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DEPARTMENT OF POLITICS**

**INTRODUCTIONTOPOLITICS
E-CONTENT**

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MODULE I
Unit 1

THE STUDY OF POLITICS

Unit Structure

Introduction
Definitions of Political Science
Nature of Political Science
Scope of Political Science
Summary
Questions

OBJECTIVES

- 1) To understand the changing meaning, nature and scope of political science as a social science

INTRODUCTION

The lesson would enable the student to know the Definitions and Meaning of Political science. The Definitions would reflect the changing understanding of Politics. It is difficult to give a single precise definition of Political Science. It varies from person to person depending upon the importance he gives to various aspects of political life. The study of Political Science began with the Greeks.

DEFINITIONS OF POLITICAL SCIENCE

Various definitions of Political Science given by the ancient, Medieval and modern political scientists of this subject are as follows

1] Origin:- The term 'politics', is derived from the Greek word 'Polis', which means the city state. According to Greek Philosophers, Politics was a subject which dealt with all the activities and affairs of the city state. Their City States were known as 'Polis'. City state was an all inclusive term, as the ancient Greeks made no distinction between the state and the Government on one hand, and State and Society on the other. They never differentiated between personal life and social life. Hence according to them Politics was a total study of man, society, state, morality and so on.

2] Politics as the study of the state:- Traditionally Political science is a science of state. Political thinkers like R.G. Gettel, J.W. Garner, Bluntschli and many others were of the view that political science was the study of the state.

R.G. Gettel defined "Political Science as a study of state in the past, present and future and of Political institutions and Political theories". **J.W. Garner States**, "Political Science begins and ends with the state"

3] Politics as the study of the Government :- Some Political Scientists like Paul Janet, George Catlin, Hans Eulan have accepted the view which states that politics deals with the state and government. **Paul Janet writes** "Political Science is concerned with the foundations of the state and principles of government. **George Catlin states** "Politics means either the activities of political life or the study of these activities. And these activities are generally treated as activities of the various organs of government."

Prof Hans Eulan considers in his definition of politics that the study of formal government is a fundamental concern of politics. The **Oxford English Dictionary defines** Political Science as "the study of the state and systems of government."

4] Politics as the study of national Institution :- **Bridal** expressed the view that "Political Science is, above all, descriptive study which brings together the description of national political institutions, their history, their ideological principles, their working, the forces that direct them, the influence they undergo, the results they obtain and their effect on the life of the country and its relations with neighboring states".

Traditional Approach :- The concept of Political Science as a study of State, Government and national Institution is not considered adequate today. This aspect of above definitions emphasizes the legal structure only. They do not pay attention to what is happening within the State. Political Science must include the study of informal structures, facts and reality of Politics. Hence, modern Political thinkers defined Political Science differently and taken modern approach.

5] Political Science as a Study of Power :- Modern Political thinkers like Lasswell, Robert Dahl have defined politics in terms of power, influence, and authority. According to these thinkers Power has acquired prominent position in political thought.

Harold Lasswell considers, "Politics is the study of shaping and sharing Political powers"

Robert A. Dahl defined that, “A Political system is any persistent pattern of human relationship that involves, to a significant extent power, rule or authority.”

6] Political Science as a study of Conflict Resolution :- This view was suggested **by Miller** in his ‘Nature of Politics’. The purpose of a political activity is either to bring about a change or resist a change. People compete with each other to satisfy their needs. When resources are limited and the people who want to utilize them are many conflicts arise. Politics is a means to resolve this conflict.

According to Peter B. Haris “ The Modern emphasis in the study of Politics is laid on disagreements and reconciliation or resolution of these disagreement.

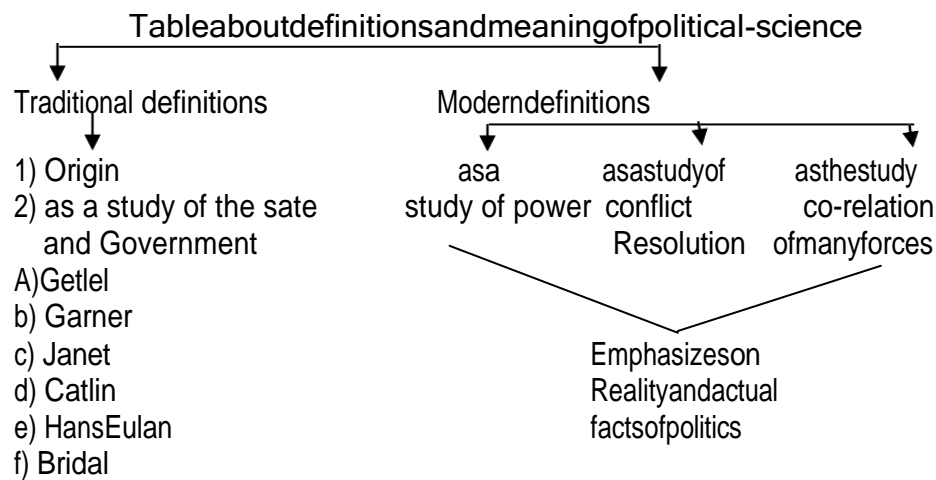
7] Political Science as a Study of Co - relation of many Forces Encyclopedia of Social Sciences States, “Present day political science revolves around the problem of the attainment, consolidation and distribution of political power whether in an actually existing state or a hypothetical state”.

Political Institution and politics can not function in vacuum. Social and economic forces affect the political process. Hence they also must be taken into account.

Analysis and Conclusion :- The several definitions of the term Political Science reflect the changing understanding of the discipline. From above definitions we may say that there are mainly two approaches of looking at Political-Science. 1) Traditional approach 2) Modern approach. The Traditional Approach suggests that Political-Science is the study of State, Government and National Institutions. It studies the formal, legal structures and theoretical part.

The Modern Approach emphasizes “What is actually happening in the state”. It stressed on reality and actual facts of politics. Thus it studies various forces, processes and informal structures making it dynamic.

However, it can be said that political - Science is a systematic study of the State, Government, Political institutions, Power, influence and authority, Political processes and Political forces.



3) Emphasizes on-Theroitcal part legal structure

Check Your Progress

1. Give any two definitions of Political Science.
2. Who is called the father of Political Science?

NATURE OF POLITICAL SCIENCE

Political – Science is a social science. Its nature is different than physical sciences like physics and chemistry. Whenever we study the origin, evolution and development of Political Science; we find various aspects of the nature of Political Science. The definitions and meaning of Political Science shows that it is a systematic study of Political theory, Political Institutions, Political forces and processes. When we call Politics as 'Political Science', we have to see how far this subject stands to the tests of science in the strict sense of the term. In this unit we discuss the nature of Political – Science as a social science.

1] Is it a Science ?

Very often a question is raised whether the discipline of Politics can be regarded as a science? There is no unanimity among Political thinkers whether the subject is a Science. What is a Science?

“Science is a systematic body of knowledge, the facts of which have been accurately and impartially collected, arranged and classified through the use of various scientific methods of observation, comparison and experimentation”.

Various arguments are forwarded for and against the discipline being a science.

ARGUMENTS THAT IT IS NOT A SCIENCE:-

Political Scientists like Maitland, Burke, Gettel do not think that Politics is really a Science. Their arguments are as follows :-

1] Disagreement in Definition, Terminology and Methods :-

There is no general agreement among Political thinkers regarding definition, scope, terminology etc. There is no exactness or precision in the political science, as a result, they cannot be accepted and applied universally. This does not happen in case of natural sciences like physics and chemistry.

2] Lack of Precision :- Principles of Political Science are not precise, clear and they lead to many controversies. **Where - as** a formula in physics or chemistry is clear and universally accepted. eg. The laws of gravity or the principles of arithmetic i.e. Two plus two equals four every where. However Political Science like pure and natural sciences such as physics and Mathematics does not possess any such universally relevant principles.

3] Human Beings:- Politics deals with human beings whose minds are unpredictable. Political scientists have to deal with man (human beings) who are not under their control. Human behavior is unpredictable and not always logical. Whereas physics and chemistry deal with matter or inanimate objects (non living objects). Natural scientist work in laboratories and the objects are perfectly under their control. Hence their rules and laws are absolute, and universal.

4] Limited Experimentation :- Experimentation in laboratory or in an isolated environment is not possible in Politics like natural sciences.

