousseau** laid stress on equality as a fundamental value and vindicated the right of the individual to equality. As the German philosopher, **Kant** said, 'Man should be treated as an end, never as a means. The doctrine of natural rights was in vogue then, as the writings of Locke and Rousseau reveal. **By nature men are equal.** The emphasis of these thinkers is on 'equality of birth' and such an equality does not recognise special privileges.

The political equality, expressed in Jeremy Bentham's dictum. Each person should be for one and nobody for more than one, became the basis of the democratic order that was to follow after the French revolution. However, it is important to note that the emphasis of these philosophers was on 'equality by birth' and their demand was 'equality before law'. In other words, the eighteenth century concept of equality was that of legal and political equality - abolition of special privileges - rather than of economic and social equality. It was hoped that once legal equality was established, economic equality would establish itself.

In the nineteenth century the rise of capitalism and its resultant consequences - economic disparities and exploitation of the working class - gave fillip to the demand of socio-economic equality. This demand was vigorously put forward by humanists, utopian socialists, Marxists and the positive liberals. Alongside the demand of socio-economic equality, the emphasis on political equality also grew stronger. In Britain, the movements to broaden the franchise were launched and as a result many Reform Acts were passed. In America the Civil War (1861-66) led to the abolition of slavery. In Canada, Australia, New Zealand and other countries 'equalitarianism' got a boost as a result of the great impact upon politics of the changes which were taking place. After the Second World War, the Asian and African colonies achieved independence and became the political equals of their former colonial masters. Thus, both within the state and between the states, political equality has become an established fact.

1.5 Types of Equality :

Since equality is a **multi-dimensional concept**, it has different kinds ranging from its natural or moral variety. That is purely an ideal, to its social or economic counterpart. That is purely a realistic affair. We may briefly mention specific kinds of equality in the following manner :

1.5.1. Natural Equality :

It implies that nature has made all men equal. In ancient times the stoics of Greece and Roman thinkers like **Cicero** and **Polybius** contradicted the principle of natural equality as advocated by **Plato** and **Aristotle** by insisting that all men were equal according to the law of nature. It was reiterated by the schoolmen of the Church who advocated the principle of the "Fatherhood of God and brother-hood of man. **Marx** also desired that every man should be treated

as equal as a human creature. In spite of this, the concept of natural or moral equality is just like an ideal to say that all earth is surface.

1.5.2. Social Equality :

While natural or moral equality is just an idea, civil or social equality is an actuality. What we really mean by the term equality is its existence in the sphere of man's social existence. Moreover, though there are some other kinds of equality, they are virtually the offshoots of social equality. Here equality implies that the rights of all should be equal; that all should be treated equally in the eyes of the law. In other words, the respect shown to one man should be determined by his qualities and not by the grace of some traditional or ancestral privileges. There should be no discrimination on some artificial ground.

1.5.3. Political Equality :

It means access of everyone to the avenues of power. All citizens irrespective of their artificial differences should have an equal voice in the management of public affairs or in the holding of public offices. Thus every adult citizen should have the right to vote, to be elected, to hold a public office. In short, it implies the prevalence of democracy and universal suffrage. As **Cushman** has said : In practice the ideal of political equality has centered on universal suffrage and representative government-modern democracy in short.

1.5.4. Economic Equality :

The case of political equality is integrally bound up with the case of economic equality. It, in simple terms; implies equality in the realm of economic power. There should be no concentration of economic power in the hands of a few people. Distribution of national wealth should be such that no section of the people becomes over-affluent so as to misuse its economic power, or any section starves on account of not reaching even up to the margin of sufficiency. Thus, we enter into the realm of equality of proportions. The principle of equality requires that there should be a specific civil minimum in the realm of economic benefits occurring to all.

1.5.5. Legal Equality :

Here equality means that all people are alike in the eye of the law and that they are entitled for its equal protection. It, is in the spirit of modern law to hold certain fundamentals of rights and duties equally applicable to all human beings. As a constitutional principle, 'equality before law' is considered as a fundamental principle of all the modern democratic constitutions. **A.V. Dicey** explains this principle in the following words. 'It consists in equal subjection of all classes to the ordinary law of the land administered by the ordinary law courts it excludes the idea of any exemption of officials or others from the duty of obedience to the law which governs other citizens or from the jurisdiction of the ordinary tribunals.'

Self Check Exercise - 2

Q.1. 'Each person should be for one and nobody for more than one comment.

Q.2. What is the meaning of natural equality ?

Q.3. What do you mean by Legal Equality ?

1.6 Relationship between Liberty and Equality :

The general concept of liberty is inseparable tied up with the concept of equality. Liberty is a condition of equality and vice versa. Equality without liberty will be slavery and liberty without equality will be licence of anarchy. And yet it is a paradox that there is no unanimity of opinion among writers on the relationship between liberty and equality. Whereas some hold the view that they are antagonistic to each other, others believe that the two are complementary, compatible and essential for each other.

De Tocqueville and **Lord Acton** maintain that liberty and equality are incompatible. Both, according to them, exist in inverse ratio, i.e., more of liberty less of equality, and vice versa. 'The passion for equality', says Lord Acton, 'made vain the hope for freedom. Though this conclusion is based on a complete misunderstanding of the nature of truth, if by liberty we mean unrestrained freedom for every individual to satisfy his appetite for wealth and power. Whenever and wherever such a freedom has existed it resulted into a degeneration of the social order and restricting the freedom of the many. In fact, great inequalities of wealth make impossible the attainment of freedom for the less fortunate. Liberty, without equality, is a farce. Civil liberty can only be secured when all are treated as equals in the eyes of law. Political liberty recognizes equal status for all and admits of no official predominance due to any extraneous considerations but the capacity shown by objective proofs which all may try indiffer.

Therefore, to provide harmony between liberty and equality, it is imperative that freedom should be regulated in such a manner that it harmonises the claims of all in society. Equality, certainly, does not mean equal opportunities for unequals. What it means is that every one should have those opportunities which are necessary for the development of one's personality. It means that before somebody could live in luxury, everyone in society would have shelter, enough to eat and survive and be able to lead an honourable life, reasonably compatible with the standard of life in society. To conclude, we can surely say that liberty and equality are not antithetical. Rather they are complementary to each other.

1.7 A Proper View of Equality :

The term equality possesses more than one meaning, and that the controversies surrounding it arise partly, at least, because the same term employed with different connotations. Broadly speaking, equality implies a coherence of

ideas that cover spheres ranging from man's search for the development of his personality to a sort of social order in which the strong and the weak not only live together, rather both have and exercise the right of due hearing. The idea of equality has two sides-positive and negative. In a positive sense, equality means the provision of adequate for all. However, the term 'adequate opportunities' is not synonym of the term 'equal opportunities'. Since men differ in their needs and capacities and also in their efforts, they need different opportunities for their individual self development. Thus, equality of opportunity is achieved only when there is an appropriate opportunity to entire professions or to be successful in business but the opportunity to lead a good life, or to fulfil one's personality. In a negative sense, equality means the absence of undue privileges.

That is, there should be no artificial grounds of discrimination like these of religion, caste, colour, wealth, sex etc. The concept of the equality of opportunity should, however, be understood in a particular sense. We could not (normally) treat men and dogs equally. Yet, at the same time, we do not treat them as equals which clearly they are not.

Finally, the idea of equality implies that all human beings should be treated equally in respect of certain fundamental traits common to all like human nature, human worth and dignity, human personality and the like. Thus, the principle of equality comes to stand on the rational principal of the equality of consideration. What we really demand, when we say that all men are equal, is that none shall be held to have a claim to better treatment than another, in advance of good grounds being produced.

Self Check Exercise - 3

- Q.1. What is the relationship between liberty and equality ?
- Q.2. Explain De Tocqueville and Lord Acton's views regarding relation between liberty and equality.
- Q.3. Explain the meaning of adequate opportunities.

1.8 Conclusion :

Like liberty, equality is an equally important theme of normative political theory. Moreover, like liberty, it is also a subject that cannot be studied in isolation to other related themes. Although we have two opposite views regarding the relationship of liberty and equality. But, in Laski's view 'liberty' and 'equality' are closely related; are compatible and complementary to each other. In fact his attempt to harmonise the concepts of liberty and equality forms the theoretical foundations of his democratic socialist philosophy.

1.9 Answers to the Self Check Exercises

Self Check Exercise - 1

- Q.1. Originally, the principle of equality was a common man's protest against the gross inequalities created by the superior claims of the nobility in ancient

societies. But the formulation of the doctrine of equality is a product of eighteenth century.

- Q.2. The meaning of equality can not be described easily. Generally it means that all human being are equal in their ultimate value. That they are equal to exercise franchise, to run for and hold office. Individuals shall be equal before law and law should imposes rights and duties to all.