5] Lack of Objectivity :- Political Science lacks objectivity but subjective element is very strong. Political-science is subjective and relative because political scientist has to deal with human beings in relation to society, State, Government etc.

6] Difficult to Predict Future :- Political phenomena do not follow proper sequence like exact science. At times, the effects are contrary and therefore the results cannot be predicted.

In spite of the above arguments, the subject is regarded as a science because :-

Arguments that it is a Science:-

1] Political Science is not a pure science but a social Science – Politics is a systematized body of knowledge. Its facts are collected and organized through proper observation, comparison and experimentation, etc. eg. Studies on election. Science is a systematic and formulated knowledge of a specified subject. In that sense Political Science is certainly a science.

2] Political Experiments are not completely ruled out. The government itself is a continuous experiment. The application of Marxist principles in the USSR was one such experiment.

3] Broad Conclusions can be drawn in Political Science eg. Independent impartial judiciary, free press is essential for democracy.

4] Empirical studies are based on careful observation and classification :- Political Science puts hypothesis to empirical verification. Theories are not built on speculation. Political Scientists today employ survey methods, graphs, charts etc. to arrive at their research conclusions.

Thus political science is not a pure science, but a social science.

2] Is Politics an Art?

The term 'Art' refers to the practical application of knowledge. Political Science applies the knowledge about political events for creating a good social and political order. Hence it is an art.

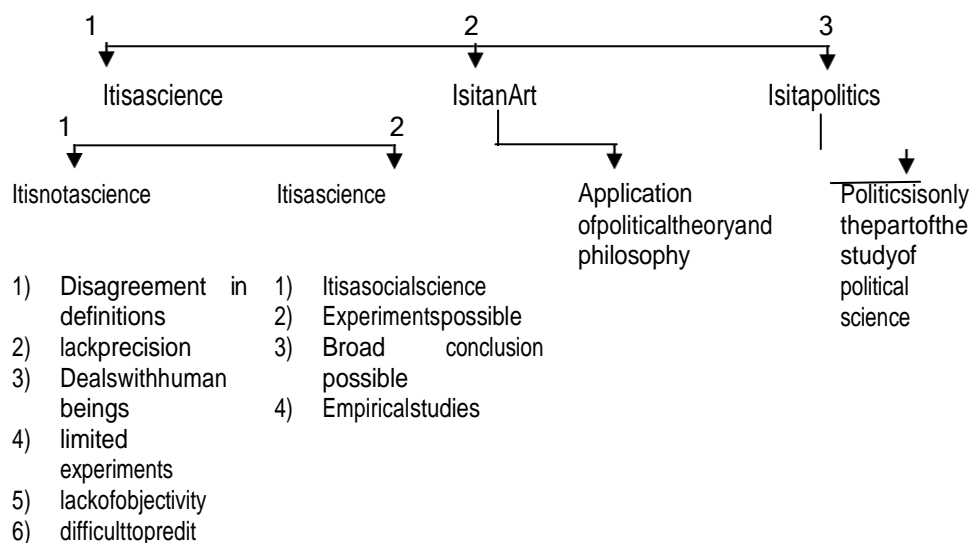
Robert Dahl States that "Political Science is both – Science and Art. Whenever students of Political Science test their theories against the data of experience by observation, the political analysis can be regarded as scientific. When this political analysis is applied for the working of political institution it is an art".

3] Politics or Political Science? :-

What should the subject be called Politics or Political Science? Aristotle called his studies in Political Phenomena as 'Politics'. Prof Laski's work was named as a "Grammar of Politics". However, most of the modern writers prefer the subject to be called as 'Political Science' and not as Politics. Because Political Science is a systematic study of Political theory, political institutions, political forces and processes. The term 'Politics' indicates the current political problems or issues. Many times common people use the

term of Politics as a dubious, messy, rotten affairs. 'Politics' is a wide spread and universal activity and that is analysis in political - science. Study of politics is a part of the study of political Science. Politics is an activity and that what it analyses as a political science is only a part of it. The term 'Politics' is not precise to give us whole range of knowledge pertaining to state and other political institutions. There is distinction between a politician and political scientist. A politician is a person who actively participates in the political affairs. Whereas a political scientist is an expert in the subject. He studies the subject systematically. Hence it is preferable the subject be called a 'Political Science and not Politics.

Table
Nature of Political Science



THE SCOPE OF POLITICAL SCIENCE

The scope of Political-Science means the subject matter or content of Political Science. Various Political thinkers are not in agreement about the exact scope of politics. The lack of precise definition and terminology have created confusion regarding the subject matter of Political Science. Despite the ambiguity and controversy in the field various aspects included in the study of political science are as follows :-

A conference of political thinkers held in Sept 1948 at the UNESCO House decided the scope of Political Science.

1.4 1] Political Science is the study of Political theories :- Over the centuries, Political scientists have concerned themselves with formulating political theories and political ideas. e.g., Plato explained theory of Ideal State, Theory of justice, Hobbes, Locke, Rousseau explained theory of origin of state. These theories enable

usto organize their observations and offer a foundation on which future observations and analysis can be based.

1.4 2] Political Institutions :- Study of Political Science includes the study of various constitutions, various systems of government their merits, demerits etc. eg. Whether it is parliamentary, presidential, dictatorial, democratic, coalition form of government. Such a study helps us to reform our political institutions in order to realize our goals.

1.4 3] Political Parties and Pressure Groups :- It studies the various systems of political parties, their role and importance. Pressure groups and interest groups are becoming more important. Political science studies their role, methods etc. in a given political system. This makes the study of Political Science more realistic. Opposition political parties, pressure groups Non-Governmental organizations (NGOs) do not directly form the government. They indirectly influence governmental policies and decisions. Hence the study of governance (act of governing) is incomplete if it is limited to the study of government.

1.4 4] International Relations :- It includes the study of international organization, and policies. States do not live in isolation. Domestic Policy and foreign Policy are interrelated. Hence the study of international relations becomes significant more in the times of globalization.

1.4 5] Political Science is the study of the relationship between government and civil society :- The state is comprised of two entities : government and civil society. Both entities influence governance in different ways. Civil society includes citizens, Non-governmental Organization (NGOs), pressure groups, opposition Political parties. Civil society influence governance indirectly, by influencing the government and convincing it to adopt certain policies. Whereas the government possesses the power and authority to influence governance directly. Hence the relationship between government and civil society is an important determinant of governance in the state. Political Science Studies this relationship in order to better understand the nature of the state and the efficacy of governance.

1.4 6] It is the study of Power, Authority, Influences, Political activities, Political Processes :- Political Science is normative as well as empirical. Normative approach of Political Science studies norms, ideals, morals, principles, philosophy of Political Science eg. What should be the nature of the state etc. Empirical approach of political Science observes and analyses political activities and institutions as they are in a scientific way.

1.4 6] Morgenthau said scope of Political-Science includes three branches :-

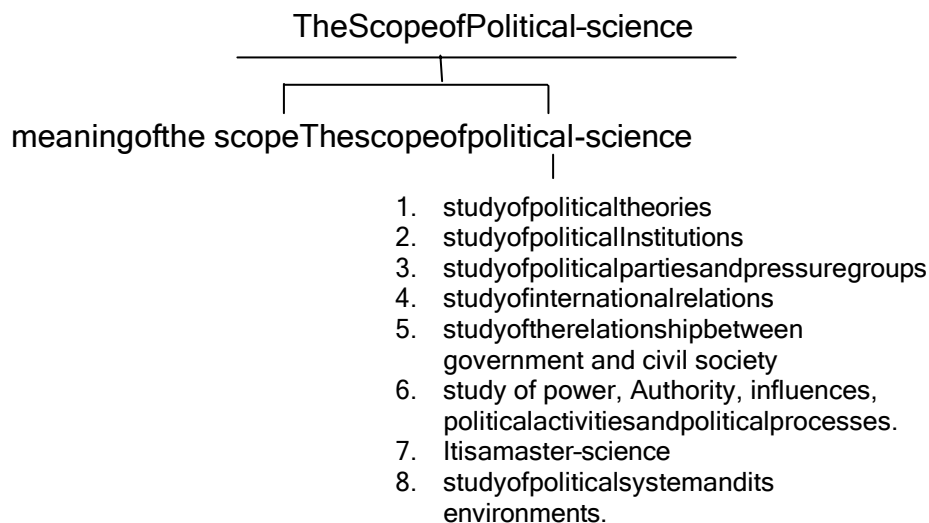
- a) Political Sociology b) Political theory c) Political Institutions
- Modern political Scientists feel that man's social life is an integrated whole. Any change in man's social environment have repercussions on man's political life. The modern state cannot escape from that impact of the social, psychological, economic and cultural forces. According to Leacock Political-Science must not content itself with a mere analysis of Political institutions as existing at any given time, it must take account of the process of change and evolution, and the alteration of social and intellectual environment."