Self Check Exercise - 2

- Q.1. It means political equality that is expressed by Jeremy Bentham. This type of equality became the basis of democratic order, prevalent after French Revolution (1789).
- Q.2. According to natural equality nature has made all men equal. All men are equal according to law of nature. But natural equality is not acceptable in the present setup of democratic order.
- Q.3. Legal equality means that all men are equal before law and they are also entitled for equal protection. As a constitutional principle equality before law is considered as a fundamental principle of all the modern democratic constitutions.

Self Check Exercise - 3

- Q.1. The concepts of liberty and equality are inseparable. It is well known dictum that equality without liberty will be slavery and liberty without equality will be only licence of anarchy. But some hold the view that they are opposite to each other.
- Q.2. De Tocqueville and Lord Acton opined that liberty and equality are incompatible. Both are in inverse ratio : more of liberty less of equality and vice versa. Lord Acton's words, 'the passion for equality made vain the hope for freedom.'
- Q.3. The term 'adequate opportunities' does not mean 'equal opportunities'. As men in their needs and capacities and also in their efforts. So they need different opportunities for their individual self-development. 'Adequate opportunities' mean to provide all those opportunities by which a human being can develop his/her bestselves.

1.10 Suggested Readings

- Asirvatham, Eddy - Political Theory
- Prof. Gettell - Introduction of Political Science
- H.J. Laski - A Grammar of Politics
- N. Jayapalan - Comprehensive Political Theory
- J.C. Johari - Contemporary Political Theory
- O.P. Gauba - An Introduction to Political Theory
- www.wikipedia.org
- www.oup.com

JUSTICE : MEANING AND ITS VARIOUS DIMENSIONS

- 1.1 Objectives of the Lesson
- 1.2 Introduction
- 1.3 Meaning and Definition of Justice
- 1.4 Equality and Justice
- 1.5 Legal and Social Justice
- 1.6 Liberal and Marxist view of Justice
- 1.7 Law and Justice
- 1.8 Plato's Justice
- 1.9 Various Dimensions of Justice
- 1.10 Three Principles of Justice : Rights, Deserts and Needs
- 1.11 Conclusion
- 1.12 Answers to Self Check Exercise
- 1.13 Suggested Readings

1.1 Objectives of the Lesson :

- (a) To study meaning and definition of Justice.
- (b) To discuss relationship between equality and justice.
- (c) To discuss the difference between liberal and marxist, and legal and social justice.
- (d) To know about Plato's Justice.
- (e) To discuss various dimensions of Justice.

1.2 Introduction :

In every organized community the ideals of law, rights, liberty and equality have their values and there must be something to bring them together so that we may understand the concept of a well ordered community. As we shall see, justice is the reconciler and synthesiser of political value : it is their union in an adjusted and integrated whole : it is in **Aristotle's** words, 'what answers to the whole of goodness.... being the exercise of goodness as a whole.... towards one's neighbour'. Curiously, the subject of justice has a significance of its own in the realm of political theory in view of the fact that among the proper ends of state and government, it has been given a high rank at all times.

1.3 Meaning and Definition of Justice :

The word '**justice**' comes from the **Latin term 'justia'** which means '**joining**' or **fitting**. The idea of bond or tie underlies the idea of justice.

In common parlance, justice means righteousness or virtuousness is also identified with truth and morality and is considered a standard bearer of the good and bad rulers of society and conducts of man and institutions. **Barker** has extended the meaning of justice by including in it the idea of joining of fitting between value and value in general synthesis of values - the supreme value for a just system of human relations being liberty, equality and fraternity. All these values are present in different degrees in any legal system and there is a constant process of adjustment and realignment between the rival claim of liberty, equality and fraternity according to the prevailing notion of justice. The claims of liberty have to be adjusted to those of equality, and the claims of both have to be reconciled with those of fraternity. According to Barker again, justice is the reconciler and the synthesis of political values. It has to coordinate and draw a harmonious balance between the rights and duties of people living in a society. In short, justice is to be looked at with reference to the total behaviour in society and the characteristics of that society. A man is just if he performs his duties and a society is just if it enables a man to enjoy his rights and 'due share'.

In a narrower sense justice is associated with the legal processes in society. If they help the individual to secure justice, if the law making process is fair and sound, if there exists an independent and impartial judiciary, there is equality of law and equal protection of law etc. then it covers the legal aspect of justice. The view supported by **Plato, Augustine, Thomas Aquinas** etc. Their view is that concept of justice is absolute and eternal and permanent. It does not change with time or changing circumstances. Like truth, it is infallible.

Another view held by **Aristotle, Bentham** and **Mill** etc. is the opposite of the first view. According to them justice is a relative concept and is susceptible to change with changing times, conditions, values and circumstances.

In general the concept of justice is different with changing time and circumstances. In the early period a tribal concept of justice was prevailed. The justice was administered on the principle, 'an eye for an eye, and a tooth for a tooth.' In the early Greek thought the concept defined as the interest of the stronger. During the time of Plato the concept of justice occupied a prominent place. Plato's justice is not legal. It is ethical and philosophical. It has its place in soul. According to Aristotle, justice consists in an equality of proportion between persons and things assigned to them. Further The Roman Jurists' view of justice was based on the conception of the positive law or the law of people. They considered this law in harmony and part of perfect justice and rightness.

In 17th and 18th centuries, **David Hume** strongly criticized the rationalist philosophy of natural rights. He ridiculed the conception of natural justice and liberty. He tried to substitute them by the principles of utility. Jeremy Bentham

(1778-1832) followed Hume's philosophy and declared that the principle of 'the greatest happiness of the greatest number.' In the 19th century the marxists viewed the concept in terms of the economic system and the mode of production in society. So, it is very clear that the concept of justice has not been static. It has been changing with the change of time and circumstances. A precise definition of the term justice is beset with the problem of its normative as well as empirical connotations. While in the normative sense, it implies the idea of joining or fitting the idea of a bond or a tie. In an empirical context, it has its relation with the concept of positive law with the result that law and justice become sister-concepts. It is owing to this affirmation that the fundamental purpose of law is said to be the quest for justice which is to be administered without passion as when it (passion) 'comes at the door, justice flies out of window. If justice is viewed in this sense, it implies' the fulfillment of the legitimate expectations of individual under the existing laws and ensuring him the benefits promised there in and to afford him protection against any violation of his rights or against any encroachment on his rights.

Self Check Exercise-1

- Q.1. Explain the term justice.
- Q.2. Write in your own words definition of justice.
- Q.3. Justice is a relative concept. Comment.

1.4 Equality and Justice :

To say that an action is just, means that it produces a just state of affairs. For example, when the government passes a land ceiling act, we call such a state of affairs just. Because it is a condition of equality. Thus justice relates to men and is distributive in nature. We have interpreted justice as the distribution of benefits and burdens. Distribution does not imply simply the physical act of distribution. Only way of distribution is to allow everyone to retain what he currently possesses. Such a principle does not satisfy the criterion of equality. A genuine distribution involves the distribution of resources as an end in itself. The **Romans** defined justice as 'to each according to his due'. The just state of affairs is that in which each individual has exactly those benefits and burdens which are due to him by virtue of his personal characteristics and circumstances.

Two corollaries flow from the definition of justice, 'to each his due'. First, it implies equality where two men are equal in relevant respects, they should be treated alike. For their 'dues' are the same. Thus justice is necessarily egalitarian and this is one way of interpreting justice.

The second corollary is the idea of proportion. According to Aristotle, justice is not mere arithmetical equality but proportionate equality. It means 'equals for

equals and unequals for unequals'. The application of the principle of proportion enables us to deal with cases where dues are the same and with those where the dues are different. Thus, no doubt it gives room for discrimination when the criterion for discrimination is objective. The practice of discrimination is not regarded as unjust. Different punishments are given to different crimes. Assault and murder are distinguished and the law distinguishes between willful murder and culpable homicide not amounting to murder. The relevant criterion of discrimination is the gravity of the crime committed by the individual. The amount of punishment inflicted on each man should be proportional to the gravity of the crime committed by him. Sometimes, there is a deviation from the observation of the principle of proportion when the courts award deterrent punishments. This is in respect of a particular type of crime which is prevalent, such as rape, child-lifting and eve-teasing. A deterrent punishment may be justified on the ground of social interest, but it would seem that the punishment is in excess of the crime or that merited by the degree of guilt. The imposition of exemplary punishment for the type of crime that is widespread, is tolerated because it would deter other potential offenders. But it has to be admitted that there is an element of injustice in the degree of the penalty imposed. Here, with some measure of compunction we reluctantly allow the utility to prevail over that of justice.

1.5 Legal Justice and Social Justice :

David Miller in his book '**Social Justice**' distinguishes between legal justice and social justice. Legal justice concerns the rights of the individual and assures to all equality before law. Social justice relates to the distribution of benefits and burdens to all members of the society. Legal justice protects the rights of the individual by punishing the wrong doer and compensating civil wrongs through the enforcement of the law. It also lays down the procedures for applying the law such as fair trial and right of appeal. Its basic principle of equality before law means that justice is neither the exercise of charity towards the poor nor the enjoyment of privilege by the rich. Social justice deals with the distribution of benefits and burdens to the members of society. The regulation of wages and profits and the provision of housing, medicine, welfare benefits and educational facilities fall within the scope of social justice. A rearrangement of property system for removing poverty comes under the rubric of social justice. In the mass democracies of the present time, those who exercise power, see to it that social benefits are spread over to all sections of the poor in order to retain the support of the masses.

1.6 The Liberal and the Marxist view of Justice :

The conflict between the liberal and the marxist theories of justice indicate

its complexity in modern time. Locke, the intellectual parent of modern liberalism held the doctrine of social contract or consent and he was a believer in the theory of natural rights. According to him men possess certain absolute moral rights such as the right to life, liberty and the opportunity to pursue happiness. The state's duty is to guarantee and protect these natural rights. The enjoyment of natural rights by the individual which is guaranteed by the state is the basis of justice and the state is designed to guarantee justice which means established rights. From **Locke's theory of justice** which is inseparable from rights. A man's rights are what he is entitled to as a matter of justice. The liberal view of justice, according to **Barker**, is the fitting together in a synthesis the three basic democratic values of liberty, equality and fraternity. For the marxists there is no justice in the class-based, capital society whose inequality springs from the social and political disparity between the haves and the have nots. Justice is realized only in a classless society of communism established after a violent destruction of the present capitalist social order. The marxists do not consider the state as a custodian of the general interest of the community but an instrument of class exploitation in the hands of the capitalists. Whereas the liberal concept of justice upholds the rights of the individual including the right to property and considers the state necessary for the guarantee of rights, the marxist idea of justice does not consider that possession of individual rights against the claims of general social order is necessary for the realization of justice and holds the view that the abolition of the state and the right to property are the necessary conditions for justice. In short the marxists believe that justice is concerned with the order of society as a whole. While the liberals view justice as an expression of individual rights in contrast to the claims general social order. For marxists are collectivists and liberals are individualists.

Self Check Exercise - 2

- Q.1. Explain the relationship between equality and justice.
- Q.2. What is the difference between legal and social justice ?
- Q.3. Write the liberal and marxist view of justice.

1.7 Law and Justice :

Law is a body of binding rules declared and enforced by a human authority. Such a body of binding rules is positive law i.e. the law which is declared and 'set' (positum) and is recognized by the courts and actively enforced by their action (impositum). Positive law is imposed by the state. The two sources of law are (i) the personal source of human authority which in a democratic society is the authority of the community. (iii) the impersonal source of justice or rightness which adds strength to law because it is right and just in itself. Barker points out :

authority gives validity to law and justice give it value. A law has validity and I am legally obliged to obey it if it is declared, recognized and enforced as law by the authority of the legally organized community, acting in its capacity of a state. A law has value and I am bound to obey it not only legally and not only by an outward compulsion but also morally and by an inward force; if it has the inherent quality of justice. Ideally, law ought to have both validity and value. Thus there is a close connection between justice and law. Justice is the impersonal force that sustains the legal system of a country. Since law possesses the inherent quality of rightness and obedience to it is voluntary and the need to resort to force to secure obedience is avoided. Justice includes the whole held of legal principles based on natural justice, custom, precedent and enactment. It also covers the legal procedures that the courts follow. Lawyers equate justice with law because law protects the rights of the individual and enforces the duties which correspond to rights and restricts the area of the legal authority of the state so that the individual may enjoy as much liberty as possible.

This equation of law with justice does not mean that everything that the law does is just. Sometimes law failed to meet the standards of fairness by showing partiality. For example when the tyrant Creon refused Antigone the permission to bury her dead brother, she chose to disobey him by appealing to the higher law which required that the dead should be honoured. This law called natural law expresses ideal values which are nevertheless real for those who believe in it. It is natural law because it corresponds to the nature of man and it is just everywhere and at all times.

1.8 Plato's Justice :

Plato regards justice as the principle of harmony prevailing in the society whose members cultivate the virtue of self-control and do not meddle in the duties of others and practice jobs for which they are naturally fitted. Plato negatively describes this idea of justice in 'The Republic', when he says in refutation of Tyrasymachus that a just man observes a limit and does not engross another man's due to share. Of course the notion of distribution is absent in Plato's definition.

1.9 Various Dimensions of Justice :

There are four important dimensions of justice - legal, political, social, and economic. The legal dimension of justice is concerned with justice ness of the law making institutions and independence of judiciary. Political justice means the equal participation of all in the affairs and power of the state. Social justice lays emphasis on equality and economic justice has a reference to the satisfaction of economic needs of the people or the abolition of private property.

1.9.1 Legal Dimensions :

The legal dimension of justice implies the existence of just and rational

laws and faithful adherence to them. It means that in every state there is one law and one judicial system, and another creation of the state. Law must apply to all men as men and equal protection of life for every one under the law. To achieve the legal justice there is a need of independence of judiciary. The Independence of judiciary is now a universally accepted principal of modern justice. The judiciary is regarded as the watchdog of the constitution and the protector of the rights of the people.

1.9.2 Political Dimension of Justice :

Legal dimension of justice is concerned with the formal rules. The political dimension of justice is concerned with the actual policies through which the political process realizes the norms of justice. The essence of political justice as pointed out earlier, is political equality. Political equality means that all citizen have the same political rights and equal voice in the government and an equal access to all offices of authority provided the necessary qualifications are fulfilled.

1.9.3 Social Justice :

Social justice means social equality which in turn implies that all citizens are equally tangible units of society and no one is entitled to special privileges. All have an equal opportunity to stand up and develop their personality. It implies the absence of all distinctions in a social status of the people because of differences in a race, colour, rank, class or caste. In our Indian constitution 'fundamental rights' and 'directive principles of state policy' with the sole aim of providing social justice to the people at large. The socio-economic dimension of justice is an extension of the legal and political dimension of justice.

1.9.4 Economic Justice :

Economic equality involves sufficiency for all to satisfy their primary needs. Economic justice has been looked at from two different points of views. They are those of the liberals and marxists. The liberals consider the state as an agency to provide socio-economic justice. According to them the ends of economic justice would be met if the state could fulfil the economic needs of the people and disparities of income are reduced in society. Marxists firmly believe that a just socio-economic order could be established only when the proletariat put an end to all modes of bourgeoisie exploitation by smashing the bourgeoisie state apparatus through a successful revolution.

1.10 The Three Principles of Justice : Rights, Deserts and Needs

The definition of justice, 'to each his due', means differently to different persons. There is no single conception of justice. Differences arise when we attempt to decide what a person's due actually means. Three principles of justice are offered as fundamental alternatives. They are (1) rights (2) deserts and (3) needs. The three principles agree on the common point that justice is distributive.

First, justice is interpreted that a man's due is that to which he has a right or is entitled. This point of view may be expressed in the formula, 'to each according to his rights'. These rights do not depend on a person's current behaviour or other individual qualities. For this reason it is appropriate to describe this conception of justice as 'conservative'. It is concerned with the continuity of a social order over time, and with ensuring that men's expectations of one another are disappointed.

Secondly, justice is viewed from an ideal point of view. The distribution of rights itself can be assessed from the point of view of ideal justice. The principle of ideal justice is the principle of desert. Men ought to be rewarded according to their deserts. This is an alternative way in which the general formula of justice is expressed, i.e., to each his due. Here a man's due is taken to mean his deserts. 'Desert' in turn may be interpreted in a number of ways. Although it always depends upon the actions and personal qualities of the persons said to be deserving. Thus a man's deserts may be measured by his moral virtue, his productive efforts and his capacities and so on.

Thirdly, D.D. Raphael considers the criterion of need to be more central to ideal justice than the idea of desert. This is the third interpretation of the definition of justice, 'to each his due'. Thus, justice means to each according to his needs. Need is conceptually different from desert. When, we say that a man needs food, we usually mean that it is necessary for him and it will injure him if he does not have food. According to Raphael, the conception of need is more central to ideal justice, or that he calls 'prosthetic justice' than the conception of desert. Rights and deserts and right and needs are contingently in conflict. In a society conservatives insist on rights primarily, liberals on deserts primarily and the socialists on needs primarily. Only in an ideal society the actual distribution of rights, deserts and needs would correspond to the ideal distribution.