1.47] 'Master Science': - Aristotle called political science the „Master Science“ because Politics determines the environment within which every person will organize his life. No one can claim that he has nothing to do with Politics. No one can escape from the parameters set by politics. The ancient Greeks never made any distinction between man's personal life and political life. According to them Politics is the total study of man, Society, State, Morality etc.

1.4 8] Study of Political system and its environments :- Varied political systems exist and function in different environment. Political science studies them with reference to the response given and feedback secured. The policies of one system have an impact on the other systems. Also political decisions are not made in vacuums. These are influenced by economic structure, social institutions and the whole environment in which the state functions.

SUMMARY

Summary Table



QUESTIONS

1. Define Political Science and examine its nature.
2. Explain the Meaning of Political Science. Is it a Science or an art?
3. Write in detail about the scope of Political Science.



2

MODULE I Unit 2

THE APPROACHES NORMATIVE, EMPIRICAL AND FEMINIST

Unit Structure

Introduction
Approaches
Normative approach
Empirical approach
Feminist approach
Questions

INTRODUCTION

The study of Political Science can be approached in different ways from different angles and perspectives. The origin of the study of political science can be traced to the Greek Period. Aristotle is regarded as the founder (father) of Political Science. Through the ages, there was much theorisation on affairs of the state and government and by and large the approach was normative. The post first world war period witnessed behavioral revolution. More emphasis was given to the study of political processes and political forces. Thus in the study of political –Science transition happened from traditional Political theory (structure) to modern political analysis (political processes).

In modern world "Power" is the key issue in Politics. Hence processes of acquiring and exercising power got a important place in the study of political-Science. Thus there is a radical transformation in the nature and content of Political Science. The study of Politics has undergone many changes.

It was due to thenewapproachesandmethodsapplied to the study of political science.

APPROACHES

Approachesmeanthedifferentstand-pointsfromwhichthestudy orinvestigationofapoliticalphenomenonmaybeundertaken.

Meaning - Approaches means the different angles and ways from which the studyof politicalphenomenamaybe undertaking. It isthe way of looking at things. Approach is an outlook. In the study of Political Science a verity of approaches are applied by the Political Scientists, Popular and main approaches are as follows :-

Types-

- 1] Normativeapproach
- 2] EmpiricalapproachandthentheBehavioralapproach 3]
- Feminist approach

Themainfeaturesoftheseapproacheshavebeenexamined below:-

NORMATIVEAPPROACH

Normative approach to the study of Politics is known as traditional approach. The works in Political Science from Plato to Karl Mark can be regarded as Traditional Political Science. These thinkers emphasized the study of state and government. They kept in mind cartain norms and values. The method was to begin with cause and reach to the effect. The important features of this approach are as follows.

(1) IdealisticandPrescriptive:-

The emphasis in this approach is on norms and ideals. It does not concern itself with things as they are. It does not adopt a realistic view of political actions, and institutions. Through the ages Political thinkers have focused their ideas and theories on what they perceive to be the ideal for the state. They prescribe cartain formsof conduct rether than describe events or facts. This approach was inclined to ignore "What is" and gave more importance to "What should be". Therefore it is prescriptive Plato, Hegel and Green are some of the idealist thinkers.

2] Value Oriented approach:-

Normative thinkers emphasized ethical and moral values such as good bad, just, unjust etc. It is a value loaded approach. It was more concerned with setting standards for organizations and governance of society.

3] Optimistic and utopian:-

Normative theories are based on the assumptions. It believes that a better system is possible. Accordingly normative thinkers suggest the ways and means to achieve this better system. In that sense this approach is optimistic. Eg. Plato's concept of Ideal State.

4] Institutional, formal and Legal approach:-

Normative approach suggests that political Science is the study of State and government. It studies the formal, Legal Structures of Political system. e. g., Study of the origin of the State, functions of the State, Structure of the government, provisions about the rights etc.

5] dominated by Philosophy and History :-

From Plato, Aristotle (ancient Greek thinkers) to Rousseau used Philosophical deductive method in adopting the normative approach to make political enquiry.

Evaluation of the Normative Approach:-

The normative approach to the study of Politics has its uses as well as its disadvantages.

Critics of normative theories have pointed the following drawbacks in the approach :-

1] Ideas, Theories formulated by philosophers cannot be verified. Most of the theories are based on assumptions. It has no historical evidence.

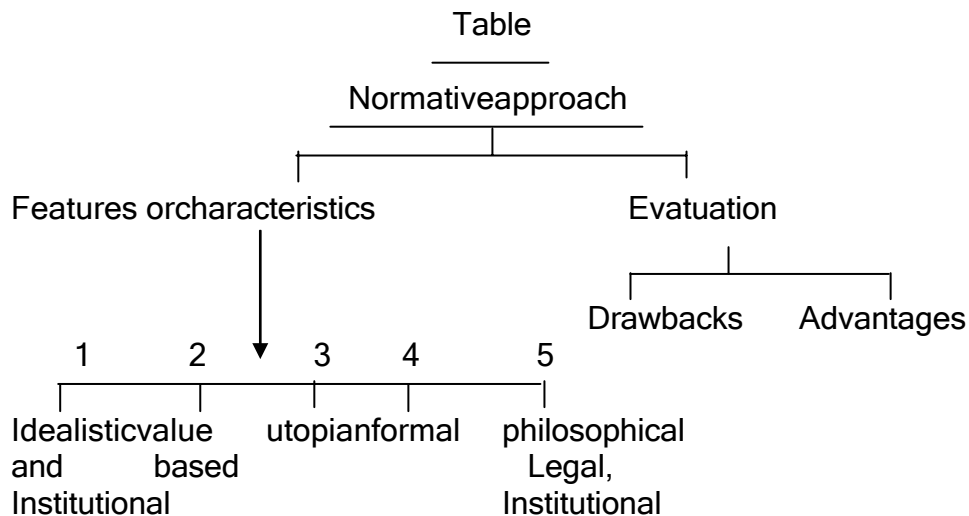
2] Too much theoretical :- Political Philosophers more emphasized on philosophical principles than reality of Politics. Hence there is a gap between the normative theorists ideal world and real world.

3] Philosophers have not even reached a universally acceptable definition of the term philosophy.

Advocates of the normative approach listed some advantages of this approach as follows :-

1] Normative principles are a source of guidance for empirical researchers, and provide their studies with a purpose.

2] Normative theories remind us to seek the good in life such as justice, morals etc.



Check Your Progress

1. What do you mean by Approach?
2. Normative Approach is value based Approach. Why?
3. Explain- Contribution of Normative Approach.
4. What was the focus of Normative Approach.

EMPIRICAL APPROACH

The Industrial revolution and other social problems pressed Political Scientists for solution. In the 20th century Political Scientists were unable to find solutions to real life Political problems. At this stage the interest in philosophical speculation declined. In the beginning, the empirical approach was viewed as a supplement to the normative approach. But after 1940s the empirical approach monopolized the study of Politics. Graham Wallas, Arthur Bentley, Charles Merriam are some empirical thinkers. **Graham Wallas** in his book "Human Nature in Politics" introduced greater realism and psychological dimension in political studies. Arthur Bentley in his book introduced sociological dimension in politics.

The important Features of this approach are as follows:-

1] Modern approach :- Empirical approach emerged in the 20th Century. But empirical tradition can be traced back to the earliest

days of Political thought. It can be seen in Aristotle's (384-22 BC) attempt to classify constitutions, in Machiavelli's (1469-1527) realistic account of statecraft and in Montesquieu's theory of government and law. In 20th century it monopolized the study of Politics. In that sense it is modern.

2] Stresses Scientific Method :- Empiricists Studied Political Processes using scientific techniques such as survey, research, observation, experiment, measurement etc. eg. A normative approach to electoral studies may philosophize on why people should vote. Where as empirical approach would conduct surveys and interview of voters to find out the actual voting process. The goal of empiricists is to develop a science of Political behavior.