The conflict between the three principles arises only when we strive for a social order in which we give priority to one principle at the expense of the other two. Deserts and needs are necessarily in conflict because no society can distribute its goods according to both need and desert. The conflict between the two seems to be inevitable because they are two different specifications of ideal justice which we all strive for. The reservation of seats in colleges for the backward classes which, in practice, amounts to discrimination against the forward classes is justified on the ground of equity, because this discrimination actually promotes equality by raising the educational level of the backward and scheduled classes to that of the forward classes. This shows that the principle of equality is central to the concept of justice.

Self Check Exercise - 3

- Q.1. What is the difference between law and justice ?
- Q.2. What is Plato's justice ?
- Q.3. Discuss various dimensions of justice.

1.11 Conclusion :

In conclusion, it shall be worthwhile to say that justice is the connecting bond of all important political values. For instance, there can be no liberty if the norm of equality is violated and there can be no equality if there is no justice. Obviously, justice is integrally connected with the norms of liberty and equality. Liberty is closely related with rights and rights are clearly protected by well organised system of law. Obviously, the idea of justice is essentially bound up with the concepts of rights and law. The most important point to be taken note of at this stage is that not only the ideal of justice is integrity connected with the norms of law, liberty, equality and rights, it constitutes the essential link. Justice, in this sense, is the reconciler and synthesiser of political values.

1.12 Answers to the Self Check Exercises

Self Check Exercise - 1

- Q.1. Word 'Justice' comes from the Latin term 'Justia' which means joining. This idea of bond or tie underlies the idea of justice.
- Q.2. In simple words justice means righteousness or virtue. It is a supreme value for a just system of human relations being liberty, equality and fraternity. Justice has to coordinate and draw a harmonious balance between the rights and duties of people.
- Q.3. According to Aristotle, Bentham or Mill etc. justice is a relative concept. It means that the concept of justice has changed with changing time and circumstances. In early tribal like concept of justice was prevailed - an eye for an eye and a tooth. Subsequently, Plato justice was the ethical and philosophical which has its place in soul. Aristotle defined justice consists of equality of proportion between persons and things. Roman jurists described justice as a positive law. Bentham defines justice is greatest happiness of greatest numbers. In modern times justice consists of liberty, equality and fraternity. Therefore justice is a relative concept.

Self Check Exercise - 2

- Q.1. As Justice relates to men and it is distributive in nature. A general distribution involves the distribution of resources as an end in itself. The just state of affairs is that in which each individual has exactly those benefits and burdens which are due to by virtue of his personal characteristics.
- Q.2. 'Legal justice' concerned with the rights of the individual and assures to all

the equality before law. Social justice relates to the distribution of benefits and burdens to all members of the society.

- Q.3. Liberal view of justice according to Locke is the enjoyment of natural rights by the individual which guaranteed by the state is the basis of justice. Liberal view of justice we can explain in Barker's words : justice is fitting together in a synthesis of the three basic democratic values of liberty, equality and fraternity. Marxists criticises this concept of justice. According to them there is no justice in the class based capitalist society. Justice is realised only in a classless society of communism established after a violent destruction of the present capitalist social orders.

Self Check - Exercise - 3

- Q.1. Law is a body of binding rules declared and enforced by a human authority. It is based on recognised the sources of law : (1) personal sources of human authority (2) the impersonal source of justice of rightness which adds strength to law because it is right and in itself, so justice gives value to law. Justice is an impersonal force that sustains the legal system of a country. Justice includes the whole field of legal principles based on natural justice, custom, precedent and enactment. Therefore 'law of justice' are closely connected.
- Q.2. Plato defines justice in his own way. It means principal of harmony between the members of society. Individuals should cultivate the virtue of self-control and do not meddle in the duties of others. They should do the jobs for which they are naturally fit. Plato's justice is ethical or philosophical justice.
- Q.3. (a) Legal Dimension : justiceness of the law making institutions and independence of judiciary.
- (b) Political Dimensions : equal participation of all in the affairs of state. It is concerned with the actual politics through which the political process realises the norms of justice.
- (c) Social Dimensions : means social justice which implies for social equality. All citizens are equal units of society and no one entitled to special privileges.
- (d) Economic dimension of justice includes economic equality. It means fulfillment of basic needs of all.

1.13 Suggested Readings :

- | | | | |
|---|--------------|---|-------------------------------|
| • | N. Jayapalan | - | Political Theory |
| • | J.C. Johari | - | Contemporary Political Theory |
| • | Tom Campbell | - | Justice |

- James Bryce - Modern Democracies
- Ernest Barker - Principles of Social and Political Theory
- M.C. Chagla - The Individual and the State
- Bakhshish Singh - The Supreme Court as an Instrument of Social Justice
- A.C. Kapur - Principles of Political Science
- J.C. Johari - Principles of Modern Political Science

- www.cup.com
- www.routledge.com/books

DEMOCRACY : MEANING, CHARACTERISTICS AND TYPES

Structure**2.4.0 Objectives of the Lesson****2.4.1 Introduction****2.4.2 Development of Democracy****2.4.3 Meaning and Definition of Democracy****2.4.4 Various Aspects of Democracy****2.4.5 Characteristics (Nature) of Democracy****2.4.6 Types of Democracy****2.4.7 Condition for the Success of Democracy****2.4.8 Conclusion****2.4.9 Answers to Self Check Exercises****2.4.10 Suggested Readings and web sources****2.4.0 Objectives of the Lesson :**

After you have read this lesson, you will be able to understand the concept of democracy, its characteristics and various types of democracy. In this chapter, we shall study the democracy as a form of government and as a way of life.

2.4.1 Introduction :

Democracy is a very difficult word to understand. Its numerous connotations have so vastly been stated that there could hardly be a definition of democracy containing all that it possesses. As a system of government, to some, it is a form of government while for others, it is a way of life. It is (a) government of the people for a member of the ruling class, but a narrow and indefensible oligarchy for the poor. As compared to the other forms of non-democratic system, democracy is more educative, more responsive, more responsible, caring more for the people, less prone to revolution and violence. Its chief plus point is its basis, it is based on equality, liberty and welfarism. Democracy is the most popular and loving form of government in present age. *Carl Friedrich* has rightly said, "*Democracy has been the battle cry of the twentieth century. Everyone is for democracy as he understands it*". In modern times, democracy first came into existence in Great Britain and then it expanded to America, France, Switzerland and other countries. *Rousseau, Locke, Montesquieu, Laski, Michels, James Bryce, Seeley, Dicey* and some other political thinkers are the main supporters of this form of government.

2.4.2 Development of Democracy :

The Western idea of democracy has its roots in ancient Greece. But the idea, then, was a perverted idea. Plato and Aristotle had no word of praise for democracy. As Laski says; "It (democracy) was of course a limited democracy based on slavery; and in no Greek community (Athens including) did free citizens constitute the majority of the inhabitants." Aristotle's notions of citizenship, emphasising the virtues of being a legislator and a judge, and of polity, as the government of all in the interest of all, were not even labelled as democracy,' for he had used the term in a perverted sense. During the period of ancient Roman empire, the ideas of good government had sound administration were important but the democratic element, then, was nominal in the republican period and non-existent in imperial.

The Middle Ages had no conception of democracy. The dominance of faith over politics, of Christianity over the kings and the feudal lords, of birth over merit, of extant equality over dead liberty made democracy and the democratic institution a far cry in the whole period of the medieval age.

With renaissance, reformation and enlightenment grew the present form of democracy in the West. Way back, the Magna Carta (1215) had voiced some freedoms; the Petition of Rights (1628) curtailed the absolute powers of the king, the Glorious Revolution (1688) followed by the Bill of Rights (1689) cut short the unlimited powers of the rulers on the one hand and made them accountable for their action. The American War of Independence (1776) and the French Revolution (1789), emphasising on the Rights of Man and on "Liberty, Equality, Fraternity" and the revolutions of 1848 in most of the non-Anglo-French countries of Europe and later winning the suffrage rights brought in focus that the government has to be government of the people.

2.4.3 Meaning and Definition of Democracy :

The word Democracy is combination of two Greek words 'Demos' and 'Kratos', Demos means 'people' and Kratos means 'power', Democracy mean 'people's power' or that form of government where the power is in the hands of the people.

Democracy is a reaction against the 'Divine Rights of the Kings' Absolutism of the State' and 'Totalitarianism'.

According to their viewpoint different writers have given the following definitions of the democracy.

- * According to **Lord Bryce**, "Democracy is that form of Government in which ruling power of the state is vested not in a particular class or classes but in the members of the community as a whole."
- * According to **Prof. Seeley**, "Democracy is a government in which everyone has a share."
- * According to **J.S. Mill**, "Democracy is a form of government in which the whole people or some numerous portion of them exercise the governing power through deputies periodically elected by them."