3] Value free :- The empirical approach does not bother with morals, ethics and values. It is a rational approach. It restricts itself to what is and was rather than what ought to be. Empiricists draw a line of difference between fact and value. They take value neutral attitude.

4] Inter-disciplinary:- While studying the Political issues empiricists welcome social sciences like sociology, Psychology and economics. It believes that political behavior of man is only one aspect of his total behavior and so the interdisciplinary study would help Political analysis. Eg. To study voting behavior of the people we should study one's loyalties to caste, religion and political party economic condition require to be examined.

5] Descriptive :- It is descriptive. It means it seeks to analyze and explain where the normative approach is 'prescriptive' in the sense that it makes judgments and offers recommendations.

6] Emphasis on informal processes of Politics:- In the modern approach, greater emphasis has been put on informal processes of Politics and less on Political institutions in isolation.

7] Realistic :- Empirical theories are realistic. These theories are not based on assumptions but on facts. Eg. A normative philosopher may believe that an ideal state is one where the Capital Punishment (death penalty) is banned. On the other hand an empirical thinker may produce statistical evidence to prove that countries that practice capital punishment show lower instances of killings than countries where the death penalty is not practiced. The death penalty saves several innocent lives by taking the life of a hardened criminal.

8] The behavioral approach :- Behaviouralism is a further refinement of some aspects of empirical Method. It emphasized to the Study of man's Political behavior instead of State. It aimed at, "the development of a science of the Political process". Its

emphasis on scientific methods. Political-Science was in danger of becoming abstract and remote from reality. Therefore the behavioral approach completely abstains from “armchair” speculation. It requires the research to be systematic, hypothesis, data, evidence etc. Its theory is subjected to empirical verification. They identify problems and try to find out solutions.

Evaluation of the EMPIRICAL APPROACH

Criticism :-

1] Critics say that an entirely value free approach is not desirable because civilization would stagnate if political science divorced itself from morality.

2] Although in the initial years the empirical approach generated a lot of excitement amongst Political academics. But now several of these academics are becoming disillusioned with the empirical approach. The main reason for this is that the approach appears to have failed to deliver on its biggest promise to find a solution to world problems.

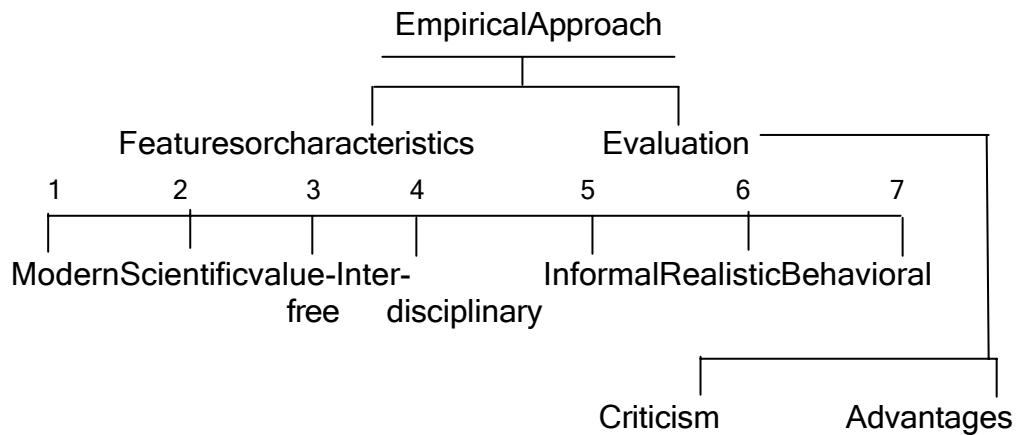
Advantages of the Empirical approach:-

1] Broadening of Frontiers of Politics :- New Political terms and Phenomena's found a place in the study of Politics. Eg. Power, influence, authority, Political behaviour, Political culture etc.

2] Given Scientific Orientation to Politics:- It has made research in Political Science more realistic. Subjects like voting pattern, elections can be more reliably analysed with the help of case analysis, interviewing, observation etc.

3] Made Politics More dynamic :- The empirical approach has enabled political Scientists to take their theories beyond Political institutions. Today Political Scientists focus a lot of attention on the political behavior of individuals, groups.

4] Fulfills the shortcomings of the old approaches :- It does not neglect the institutional element but tries to approach the institutions in their fullness as they work. Eg. The normative theories gave us the ideal of democracy. Resolving questions such as:- Is a presidential or parliamentary system more conducive to democracy in Indian conditions? What percentage of Indians are casting their vote and how many are doing so freely? Can be achieved only after fact finding by employing empirical techniques.



Check Your Progress

1. Why Empirical Approach is called as Modern Approach?
2. Explain about Empirical Approach.

FEMINIST APPROACH

Feminist Approach

The feminist approach to the study of politics is a new age development in the evolution of Political Science. The approach emerged with growing awareness of the rights of women.

Evolution of Feminism:-

Feminism as a political force and movement can be divided in three waves :-

- 1] Women's suffrage movements of the 19th and early 20th century.
- 2] Second wave began in the 1960s. It was concerned with legal and social equality of women. i.e. ending the legal sex discrimination. Right for women to have access and equal opportunity to the workplace.

3] Third wave as the continuation of second wave in 1990s. concerned about the question of sexuality, reproductive rights.

Growth of different schools of thought on Feminism:-

The French Revolution of 1789 proclaimed to the world the universal concepts Liberty, Equality and Fraternity. That championed the cause of feminism by strongly advocating on gender equality, empowerment of women and equal rights. This led the growth of different schools of thought on feminism :-

1] Liberal Feminism :- It is an individualistic form of feminism. It asserts gender equality through political and legal reforms. Eg. Equality before the law.

It focuses on women's ability to show and maintain their equality through their own actions and choices.

2] Marxist Feminism :- It highlights the theoretical relevance of understanding the gender oppression. It emphasized that the tyranny and atrocities over female is a product of the social economic-political order.

3] Social Feminism :- Social feminists trace the root of all oppression in economic factors eg. Exploitation of women in the forms of low wages for the same type of work etc. It also highlights the negative role of institution of family in perpetuation of women's oppression and exploitation from their birth till their death in the diverse forms and customs.

4] Radical Feminism :- Radical feminists became aware of their own oppression and exploitation. It stressed on ending societal domination and elitism.

5] Cultural Feminism:- It is non-political in nature. It assumed that women are kind, warm, Loving than men. It believes that if women ruled the regions, there will be less possibility of war and greater sharing of love, joy in the world.

6] Eco-Feminism :- It merges ecology and feminist theory. It stressed on the respect for all living beings.

Evolution of Feminism and the growth of different schools of thought on feminism views political theory from the female perspective.

The main Features of the feminist approach are as follows:-

1] Stands for women's liberation and empowerment of Women

:- Feminism is a belief in the right of women and equality with men.

It takes the view for the betterment and emancipation of women in society, supported for women's rights in politics and in life.

2] Root of all problems is gender inequality :- Feminist thinkers emphasise that gender inequality to be the root cause of all ills in the state. It condemns the established theories of the state on the ground that such ignore the equal rights of women and subjugate them to male dominance in all areas e.g. All governments are dominated by men, all decisions that are taken at the local, national and international level are made from the male perspective, Feminists have highlighted what they see as the political relationship between the sexes the supremacy of man and the subjection of women.

3] Criticizes Male Bias:- The feminist approach to Political Studies is based on the assumption that the government, its laws, its members, the bureaucracy and civil society all are patriarchal. They are based on a system wherein men are considered to be superior to women. The feminist theory criticizes this male bias and holds it to be unjust.

4] Tackles Problems of Women:- The feminist approach formulates theories that seek to resolve gender bias. It finds solutions to the problems of women and suggests methods by which the government can empower women.

5] Clubbed with other approaches :- The feminist approach is usually adopted in conjunction with another approach such as the normative, empirical, comparative, sociological approaches e.g. A study on the voting behavior of women would adopt a feminist empirical approach.

Evaluation of the Feminist approach:-

Critics of the approach claim that feminist theories have the following drawbacks:-

1] Critics say that the assumption of the feminist approach that it is only men who create a woman unfriendly world is incorrect. Many times women are women's worst enemy e.g. In India mother in law and daughter in law relationship.

2] Critics say that tracing all women's problems to gender bias is a wrong way to approach issues. Some issues are common to both genders.