- * According to **Prof. Gettell**, "Democracy is that form of government in which the mass of the population possesses the right to share in the exercise of sovereign power."
- * According to **Abraham Lincoln**, "Democracy is a government of the people, for the people and by the people."
- * According to **S.E. Finer**, (i) The primary meaning of democracy is government which is derived from public opinion and is accountable to it. (ii) This public opinion is overtly and freely expressed. (iii) In matters of contention between sections of public opinion it is the majority opinion that prevails."

After reading all these definitions we can say that few people think that democracy is a rule of everyone and few think it is the rule of majority. Actually in democracy the supreme power is in the hands of the people who exercise this power either, directly or indirectly, through elected representatives who are responsible to the people. Though the majority has right to rule in democracy yet they also respect the interests of the minority.

2.4.4 Various Aspects of Democracy :

The above definition of democracy only show it as a form of government but it is also form of state, society and economy. Now we will discuss the different aspects of the democracy.

2.4.4.1 Democratic State -

Few writers think democracy as a form of government. Democratic state is that state where the sovereignty is in the hands of the people. The people decide the form of government, use the political power and take final decision on political matters. According to **Prof. Hearnshaw**, "*A democratic state, in short is simply one in which the community as a whole possesses sovereign authority, maintains control over affairs and determines what sort of government machinery shall set up.*"

2.4.4.2 Democratic Government -

In the form of Government, democracy is that government in which people run the government directly or indirectly through their elected representatives. The state administration is not run by keeping in mind the interests of one group or class but the interests of all the people. Government is responsible to the people for its functions and people can change the government if needed.

2.4.4.3 Democratic Society -

Democratic Society is that social set up in which there is no discrimination on the basis of colour, caste, religion, creed etc. and every person is given equal opportunities for his development. In these societies there is no group having special rights. According to **Wolf**, "*A democratic society is a society of free, equal, active and intelligent citizens, each man choosing his own way of life for himself and willing that other should choose their.*" According to **Decey**, "*Democratic society is one in which*

there exists a general equality of rights and a similarity of conditions, of thoughts, of sentiments and of ideas."

2.4.4.4 Democratic Economic Order -

For the success of political and social democracy the democratic economic order is a must. Economic democracy means control of government over production, fulfilment of basic economic needs of people, and equal and proper chances to every citizen to earn his livelihood and equal wages for equal works. Apart from this national income should be distributed in such a way so that the profit of it should reach to every citizen.

2.4.4.5 Democracy is a way of Life -

According to Dr. Beni Parsad "Democracy is a way of life and a man who spent his life according to the democratic principles can be called a democratic man. Equality, liberty, fraternity, respect for others views, cooperation etc. are the democratic values". In this way democracy also teaches us the way of life.

SELF-CHECK EXERCISE-I

- 1. Give Etymological meaning of democracy.**
- 2. Define democracy according to Prof. Seeley.**
- 3. Write down any two aspects of democracy.**

2.4.5 Characteristics (Nature) of Democracy :

Following are the characteristics of Liberal Democracy.

2.4.5.1 Sovereignty with the People -

In democracy the supreme power is in the hands of people and people use their power through their representatives who are elected by them on the basis of universal adult franchise. Representatives are responsible to the people for their actions and people can change them also. In short we can say the ultimate source of state power are the people.

2.4.5.2 State and Government are considered Means -

In democratic forms, state and government is to provide proper opportunities for human growth and development. In dictatorial system state is an end and man is means and every function is done in order to raise the honour of the state. But in democratic states the main aim of the government and state is to protect the interests of all the human beings.

2.4.5.3 Faith in the rationality of Man -

Democracy believes in the rationality of man and believes that man can solve his problem with the help of his intellect. Democracy believes that even illiterate person has some wisdom by which he can do any type of thing.

2.4.5.4 Liberty :

Liberty is very necessary for the overall growth of man. In democracy everybody has right to express his thoughts and emotions, right to form associations, right to religious freedom, right to criticise the government and right to hold any occupation.

State provides proper facilities to protect these types of rights.

2.4.5.5 Equality -

Equality and liberty are complementary of each other and we cannot think of one without the other. Therefore, in democracy all are treated equally. There is no discrimination on the basis of caste, colour, religion, sex etc. No class has special rights. Every body is given equal opportunities according to one's capabilities to raise his status. Every body is equal before law.

2.4.5.6 Fraternity -

The feeling of fraternity is also one of the characteristics of democracy. In this people live like brothers and behave equally. French Revolutionaries gave the slogan of Equality, Liberty and Fraternity. In the preamble of the Indian constitution, to develop the feeling of fraternity has been accepted as an aim.

2.4.5.7 Provision of Fundamental Rights -

Fundamental rights have a special place in the democracy. Fundamental rights are usually included in the constitution and efforts are made to protect these fundamental rights. The Indian, American and French constitutions are its examples. In England the civil rights are protected by the Rule of Law.

2.4.5.8 Independent and Impartial Judiciary -

Independent and impartial judiciary is an important characteristics of democracy. Judiciary protects the civil rights and liberties. Independent judiciary protects the Rule of Law and gives correct judgement to the people. True democracy is that where every body gets right judgement. Independent and impartial judiciary is the basic need of democracy.

2.4.5.9 Rule of Majority -

Actually democracy means to the rule of majority. After a fixed time elections are held any party which achieves majority, rules for a fixed time. But the majority also keeps in mind the interests of minority.

2.4.5.8 Respect of Public Opinion -

Democracy is based on the public opinion. The people express public opinion by different means. Government acts according to the public opinion. Therefore, public opinion is respected in democracy. People are given proper opportunities to express their public opinion.

2.4.5.11 Freedom to form opposition Parties -

In democracy opposition is not suppressed, rather it is respected. Opposition can form associations and organisations. The opposition parties contest election and criticise the government. In India the leader of opposition in parliament and the state legislature is given legal recognition.

2.4.5.12 Open Competition for Political Power -

In liberal democracy the open competition for political power goes on and the

political game is played openly. At the time of election different political parties compete with each other and they try to win the confidence of the people.

2.4.5.13 Periodic Elections -

In liberal democracy there is provision of periodic elections. The voters get an opportunity to express their opinion and select the government of their choice which they can change in next elections.

2.4.5.14 Rule of Law -

In liberal democracy there is rule of law. The administration is run not according to the wishes of the rulers rather according to law and no man is punished only on the violation of law. Law is also the guardian of the freedoms of the people.

2.4.6 Types of Democracy :

According to Historical and Traditional view-point there are two kinds of democracy - (i) Direct Democracy, and (ii) Indirect Democracy. And on the basis of economic system there are two types of democracy - (i) Communistic or People's Democracy and (ii) Capitalistic or Liberal Democracy. These kinds of democracy are explained below :

2.4.6.1 Direct Democracy -

Direct Democracy is the oldest and the pure form of Democracy. In direct Democracy people take direct part in the administration of the state. People take direct part in political system, prepare plans, prepare budget, appoint government officials and also keep control over them.

Direct democracy was popular in Greek City states. The people living in these city states used to take part in the administration directly. Generally the people used to get together in an open place and used to discuss administrative matters. The right to citizenship was given only to very few people. Slaves, women and foreigners were not given right to citizenship. But in the present age the position of city states has been taken over by the Nation States and the population of the state has increased tremendously. The direct democracy is prevalent only in five Cantons of Switzerland.

The following devices are being used to make indirect democracy direct -

- (i) **The Primary Assemblies or Landsgemeinde** - Primary Assemblies or Landsgemeinde are those open assemblies where from time to time the people get together to discuss the state problems. The supreme power rests in these assemblies.
- (ii) **Referendum** - According to Political Scientists referendum means taking public views on any subject. According to Munro, "Referendum is a device by which laws passed by the legislature may be withheld from going into force until it has been submitted to the people and has been accepted at the polls."

Referendum is of two types :-

- (a) **Compulsory Referendum** - When it is compulsory to hold referendum in case of constitutional amendment or law, it is termed as compulsory

referendum. In Switzerland referendum is compulsory on constitutional amendments.

- (b) **Optional Referendum** - When it is not necessary to hold referendum rather it depends on the will of the people or legislature, then it is termed as optional. In Switzerland 30,000 voters or eight Cantons can ask for referendum. Apart from this the legislature can hold referendum on any bill.
- (iii) **Initiative** - Under this provision the people take initiative to make any law and give proposals about it. Legislature has to put such bills before the people for their approval. In Switzerland the right to initiative is given in case of constitutional amendments. If 50,000 voters demand for special change in constitution then federal assembly has to hold referendum on such a proposal. There are two types of initiative -
 - (a) **Formulated** - In this case people formulate the bill and put it before the legislature.
 - (b) **Unformulated** - Unformulated initiative is in the form of proposals.
- (iv) **Right to Recall** - In many countries if the representatives become irresponsible after their election they can be recalled. This helps in making the representatives responsible.

2.4.6.2 Indirect Democracy -

Present age is the age of indirect democracy. This is also called representative democracy. In this, people elect their representatives on the basis of universal adult franchise and these representatives run the government. Representatives are responsible to the people for their use of power. In India, England, America, indirect democracy is prevalent. According to **J.S. Mill**, "*Indirect or representative democracy is one in which the whole people or numerous portion of them exercise the governing power through deputies periodically elected by them.*"

2.4.6.3 Communistic or People's Democracy -

In 20th century a new form of democracy came into existence which is called communistic or People's Democracy. The Communist claim that they possess the real democracy. In these countries the means of production are under the control of society and the profit is used for the welfare of the society. Personal property is given no importance in this form of democracy. Everybody works according to his capacity and gets according to work. In these countries economic security and equality are given prominence.

But in communist countries political liberties are not given much importance. Communist Party has the sole control over political power and it does not tolerate any opposition. People can neither express their views independently nor criticise the government. All these factors are against the basic principles of democracy.

2.4.6.4 Capitalistic or Liberal Democracy -

This is the oldest and real form of Democracy. This form is prevalent in England, Canada, America, Japan, etc. Means of production are under private control. Economic

liberty, Civil and political liberty, rule of law, independent judiciary are some of the characteristics of Liberal Democracy.

In capitalistic and liberal democracy though people enjoy political liberty but they do not enjoy economic security. Apart from this the political institutions like legislature, political parties etc. are under the control of the rich people and they use political power for their own interests. But now liberal democratic countries are giving special attention to economic welfare and the governments of England, America and France are its example.

SELF-CHECK EXERCISE-II

1. Write down any two important features of democracy.
2. Write down any two devices of direct democracy.
3. What is 'Right to Recall'?

2.4.7 Necessary Conditions for the Success of Democracy :

Democracy is like a plant which requires congenial climate or atmosphere. The following conditions are necessary for its success.

Liberal Democracy is like a very good plant which requires a congenial atmosphere, in the absence of which it will either die or wither away. The following conditions are necessary for its success -

1. **Eternal Vigilance** - Eternal vigilance is the price which democracy demands. Citizens need to be vigilant of their rights and duties. They should take active part in the affairs of the state and should play positive role in different areas. Ignorance and laziness need to be avoided.
2. **Educated and Intelligent Citizens** - This is often said that, "Man without education is like an animal." Education enables the man to distinguish between wrong and right. An educated man is aware of his duties and his rights. They can understand the political problems in a better way. Therefore, educated and intelligent men are needed for the success of democracy.
3. **High moral character of People** - High moral character is necessary for the success of democracy. The feelings of patriotism, honesty, patience, cooperation, discipline, charity etc. are necessary among the people. According to **Dr. Hearnshaw**, "*The democratic principles are essentially religious in character.*" Therefore, moral standard of people should be high like religion.
4. **Economic equality and Prosperity** - Economic inequality and poverty are two main obstacles in the way of democracy. A poor man can not take part in politics, he cannot contest elections, he cannot become a good leader, he cannot exercise right to vote independently. He is always thinking of the problem of clothing, food and housing. Where there is a wide gap between the poor and the rich, the rich make use of power of money to exploit the poor and they think only of their own interest. Therefore, economic equality and prosperity are necessary for the success of democracy.

5. **Social Equality** - Social equality is also needed for the success of democracy. Discriminations on the basis of caste, colour, sex, religion etc. should be prohibited. **Prof. Hearnshaw** has rightly said, "*Democracy demands elimination both of privileged nobility or a benefitted clergy on the one side and of an oppressed industrial proletariat or an enslaved peasantry on the other.*"
6. **Independent Judiciary** - For the protection of individual liberty and rights in democracy, independent judiciary is essential. Judiciary must be independent from the control of executive and legislature and there should be provision of its independence in the constitution so that it can perform its functions impartially and independently.
7. **Free and Honest Press** - Press is called as watchdog of democracy because press criticises the wrong policies of the government. This helps in making the government responsible. Apart from this the press listens to the problem of the people and puts it before the government. This also works as a link between the people and the government. But press should be honest and free to perform these responsibilities. Press should evaluate the national and international problems properly and impartially.
8. **Well organised political parties** - We know that democracy cannot work without political parties. Political parties organise the people for elections and they prepare public opinion. Opposition parties criticise the ruling party and make it responsible. But for all this, political parties should be properly organised. Social, economic and political programmes should be the basis of political parties and they should try to promote national interest. Political parties based on wrong principles are dangerous to national interests.
9. **Good Constitution** - A good constitution is also necessary for the success of democracy. Constitution provides basis of the administration. Therefore, it should be based on the democratic principles like equality, liberty, justice, fraternity etc. There must be provisions for the protection of rights. Apart from this constitution should be amendable. The functions of the different organs of the government and their mutual relations should also be discussed.
8. **Decentralisation of Powers** - For the success of democracy the powers need to be decentralised at village, city province and national level. The administration should be run from different centres and maximum number of people should be associated in administration. Centralisation of powers is the other name of dictatorship.
11. **Free and fair Elections** - Elections are the life and soul of democracy. It is through elections that the people elect their representatives and express their confidence in the government. So, to conduct free and fair elections proper arrangements should be made. If the elections are not free and fair, the people are going to lose their faith in democracy.

- 12. Rule of Law and Civil Liberties** - For the success of democracy it is necessary that in the constitution, proper arrangements are made for the protection of civil liberties such as personal freedom, freedom of movement, religious freedom, freedom of thoughts and expression, freedom to form political parties etc. There should also be rule of law instead of rule of man and man should be punished only on the violation of law.
- 13. Public supremacy over Military** - For the protection of democracy public supremacy over military is necessary. Military should be under the civil authorities. In present age military has succeeded in overthrowing, democratic governments. Bangla Desh, Pakistan and Thailand are its examples. Therefore, provisions has to be made in order to protect democracy from this danger.

2.4.8 Conclusion :

Democracy indeed, is the best of all the forms of government, and yet it i the most difficult. It needs a conclusive environment for its sustenance, survival and success. Socially, there must be social justice and sense of unity. Economically, there has to be economic equality and economic security. Politically, there should be liberty, law and order, judicious majority and cooperative minority, rule of law etc. In a nut shell, democracy is not merely a form of government, but it is a art of living on a way of life.

2.4.9 Answers to Self Check Exercises :

SELF-CHECK EXERCISE-I

1. Demos & Kratos, Demos means (People) and Kratos means 'power'. So democracy means power of the people or rule of the people.
2. Seeley, 'Democracy is a government in which everyone has a share.'
3. Democratic state and Democratic society.

SELF-CHECK EXERCISE-II

1. Liberty, Equality and Fraternity.
2. Referendum and Initiative.
3. If representatives become irresponsible, they can be recalled.

2.4.8 Suggested Readings and web sources :

- | | | | |
|---|--|---|-------------------------------------|
| * | O.P. Gauba | : | An Introduction to Political Theory |
| * | Andrew Heywood | : | Political Theory |
| * | N.D. Arora & S.S. Awashty | : | Political Theory |
| * | Eddy Asisvatham | : | Political Theory. |
| * | C.B. Macpherson | : | Democractic Theory. |
| * | David Held | : | Models of Democracy |
| * | www.wikipedia.org | | |
| * | www.amazon.com/books | | |
| * | www.routledge.com/books | | |

THEORIES OF DEMOCRACY : LIBERAL AND MARXIAN

Structure

2.5.0 Objectives of the Lesson

2.5.1 Introduction

2.5.2 Liberal Notion of Democracy

2.5.3 Marxist Theory of Democracy

2.5.4 Conclusion

2.5.5 Answers to Self Check Exercises

2.5.6 Suggested Readings and web sources

2.5.0 Objectives of the Lesson :

After reading this lesson, you will be able to understand the liberal notion of democracy and Marxian theory of democracy. In this chapter, we shall study the various theories of democracy.

2.5.1 Introduction :

Democracy is the most popular in present age and this is considered as the best form of government. Democracy is not a mere form of government. It is a type of state as well as an order of society. Even friends of democracy have at times interpreted democracy to mean only a form of government. Thus *J.R. Lowell* says that democracy is only "an experiment" in government. *Lincoln* defines it as 'government of the people, by the people, and for the people.' *Seeley* describes it as 'a government in which everyone has a share'. Even *Lord Bryce*, in his monumental work 'Modern Democracies', treats it only as a form of government. But in addition to being a form of government, a type of state and an order of society, it is a way of life or out of living. In the last analysis, democracy stands for democratic value. No government has a right to be called democratic if it does not bring out the best in man.