Advantages:-

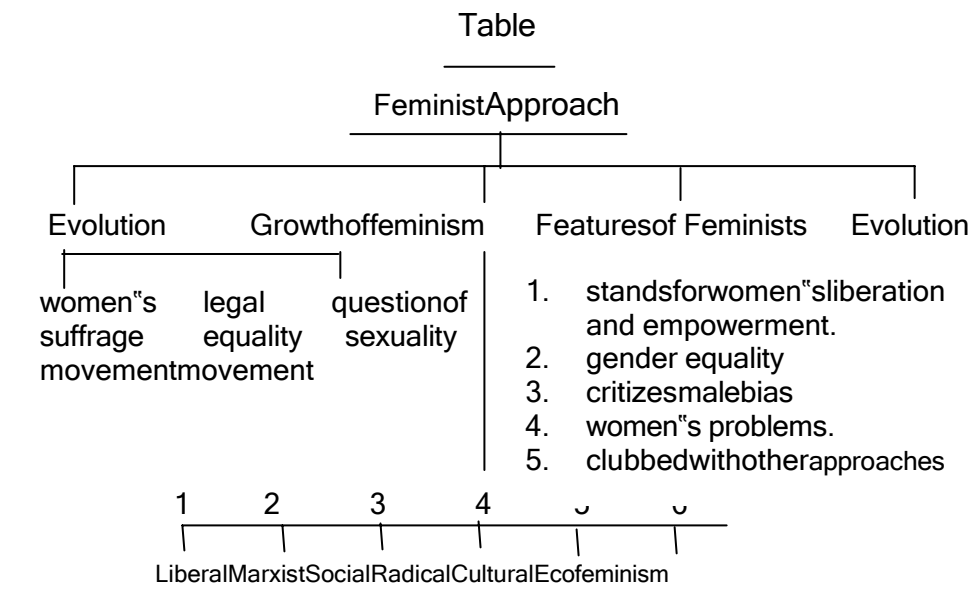
1] It is concerned about the problems of women. If not for feminists, Perhaps women's empowerment would not have been as great a

success at it is. Feminist Political research studies and finds solutions to problems of women eg. Problems such as poverty among women, crime against women, female foeticides etc.

2] The feminist approach adds a woman's touch to global leadership. Peace initiatives, cultural exchanges, literacy drives and Medical aid to needy.

3] Feminism has gained growing respectability as a distinctive school of political thought. It has shed new light upon established concepts such as power, domination and equality but also introduced a new sensitivity and language into politics.

4] The domestic, professional and public roles of women, at least in developed societies have undergone a major transformation due to feminist approach and women's movement.



QUESTIONS

Discuss the main features of the normative approach to Political Science.

1. Evaluate the empirical approach to Political Science.
2. Explain the main features of the feminist approach to Political Science.
3. Briefly explain different approaches to the study of Political Science
4. Define politics and examine the inadequacies of the traditional approaches to the study of politics.



MODULE II

Unit 3

SOCIETY, STATE AND NATION STATE

Unit Structure

Objectives
The State
Society
Civil Society.
Questions

OBJECTIVES

To understand the basic concepts of political science i.e. State, Society, Nation, Nation-State

STATE, SOCIETY, STATE, NATION AND NATION STATE

In 21st Century, State is ever where. It is touching, directly or indirectly, all aspects of human existence and life. It has become omnipotent. This was not the case a few centuries ago. Back then state had limited role. It was primarily concerned with (i) law and order and (ii) revenue collection. From this very small role to today's all pervading role, the role of state has been expanding.

Definitions and Nature of State :- Many scholars have defined state in various ways. Even today modern day scholars attempt to define state taking into account its modern functions.

In 4th century B.C. **Aristotle**, who is regarded as 'Father of Political Science' had defined state. According to him, state is a union of families and villages having for its end a perfect and self sufficing life, by which we mean a happy and honorable life.

According to some scholars, this definition is so comprehensive that it can hardly be improved upon. Aristotle's definition communicates the primary objectives of the state however we must study some more definitions of the State.

Holland:- State is a Politically organized people of a definite territory.

Prof Woodrow Wilson, 'State is a People organized for law within a definite territory.'

Though these two definitions are short, they are inadequate also. Hence we must look at some more definitions

Dr. J.W.Garner, 'As a concept of Political Science, the State is a community of persons more or less numerous, permanently occupying a definite portion of territory, independent or nearly so, of external control and possessing an organized government to which the great body of inhabitants render habitual obedience.'

Prof. Harold Laski, 'The State is a territorial society divided into government and subjects claiming within its allotted physical area, a supremacy over all other institutions.'

If we analyse the two definitions, we can identify four elements which are essential to make a State. These are (i) Population (ii) territory (iii) government (iv) Sovereignty.

Today we live in the age of globalization and an age of international politics. Hence we must consider definition given by **Philimore** which takes into account the perspective of international law. According to him, 'State is a people permanently occupying a fixed territory, bound together by common laws, habits and customs into one body politics exerting through the medium of an organized government, independent sovereignty and control over people and things within its boundaries, capable of making war and peace and of entering into all international relations with the countries of the world.'

This definition extends the scope of state. The earlier Scholars focused on four elements. This definition adds the fifth dimension to international relations, war and peace etc.

(b) Elements of the State:-

As noted State has four constituent elements (i) Population (ii) Territory (iii) Government (iv) Sovereignty Each of these elements needs to be studied properly.

- (i) **Population** –We cannot imagine a State without population. How much population is an issue that can be debated. For example, India is over populated State whereas Austria is under populated State. This issue has engaged the attention of scholars from time immemorial. Aristotle was talking of optimum population small enough to be well governed and big enough to be self sufficient. But there is no denying the fact that without population, there is no State.

- (ii) **Territory** – Like without population, we cannot think of a State without territory. A State can exercise its authority over well defined territory.

Fixed Territory is necessary for legal purpose. For emotional purpose, people need to have a fixed territory which they call **mother - land** or **father - land**.

Territory is so important that normally there are disputes over borders between two states. For example, India and Pakistan have dispute about Kashmir. India and China has dispute about Arunachal Pradesh.

Fixed, well defined territory is also necessary for legal purpose. A State has control over land, water, mineral wealth and air space.

However, there are some exceptions to the importance of territory as a constituent element of state. Some nomadic tribes wander from region to region. They have no fixed territory. Similarly the Jewish people had no territory of their own till 1948. These are exceptions, not the rule.

- (iii) **Government** –government is that agency which steers the ship of the State. Without government, state will be directionless. Here the form of government does not matter. It could be Presidential System, one party rule or even dictatorship, there has to be a government. In other words, government is nothing but the implementing arm of state. Government is that system through which state expresses its will. The government makes law, punishes law breakers, promotes welfare of people.
- (iv) **Sovereignty** – scholars believe that sovereignty is the soul of state. Before 15th august 1947, India had territory, population and government. But it did not have sovereignty. It shows the importance of sovereignty.

It has two aspects (i) internal and (ii) external. In internal sovereignty, the state has ultimate, unlimited power within its territory. It enjoys final control over all people, associations and other things. Under external sovereignty, it means a state is free from external control. It can enter into international treaties. Some scholars believe that after UNO was formed in 1945 and more specifically after the age of globalization began in 1991, the scope of external sovereignty has shrunk considerably.

We have discussed in detail the four constituent elements of state.

State and Government

Quite often even well read intelligent people tend to use state and government as if they are synonymous words. In today's political Science, they carry vastly different meaning. Hence it is necessary to understand their meanings. **Government:-** By now it is clear that government is one of the four ingredients of the state, However it has been specifically defined by various scholars. Prof Gettel defined it "It consists of all those people who are engaged in implementing the will of the state." In other words it is the implementing arm of the State which covers civil services, armed forces and police forces.

For implementing the will of the state, the government is given all powers, resources, men and material. It must get obedience of its subjects. It must also have the necessary power to enter into international treaties etc. J.W. Garner has summed it well. He says 'Government must be organized and it must possess the powers and necessary resources so that it can enforce its authority, command respect and obedience. It should be able to maintain peace, order and perform international obligation under the international law.