Democracy is a practical manifestation of the enthusiasm for humanity. It is a concrete attempt at the reconciliation of the apparently contradictory principle of liberty, equality and fraternity, in order that every individual in the community may be enabled to attain the highest good possible for him.

2.5.2 LIBERAL NOTION OF DEMOCRACY :

Democracy is an old concept; liberalism is a recent one. Today, liberalism is

generally thought to be inseparable from democracy so much so that the term 'democracy' is applied to denote 'liberal democracy' unless otherwise specified. But as C.B. Macpherson in his *"Democratic Theory-Essays in Retrieval"* (1973) has observed, "Until the nineteenth century liberal theory, like the liberal state, was not at all democratic, much of it was specifically antidemocratic." Thus, classical liberalism of the eighteenth and nineteenth centuries insisted on property qualification for the right-to-vote. This was contrary to the democratic principle which implies equal entitlement of each individual not only in the matter of choosing a government but also to the other advantages accruing from organized social life.

But a combination of the two antithetical principles-liberalism and democracy-became inevitable in a later phase because of historical reasons. Thus the liberal state was forced to accommodate democratic principles in order to save its own existence. The outcome of this combination emerged in the form of liberal democracy. It represents a combination of free-market economy with universal adult franchise. It is an attempt to resolve the conflicting claims of the capitalists and the masses by making gradual concessions under the garb of a 'welfare state.'

Liberal democracy today, is distinguished from other forms of political system by certain principles and characteristics, that is, its procedure and institutional arrangements.

2.5.2.1 Principles of liberal democracy

Broadly speaking, principles of liberal democracy include;

1. Government by Consent

Democracy is government by consent of the people. Rational consent can be obtained by persuasion for which an atmosphere of free discussion is essential. Any regime where the consent of the people is sought to be obtained without freedom of expression of divergent opinions, does not qualify for being called a democracy even if it maintains certain democratic institutions.

In view of the highly technical nature, the large volume and urgency of governmental decisions, it is impractical to consult the people on every detail of every policy. However, discussion of the broad issues is indispensable.

2. Public Accountability

Liberal democracy, based on the consent of the people, must constantly remain answerable to the people who created it. John Locke (1632-1704) who thought of government as a 'trustee' of the power vested in it by the people for the protection of their natural right to life, liberty and property, nevertheless, felt that it could not be fully trusted. He wanted the people to remain constantly vigilant. Jeremy Bentham (1748-1832) envisaged liberal democracy as a political apparatus that would erase the accountability of the governors to the governed.

Jean-Jaques Rousseau (1712-78), the exponent of popular sovereignty, postulated public accountability of government in a different way. Rousseau commended

an active, involved citizenry in the process of government and law-making. He wanted that all citizens should meet together to decide what is best for the community and enact the appropriate laws.

3. Majority Rule

In modern representative democracies, decisions are taken in several bodies-legislatures, committees, cabinets and executive or regulative bodies. Majority rule means that in all these decision-making bodies, from the electorate to the last committee, the issues are to be resolved by voting. Political equality is secured by the principle of 'one man, one vote,' which implies that there will be no privileged sections claiming special weightage, nor any underprivileged sections whose voice is ignored.

The principle of majority rule relies on the wisdom of the majority. Minority opinion has the option to enlist the support of larger numbers by persuasion in an atmosphere of free discussion.

4. Constitutional Government

Constitutional government means a 'government by laws' rather than by men. Democracy requires an infinitely complex machinery of processes, procedures and institutions to translate the majority will into action. It makes enormous demands on the time, goodwill and integrity of its citizens and public servants.

2.5.2.2 Mechanism of Liberal Democracy

Once principles of liberal democracy are accepted, the next step is to identify the mechanism that puts these principles into practice. This would enable us to distinguish a liberal-democratic system from other political system, viz. totalitarian and autocratic systems. The champions of liberal democracy recognize certain institutions and procedures as essential characteristics of democracy. The presence or absence of these characteristics will determine whether a system is democratic or not.

1. More than One Political Party Freely Competing for Political Power

Liberal democracy seeks reconciliation between varying interests and ideologies of different groups. There is no fixed method of securing this reconciliation. When there is a free competition between more than one political parties for power, the people get an opportunity to consider various alternative policies, programmes and personalities to exercise their choice. According to this test single party systems do not qualify as democracies.

2. Political Offices Not Confined to any Privileged Class

In a liberal democracy a political office or public office can be acquired only through the support of the people, not by birth, tradition or anybody's favour. This feature of democracy distinguishes it from feudalism, monarchy and despotism etc. In a democracy all citizens enjoy equal rights and status. Any citizen can have access to political office by following the prescribed procedure and fulfilling certain conditions. However, in order to secure due representation for all strata of the population, some seats in the decision-making bodies can be reserved for minorities or weaker

sections. It is believed that such provision would strengthen democracy rather than weaken it.

3. Periodic Elections Based on Universal Adult Franchise

Since representative government is the only practicable method of establishing democracy in the present-day world, periodic elections become necessary for this purpose. Each citizen should have the right to vote on attaining the prescribed age (say, 18 years); nobody should be disqualified on grounds of caste, creed, sex, language, region, etc. It is true that the principle of universal adult franchise was introduced in modern democracies only gradually, but today it is regarded a necessary condition of democracy.

4. Protection of Civil Liberties

The protection of civil liberties, such as freedom of thought and expression, freedom of religion, freedom of assembly and association, and personal freedom, i.e. freedom from arbitrary arrest, is an essential characteristics of liberal democracy. Without civil liberties, will of the people cannot be translated into public policy and decision. Civil liberties, therefore, constitute the core of democracy.

5. Independence of the Judiciary

Freedom of the people cannot be secured in the face of concentration of governmental powers in any organ. Liberal democracy, therefore, insists on the separation of powers between different organs of government. While the executive and the legislature might become interdependent in a parliamentary government, the judiciary must be kept independent of both. Independence of judiciary enables the judges to pronounce their verdict without fear or favour. This strengthens the faith of the people in the regime and ensures continuity and stability of the judicial procedure.

2.5.2.3 Evaluation

The above conditions must be fulfilled in a liberal democracy under the normal circumstances. However, some flexibility in these conditions may be conceded under special circumstances, such as emergency. In any case, the mere fulfilment of these conditions should not lead us to complacency. In a developing nation, like India, an apparent democratic structure may suffer from several inner distortions. For instance, the existence of more than one political party competing for political power may simply involve conflict and competition between certain dominant and vocal interests, such as large manufactures, big businessmen, rich peasants and landlords, for acquiring a hold on political power rather than for serving the public interest more effectively. Similarly, vested interests may try to foster a feudal political culture among the people so as to reduce them to submissive voters rather than vehicles of social change. Then there may be complete freedom of the press, but the press might be owned exclusively by big business houses who may use it for moulding public opinion so as to serve their vested interests. Also, the freedom of expression might become redundant because

of vast illiteracy, mass ignorance, widespread superstitions, abject poverty and general apathy of the people. It is also possible that the judiciary is independent of both the executive and the legislature, but some judges might uphold the values of a bourgeois society and thus dispense a distorted form of justice.

In a nutshell, the mere structure of a liberal democracy is no guarantee of achieving the objectives of democracy. In any case, the prolonged practice of following democratic procedure may create greater political awareness among the people and a general transformation of the attitudes of power-holders.

SELF CHECK EXERCISE-I

- 1. Who wrote 'Democratic theory-Essays in Retrieval'.**
- 2. Write down any two principles of liberal democracy.**

worked effectively well in Western political systems, that any other alternative of democracy could not and has, in fact, not worked, and that the socialist model as against the elitist one, has proved infeasible.

SELF CHECK EXERCISE-II

- 1. Any two Protagonists of Elitist theory of democracy?**
- 2. Who wrote 'Capitalism, Socialism and Democracy'.**

2.5.3 MARXIAN THEORY OF DEMOCRACY

Before Russian Revolution of 1917, close relationship between democracy and socialism was accepted. But after 1917 the dictatorship of Proletariat was established in U.S.S.R. Marx and Engels never accepted that the dictatorship of proletariat is opposed to democracy. But after revolution so many things happened which forced to accept that 'Marxism' and 'Democracy' cannot go together. On the other hand Marxists started propagating that they were making efforts to establish 'Socialist Democracy' which was found nowhere in the world. According to Marxists, in socialist states, the people do not only take part in administration, rather they are also free from economic worries. According to them the western democracy is only an eye-wash.