Distinction between State and Government

State	Government
1] State has Four Constituent Elements	1] It is an agency of the State
2] State enjoys original and unlimited Power	2] Powers of the government are limited and delegated
3] State is an abstract idea	3] Government is a solid reality
4] Territory is an essential element of state	4] There can be government without territory
5] State is permanent	5] Government is temporary
6] State is a universal Phenomenon with fixed Elements	6] Form of government can change-Dictatorship, one party rule
7] State covers all citizens Including those who are part of Government	7] Government is made up of only those who work for government.
8] A person cannot have rights Against the state	8] A person can have rights against government

Check Your Progress

1. What do you mean by State?
2. What are the elements of the State?
3. What is Government?

SOCIETY

Today Scholars believe that this concept can be used while discussing non human living creatures. But it is in the case of human because, as was observed by Aristotle „man is a social animal.“ Society is nothing but „a web of social relationships“. Hence it is observed that by nature as well as by necessity man is a social animal.

Hence the relationships between man and man have multi dimensions. These relationships cover not only political relationships but social, religious relationships also.

Nature of Society :- Society is a much broader concept compared to State and government. However a bunch of people does not become society. Similarly a crowd is also not a society. In fact, „Today society is a big complex of all types of associations and communities.“ It has become essential to human existence as through society only, a man can fulfill his needs and dreams. Similarly in a society there are rules, regulations, initiations which regulate the relationships between people.

Association :- It has been defined as an organization of people operating with some fixed rules and has been formed for some specific purpose. These rules are normally written but in rare cases, they could be unwritten. If we compare an `association` with a mob it will become clear that `mob` has no common specific purpose and has no organization.

The comparison between mob and `association` bring forth four elements of an association

- 1] A group of people
- 2] Definite rules and regulations
- 3] Specific purpose.
- 4] Co-operation among the members.

In today's society one can find all kinds of associations such as social, economic, cultural, sports, political. All these associations are created by people and for the people etc. But we must keep in mind that `State` is the supreme association, which can be called association of associations. While other associations are manmade, State is regarded as the natural outcome of man's nature.

Community:-

Community covers a whole area of social life. It could be a village, city, Province or a country. Hence the focus is on discussion of common life being lived by people. Hence people relate to each

other freely. This common way of life exhibit common social characteristics.

This discussion brings to surface two essential elements of community –

1] Locality area – Community covers a specified territory. e. g., village, town state. Normally a good community would be settled on a particular piece of land. This habitation on land creates strong emotional bonds towards the land.

2] Common Social Characteristics :- Whether it is a village community or town community, one can identify some common social characteristics. Like social customs, religious festivals, etc. These create a sense of belonging, oneship among the members.

Quite often we see `community` is being used to communicate a group of people of a particular faith. For example, Sikh Community, Jewish Community. But Such use is regarded as `unscientific`.

Institution–

It is nothing but well established and recognised forms of relationship between social beings. In the case of institutions, what is important is recognised form of relationship. But in case of association and communities they deal with body of people. In other word, society is a huge complex of many kinds of associations, groups, communities and institutions.

Historically, we find that for thinkers like plato, Aristotle, there was no distinction between state and society. Since the city states of Greek era, were small in size and number, there was no distinction between state and society. Similarly we can also quote Hegel, a German Philosopher who had projected the idea of `State-society`. In modern times however, we believe that state and society are two different bodies.

This distinction can be understood through their comprehensive definitions `State is a community of people, more or less numerous, permanently occupying a definite portion of territory, independent or nearly independent of external control, having an organized government which is obeyed by maximum people`.

As discussed earlier, analysis of this definition brings four element 1] Population 2] Territory 3] Government 4] Sovereignty.

Similarly we must also discuss definition of `Society`. It is the whole community of mankind, just as much as a small social group or a village. There is always a web of relationship covering not only

political relationships but also social, relations, economic relationships etc.

While discussing State and Society it is essential to understand which come first? Society or State? Scholars believe that society come first. Much before state became a reality, there existed some kind of social organizations. In the earliest phase of humanity, there were hunters, fishermen, fruit gatherers who had some social groups. There was no State then. State evolved over a period of time. Even today, we have Eskimos who have no semblance of State. In other words, out of Society comes State.

It is not just the issue of who come first state or society, it is also the issue of scope of the two. It is clear that the scope of society is much larger than the State. In case of State it is just a system created for enforcing discipline, law and order, tax collection, ensuring internal and external security. But society covers lot of ground. In a society various kinds of associations exists. These are social, cultural, economic, religious, sports and entertainment associations. We can sum up by saying State is single - purpose body whereas society is multi - purpose body. Also in terms of structure, society encompasses state.

Similarly we should also understand one more aspect about state and society. State is allowed to use coercion, force to implement its orders, programmes, schemes, etc. But society cannot use force. It uses persuasion, forces of tradition. In rare case, it can use 'social boycott'. But more often than not, it believes in persuasion.

In addition to above differences, one must conclude by highlighting one more difference. It is about territory. A State must have well defined territory, whereas society can be borderless. For example, the Red cross society have branches all over the world.

While discussing the difference between state and society, one must also take into account the agency of government. As noted before, 'government' is a constituent element of state, whereas 'government' has no role in the formation and functioning of the society. Historically society came first and then came 'government'.

Check Your Progress

- 1 What is Society?
- 2 What is Association?
- 3 Explain the purpose of Society.

CIVIL SOCIETY

Civil Society is the arena outside of the family, the state and the market where people associate to advance common interests.

According to the Dictionary meaning, Civil Society as the aggregate of non-government organizations and institutions that manifest interests and will of citizens.

Civil Society are vital for democracy. It facilitates better awareness and a more informed citizenry, who make better voting choices, participate in politics and hold government more accountable.

QUESTIONS

1. Explain the term „state“
2. Discuss essential elements of the state.
3. Define „Society“ and discuss its importance in modern political systems.
4. Discuss the interrelationship between State and Society.
5. Write short notes on Civil Society.



MODULE II

Unit 4

NATIONALISM AND NATION-STATE

Unit Structure

Objectives

Meaning of Nation, Nationality and Nationalism.

Important Features of Nationalism.

Elements of Nation

Factors Promoting Nationalism

Challenges to Nationalism

Distinction between Nation and state

Summary

Questions

OBJECTIVES

- (i) To understand the concepts of the nation, nationality and nationalism
- (ii) To learn about the elements of nation.
- (iii) To understand the factors that contribute to the emergence of nationalism\
- (iv) To understand the distinction between the state and the nation.

MEANING OF NATION, NATIONALITY AND NATIONALISM

The term 'nation' is derived from the Latin word 'Natio'. 'Natio' means birth or blood relationship and, by implication, 'nation' means common origin or the people who have common ancestors. Common race becomes an important element of nation. However, over a long period of time the people belonging to different races have lost racial purity and today the people belong to a mixed racial lot. However, **Burges** has stressed blood relationship and defined nation as population of an ethnic unity inhabiting a definite territory or geographical area."

According to **Barker**, "a nation is a body of persons inhabiting a definite territory and thus united together by the primary fact of living together on a common land." **Ramsay Muir** says that, "a nation is a body of people who feel themselves to be nationally linked together by certain affinities and cannot tolerate subjection to others." **R.N. Gilchrist** has observed that "Nation is very near in

meaning to state; the former has a broader signification. It is the state plus something else; the state looked at from a certain point of view, viz. that of the unity of the people organised in one state."

Meaning of Nationality

Nationality and nationalism are the terms related with nations. Nationality is a group of people, sharing common cultural background and racial characteristics, who desire to live together as a community. It is a shared psychological sentiment among the people with common features. Nation is a political organisation, whereas nationality does not refer to any political unity. However, the goal of a nationality is to establish a nation. It can exist even under a foreign rule. e.g. Indian nationality existed under British Rule. Jewish Nationality, was spread all over the world even before formation of Israel. Nationality becomes a nation when it acquires sovereignty.

Meaning of Nationalism

Nationalism is the spirit of a nationality. It is a kind of political consciousness of belonging to a group. Very often you will find that the term 'patriotism' is related to nationalism. It is a force holding together a community in a defined territory, maintaining their rights against aggression from outside.

According to Alfred De Grazia, nationalism combines both love of one's country and suspiciousness of foreigners. One loves one's country because of shared values with others who live in it and foreigners are suspected because they do not share the same values. Modern Nationalism is characterised by movement of a nationality aiming at achieving independence and to form a state organization of its choice.