According to Karl Marx, who is considered as the father of Marxism, the aim of human beings is economic abundance and that government will be considered democratic and popular which can guarantee the abundance of material commodities and which also protect the people from economic difficulties. According to John Hazard, "For Marx, democracy become a mechanism of government to be used by majority to decide what it wants to do." In the words of Karl Marx, "In place of old bourgeoisie society with its classes and class antagonisms, we shall have an association, in which the free development of each is the condition for the free development of all."

According to Lenin the concept of "Dictatorship of Proletariat" is more democratic than the concept of Liberal Democracy, because in this, capitalist, who is in minority will not rule over majority rather proletariat will rule over minority capitalists.

Stalin goes on to declare that pure democracy is possible only in the socialist system. He declared the contemporary Russian government as the most democratic government in the world. In 1936 he gave a new constitution to the people of Russia in which he provided Economic rights apart from Political and Civil Liberties. Thus, Russia became the first country in the world which provided the right to work to everybody.

After reading above written views we can conclude that Marxists had considered democracy as the best form of government but Marxists were very critical of Western Liberal Democracy.

Marxist theory of Democracy can be divided into three main sub heading :-

- a) Bourgeoisie (capitalistic) Democracy
- b) Dictatorship of the Proletariat
- c) Socialist Democracy.

2.5.3.1 Bourgeoisie or Capitalistic Democracy

Bourgeois is French word which means 'Shop Keeping Middle Class'. Marxists used this word for 'middle class' 'Capitalist Class and Non Socialist System.' They think that in all capitalist countries, the political power rests in the hands of capitalist or Bourgeoisie class by which it exploits the common people. In this system the Political and Civil rights are only an eye-wash because all rights are meaningless without economic equality. Capitalists have sole control over the machinery of the government and this system is called Bourgeoisie Democracy, "Thus, in capitalist society we have a democracy that is curtailed, wretched, false, a democracy only for the rich, for the minority."

In short, the Marxists believe that the capitalistic democracy is just an eye-wash. It protects the interests of the capitalist class which is always in minority. And the interests of the working class, which is always in majority, are brutally suppressed.

2.5.3.2 Dictatorship of the proletariat

Marxists think that the condition of working class cannot change until capitalist system is finished. Secondly, they think capitalism cannot be abolished by constitutional or peaceful means. Therefore, they are in favour of adopting revolutionary means to end capitalism. According to famous Russian leader Lenin, "The liberation of oppressed class is impossible not only without violent revolution, but also without the destruction of the apparatus of state power which was created by the ruling class."

To achieve these ends Marxists want to establish 'Dictatorship of the Proletariat.' In the words of Karl Marx, "For the establishment of true democracy, dictatorship of the Proletariat is inevitable. Karl Marx has further written, "The first step in the revolution by the working class is to raise the proletariat to the position of ruling class to win the battle for democracy."

In Revolution of 1917, Lenin ended dictatorship from the Russian soil and took the control of the state power. After this each and every city came under the control of the Red Army. Revolutionaries took the control of the telegraph department,

railway stations, banks and established the dictatorship of the proletariat in only a transitional state. Their final aim is to create a classless society where there will be no ruler or ruled.

But it is worthy to tell that in 1956 Russian Leader Nikita Khrushchev said that capitalism can be finished by constitutional means also. Today the Communist Parties of France, Italy and Spain, which are also called "Euro Communists" also accept that socialism can be brought by democratic means. But traditional Marxists were in favour of violent revolution.

Therefore, in short, the Dictatorship of the Proletariat is a transitional period whose main aim is to destroy capitalism and to strengthen socialism.

2.5.3.3 Socialist Democracy

We have studied earlier, that according to Marxists, Dictatorship of the Proletariat is transitional stage between 'Capitalism' and 'Socialist Democracy'. With the complete development of socialism, the crimes will come to an end. Jails and Police will ultimately become irrelevant. Due to all these reasons state will wither away. This will result into a classless and stateless society. Engels regards it as complete Democracy.

In the beginning Lenin also thought that a time will come when the state will not be needed but he accepted that so long there is a danger to society in any form, the state will be needed. Then Socialist Democracy will be established in 'socialist countries'.

Characteristics of Socialist Democracy - According to Prof. John N. Hazard, L.G. Churchward, R.L. Braham, and H.G. Shaffer the following are the main characteristics of Socialist Democracy-

1. **Absence of class Conflicts** - The class conflict will come to an end with the social control over production and means of production.
2. **There will be no political Apathy** - In Socialist Democracy man will enjoy right to rest and leisure apart from right to work. Working class will be conscious of its rights which will remove their apathy.
3. **Consensus on general Matters** - In Socialist countries the dictatorship of one party is accepted and the critics of socialism regard it anti-democracy. But Marxists think that in communist countries there is absence of opposite interests and there is consensus on general matter.
4. **Collective Leadership** - After the revolution good leaders will be needed to take people on right paths. But Lenin was against personal leadership and he was in favour of collective leadership.
5. **Provision to recall the representatives** - In Socialist countries people have right to recall the irresponsible representatives. From 1968 to 1978, 4000 members of different soviets were recalled before completion of their tenure in former U.S.S.R.
6. **Basic rights and freedoms for Citizens** - Economic and social right are

given emphasis in Socialist countries. U.S.S.R. was the first country in the world which had provided the right to work.

2.5.3.4 Critical evaluation of the marxian concept of democracy

The supporters of the Liberal Democracy consider socialist democracy as Negation of Democracy. They think that these two concepts can not go together. This concept has been criticised for the following reasons -

1. **Democracy and Dictatorship cannot go side by side** - First thing is that democracy and dictatorship are opposite to each other and there is no co-relation between the two. It is wrong to say that dictatorship of proletariat is true democracy.
2. **Revolutionary methods are against democratic Principles** - Democracy believes in peaceful and constitutional means for bringing change but traditional Marxists believe that changes cannot come without revolutionary methods.
3. **One party rule is Undemocratic** - Marxists believe in one party system and they do not tolerate the existence of other parties, which is against democracy.
4. **Political Liberties are just an Eye-wash** - Marxists provide right to vote, right to contest election, right to criticise the government and other political rights but these political right are mere an eye-wash.
5. **Judiciary is not Independent** - Independent Judiciary is necessary for the success of democracy but socialists do not give importance to the independence of judiciary.
6. **State intervention in Private Affairs** - Socialist governments interfere in the private affairs of their citizens. Right to personal property is not accepted in these countries.
7. **It is totalitarian form of Government** - It will not be wrong to regard socialist government as a totalitarian government because it controls the whole human life.
8. **Unrepresentative character of representative Assemblies** - In these assemblies the majority is of one party and the members are responsible to the communist party rather than to the people. Apart from this an ordinary man cannot even think of becoming the member of these assemblies.
9. **Press is not Independent** - Press which is the watch-dog of liberties and guardian of democracy is not free in socialist countries.
10. **State has not withered Away** - Marxists opinion that the state was a temporary institution and it shall wither away has not come true. Even in the communist states there is no sign of the withering away of the state rather the importance of the state is increasing day by day.

Though there are many drawbacks in the Marxists theory of democracy yet we cannot ignore its importance. The influence of this theory can be seen in many countries and working class see a ray of light in this form of government. This is a practical theory which advocates to end the exploitation of the working class and to raise their standard. This theory has been given practical shape in socialist countries. They want to create a world free from exploitation.

SELF CHECK EXERCISE-III

1. Describe kinds of Marxist theory of democracy.
2. Any two point of Criticism of Marxist theory.

2.5.4 Conclusion :

In the end, it can be said that all the three theories of democracy : liberal, Elitist and Marxist are not perfect/complete in the sense. They explain different-different perspectives and factors. So finally it can be said that a theory is needed that explain all the aspects and factors of present democracy and democratic tradition.

2.5.5 Answers to Self Check Exercises

- I.
 1. C.B. Macpherson
 2. Protection of Civil Liberties, independence of judiciary
- II.
 1. Pareto, Mosca, C. Wright Mills
 2. Joseph Schumpeter.
- III.
 1. Bourgeois democracy, dictatorship of proletariat and socialist democracy.
 2. Totalitarian Govt., Press is not independent.

2.5.6 Suggested Readings and Web Sources :-

- * Eddy Asirvatham : Political Theory
- * Andrew Heywood : Political Theory
- * J.C. Johari : Principles of Political Science
- * S.P. Verma : Modern Political Theory
- * M.P. Jain : Political Theory
- * Sushila Ramaswamy : Political Theory
- * C.P. Macpherson : Democratic Theory
- * David Held : Models of Democracy
- * www.oup.com
- * <http://jccc-ugcinfonet.in>

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