Nationalism is a psycho-political concept. It is mystical cord uniting a nation. Psychologically, it is love and pride in the cultural heritage, customs, traditions, institutions and all other aspects of one's society and politically, nationalism centres round nation state, loyalty to the state by each and every person. Nationalism has been a powerful political force in modern times leading to the emergence of many new nation states in Asia and Africa. Nationalism in simple words means a feeling of oneness.

Check Your Progress

1. What is Nationality?
 2. Explain the meaning of Nationalism.
 3. Give meaning of Nation.
-
-

IMPORTANT FEATURES OF NATIONALISM

1. It is a feeling:-

Nationalism is only a feeling of love and oneness among the people. It inspires people to form one's nation. e.g. Before independence it was the feeling of nationalism of the Indian Masses; Who participated in the struggle against the British.

2. Nationalism translates into patriotic action:-

Community that possesses a strong sense of belonging to one's nation leads to display such affection by outward action such as joining the military services etc.

3. Nationalism leads to self-determination-

4. Nationalism usually stems from homogeneity-

In the political sense, homogeneity refers to sameness of population. It may be observed that the strongest nations are those in which the majority population is homogenous. Hence Japan is known to be a strong because nearly all citizens belong to the same race, language etc.

5. Nationalism can override heterogeneity-

Nationalism can exist even in the absence of homogeneity. In India there is Unity in diversity.

6. Nationalism implies burning love for one's own country-

Bond of Nationalism not only holds people together but also makes them serve, suffer and even sacrifice their lives for the sake of the nation.

ELEMENTS OF NATION

A number of factors such as race, religion, language, common history and culture, political consciousness and economic interests together contribute to making of a nation. The role of each of these elements (factors) which contribute to the making of a nation are as follows :-

1. Common Race

Belonging to a Common race contributes to the making of a nation. A common race, creates the spirit of oneness among the people. But in what part of the civilized world, today, does a pure race exist? There is no nation with people belonging to a pure race. The U.S.A., Switzerland, India are examples of multi-racial nations.

Hence judging nationalism only on the basis of race would be wrong. Its applicability should be treated only in limited sense.

2. Common Religion

Religion plays a very important role in creating and sustaining national spirit. Religion was the basis for the creation of Pakistan. Among the Jews and the Japanese, religion has been the mainspring of their national life. However, most modern nation states are secular and tolerate all religions. It binds people together. A common religion can not prevent disintegration of Pakistan in 1971. Thus in modern times religion is not as strong force as it used to be earlier. But it is a double edged sword because it divides the people also.

3. Common Language

Language plays a vital role in uniting the people and creating a common consciousness among them. **Rose and Joseph** have attached tremendous significance to language as a cohesive force. According to **Joseph**, a common language enables the people to project common ideas, ideals, sentiments and feelings, set up common standards of morality, manners and justice, conserve historical traditions, and generate a Common psychology. Language is not mere words. Every word is charged with associations that touch feeling and evoke thought." It is the language that has led to the birth of Bangla Desh. However, there are multi-lingual nations like Switzerland, India and the U.S.A. In India diversity of language has been an obstacle to national unity. The issue of making Hindi the official language has divided the Hindi and the non-Hindi speaking population. However, a tolerant ' attitude can unite the people speaking different languages.

4. Common Culture—

It implies that people share common customs and traditions, literature, epics and art. The unity of ideas and ideals constitute a very important element of nation-hood. Unity of culture, embraces common customs and traditions, common folklore, literature and art. It also stands for "a certain dominant view of life with its common standard, duties and prohibitions". Unity of ideas and ideals unite people emotionally. National literature creates, and sustains the sentiment of pride and reverence among the people. National education creates common vision of life and value system, described as political culture.

5. Geographical Factor

Defined territory, creates national feelings among the people inhabiting a common land, described as "**motherland**", or "**fatherland**". In the absence of a "homeland", it is difficult to develop national feelings among the people. The common geographical factors develop common physical, mental and

psychological traits among the people. When people live together on a common land they develop attachment to that common land.

6. Common History

Common historical background makes people feel proud of the past glory and keeps them united. It contributes to the making of a nation. According to Ramsay Muir, "A memory of sufferings endured and victories won... the dear names of the great national heroes... heroic achievements, agonies heroically endured... that make the soul of a nation." The sentiment of national pride is generated among the people by such common history. Thus the memories of Chhatrapati Shivaji Maharaj or Maha Rana Pratap or the war of Independence of 1857 or the sacrifices made by the revolutionaries or the freedom struggle led by Mahatma Gandhi unite the people of India and contribute to the making of the Indian nation.

7. Economic Factors

Common economic interests unite the people as was witnessed in thirteen British colonies in the North America. When these people realized that they were exploited by England, the mother country, they raised the banner of revolt which led to the American War of Independence in 1775. However, economic interests alone cannot foster national spirit. Thus Ashirvatham observes that, "If economic interests alone were enough to constitute a nation, we should expect a nationality of labourers... and of capitalists." Common economic factor is thus a contributory factor in the making of a nation.

8. Political Factors

Subjugation to a foreign rule generates nationalist sentiment among the people as was the case with the countries of Asia and Africa. The foreign rule meant common sufferings and humiliation suffered by the entire people. The British rule fostered Indian nationalism and led to struggle for freedom. It united people of India belonging to different regions, speaking different languages and professing different religions. Freedom from foreign rule means political sovereignty. The Constituent Assembly enacted a constitution for India, created common political institutions and conferred common Fundamental Rights on the people of India. Thus the political sovereignty fostered sense of unity among the people of India. In a nutshell, common subjugation to foreign political authority and common political institutions contribute substantially to making of a nation.

9. Will to be a Nation

The most potent among the elements of nations is the will to be a nation. Even if all other factors are present and the will to be a nation is absent, that people cannot be a nation. The disintegration

of Pakistan (1971) and of the U.S.S.R. (1991) prove that when unwilling people are forced to live together, they cannot make a nation.

FACTORS PROMOTING NATIONALISM

The factors which integrate a people and contribute the emergence of nationalism, - are as follows:

1) **Ethnic factor:** The ethnic or racial factor, that is, blood relationship, common ancestry, has played an important role to keep people united. The birth of Israel, in 1948, was based on the principle of ethnicity. The Jews succeeded in establishing the state for their race. However, this does not mean that nations cannot exist without common racial origin." Nations like Switzerland, America, Russia, etc., have citizens from different races. Nevertheless, it cannot be denied that racial unity may promote a feeling of oneness.

2) **Language:** It is another factor which promotes nationalism. A common medium of communication is necessary for the people to understand the feelings, passions and problems of one another. Before the British came to India there was no common language and hence India was divided. English language, which the British taught the Indians for their imperialist interests, actually turned out to be a language of communication among people speaking different languages. Thus, languages played a highly significant role in knitting the people into a homogeneous nation.

3) **Religion:** Another force which instils nationalism in the members of a group is religion. People following the same religion have a great sense of unity. This has been a very old bond of union. The birth of Pakistan as a nation was mainly due to the religious factor. Today, if Pakistan is able to keep itself intact despite so much regional tension there, it is because of the religious unity Islam provides to its people. However, there are nations like India, Switzerland and many others which have great religious diversity and yet their people have common national sentiments. But it cannot be denied that religion continues to be a very great source of nationalism.

4) **Geographical Factors:** It is natural that people living in a geographically continuous territory develop a feeling of oneness. They have common interest and there is free communication among them. This helps to create in them a feeling of homogeneity and brotherhood which infuses in them the spirit of nationalism. If the territory is separated by some other country, or sea or huge mountains due to which communication between the two sides is difficult, it is possible that sentiments of togetherness may be weak. The example in this context is that of East and West Pakistan which got divided into two states of Bangladesh and Pakistan mainly

because the two were separated geographically, and there were serious problems of effective communication between each other. However, geographical continuity is not a very essential factor if the states are well-knit nations. For example, Indonesia is a nation of many small islands but its national integrity has not been challenged by inhabitants of any island. In the case of India also, Andaman and Nicobar Islands and Lakshadweep are situated away from the mainland, yet we do not face any problem from the inhabitants of these Indian islands.

5) **A Common historical background:** History also unites the people on the basis of past glories and sufferings, rich tradition and culture that they inherit. Indians, sharing a common political heritage of national movement, developed a sentiment of unity which finds expression through national feelings.

6) **Common Economical Interest:** The common economic interest and problems also bring the people closer so that they can jointly find solutions for the betterment of the whole community. The rise of strong middle class gave political stability to European states and strengthened the cause of nationalism.

7) **Common Political Aspirations :** With all these common factors, the most powerful and essential factor that binds a nationality is common political aspirations, 'the desire to be an independent state. A nationality is not a political state until it has an independent political setup of its own. Hence only with this political desire the people, with all other common factor things, can be called a Nation. An important factor, that has helped people forget all their ethnic, religious, linguistic or territorial differences, and acquire sentiment of nationalism, is the desire for political freedom from foreign rule. Thus, colonial rule has acted as a force in promoting and strengthening nationalism in case of India.

The educated native elite helps to induce the spirit of nationalism in the masses. In most of the Asian and African countries under imperial powers, the elite has played a decisive role in bringing the people together under one banner.

CHALLENGES TO NATIONALISM

Dissimilarities in language, culture, religion, region, race, political loyalties are the challenges to nationalism in any state. For instance in spite of a number of unifying forces preserving the national unity of our country, there are several divisive forces, which are threatening to destroy the fabric of national unity in India. Communalism, Regionalism, linguism, economic inequalities all are the divisive forces in Indian nationalism.

DISTINCTION BETWEEN NATION AND STATE

Normally, the terms 'nation' and 'state' are used interchangeably. But as students of political science, you must know that there is clear difference between the two. The idea of a 'nation' is different from that of a 'state'. The nation is generally a product of emotions. whereas the state is a political, administrative body. Moreover, state suggests the interest of rulers, whereas the nation emphasizes the needs of the ruled.

(1) Nation is subjective and State is objective. Nation is an emotional concept. This means that people are bound together because they share certain common things; 'common origin, common customs, common interests in social, economic and political spheres. Due to these factors, people develop a feeling of brotherhood and oneness for one another. Nation is based on subjective sentiments. This means that the intensity of people's feelings towards the nation differs from person to person and from society to society. However, it is difficult to measure the intensity of an individual's feeling. It is a condition of the mind. Nationalism is a way of feeling, thinking and living. It gives a sense of possession. Spirit of Nationalism holds Nation together.

On the other hand, the state is a legal rather than an emotional concept. Power holds State together. The state regulates and controls the conduct of the people who permanently live on a given territory and is legally sovereign. The state is a condition of law. There is an element of obligation as regards the state. The state is objective. This means that the concept of 'state' is understood by all in the same way. All states consist of four essential elements, that is population, territory, government and sovereignty. If any of these is missing, the state cannot exist. While the nation is a psychological concept, the state is a political entity.

(2) It has been noticed that there are many nationalities in one state. This is to say that people from different ethnic groups, with varying customs, traditions, languages, etc. live permanently in one state.

Modern states are confronted with the problems of minorities. One solution put forward for resolving this issue is the policy of mono-national states, that is, 'one nation, one state'. On this principle, the Jews were able to form a state for themselves, which they call Israel. Perhaps a few misguided Sikhs, wrongly claiming to be a separate race, are demanding a state separate from India on the basis of the principle of one nation, one state. In modern times we have two types of National States; viz. Mono-National states; and Multi-National states. The mono-nation states are based on the principle of "one nationality on nation." Several mono-national

States have come into existence in the twentieth century as every nationality desires to have its own nation state. Thus in India, the Muslim constituted two nationalities and a homeland for the India Muslims was carved out by the partition of India, Pakistan consisting of the Muslim-majority areas. However, on the other hand, we have multinational states like the U.S.A. Switzerland, India etc. wherein the people belong to more than one nationality. However, such multinational states face the problem of national integration. In the United States, over a period of two hundred years, distinct "American" identity has emerged and thereby racial, linguistic and religious differences have become secondary.

Zimmerman has well brought out the distinction between the state and nation as under :

1. "Nationality like religion is subjective-statehood is objective".
2. "Nationality is psychological, statehood is political".
3. "Nationality is a condition of mind, statehood is a condition in law".
4. "Nationality is a spiritual possession, statehood is an enforceable obligation".
5. "Nationality is, a way of feeling, thinking and living, statehood is a condition inseparable from all civilised ways of living".
6. Origin of the State is ancient. Nation has emerged as a modern concept.

Check Your Progress

1. Explain elements of Nation.
2. Write on important features of Nationalism.

T O S U M U P

A nation It means State plus a feeling of unity, oneness. It is an organised group of people having common ancestor/, common home land, common language, common culture and ethos and who are politically conscious.

A nationality is a nation in making a politically sovereign nation can be properly described as a "nation State". However a state could be multinational.

Nationalism is an intense feeling of oneness, pride in one's own culture, language and historical past, Nationalism is a psychological cord that unites and binds a people and rouses them to make sacrifice for the cause of nation.

QUESTIONS

1. Explain the term 'nation' and elaborate its constituent elements.
2. What is nationalism? Give an account of the factors that promote nationalism.
3. Distinction between :
 - (1) Nationality, Nationalism and Nation.
 - (2) State and Nation



5

MODULE III UNIT 5

MEANING AND TYPES OF : POWER, AUTHORITY, LEGITIMACY

Unit Structure

Objectives
Introduction
Power
Authority
Legitimacy
Questions

OBJECTIVES

To understand the political phenomenon like power, Authority, Legitimacy in applied sense.

INTRODUCTION

Students of politics often argue the correct meaning and scope of the study of politics. Two broad views points of normative and empirical investigation reflect in such arguments. Normative approach advocates idealism of what „should be“ and empirical approach supports what „is“. Twentieth century study of politics stressed to look at the political phenomenon from a realistic angle.

and hence emphasized more on the methods of science to rely upon to understand the actual nature of politics. Hence study of „politics“ becomes „political Science“. Such realism eventually leads to understand the political phenomenon in applied sense. Thus study of themes like „power“, „authority“, „legitimacy“ took over the field of political studies from the traditional idealism, institutionalism etc. In present chapter we will attempt to understand three concepts- power, authority, and legitimacy and its relevance and implications regarding the role of government in society and its relations with subjects i.e. people.

POWER

Concepts of power occupied a respectable position in the modern discussion of politics since the beginning of 20th century. It becomes so inevitable now a day that it is applied not only to describe the international relations but also the social unit like family. The concept altered the meaning of politics in dramatic way and made it appear like „contest for power“. From Hobbes's description of the warring state of nature to the Betty Freidan's *Feminine Mystique* applied power as analytical tool to describe the human relation at macro as well as micro level.

Meaning:-What is Power?

The notion of power has multiple meanings. It is an „essentially contested“ concept. No settled or agreed definition can ever be developed. In natural sciences, power is understood as „force“ or „energy“. In social sciences it appears with diverse interpretations like; the ability to achieve a desired outcome, and an exercise of control by one over another.

Power is a psycho political phenomenon. In simple sense it is the capacity of the person/group/institution to affect/change/modify the behaviour of other person/group/institution. In this sense it is the capacity to influence the behaviour of others. Further this influence is not voluntary and not readily accepted by those over whom it is applied. Hence Power is the capacity of one to impose its will over others irrespective of the will of others. When one succeeds in making other person do, which otherwise he would not do or restricting other persons from doing things which otherwise that person want to do, then it is said that the will of first person is imposed on the other and hence power is applied.

What make power different from other concepts like Force, Influence, and Authority?

Force is the instrument of power. Influence is the outcome of the power and authority is the legitimized power. But force, influence and authority in itself are not power.

Force is more physical and power is psychological. Relation between power and force is delicate one and the difference is often blurred. Perceived threat of force can result in change in the behavior of a person. But if such fear is not present then it is said that power extinguishes and what remain is only brute force which can defeat the person physically but its mind will be non-defeated.

Power is visible through influence. It can be seen in change in the behavior of the person on whom power is exercised. Thus, influence is the yardstick of power.

Regarding relationship between authority and power it is sufficient to say that when power is accepted by the people over whom it is applied it transforms into authority. Absence of power makes authority a puppet and presence of power makes a common uncommon.

What are the types of power?

As we have seen earlier power is the capacity of the person to impose its will on others. Problem of identifying the location of power lies in judgment of the capacity of such person. Such capacity depends upon two things.

Firstly, presence of potential elements such as money, military, social status, numerical strength, territory, natural resources, quality of human resource etc., provide necessary inputs which form the base of power.

Secondly, the capability of the actor to use such resources i.e. leadership, decision making,

Negotiation, propaganda and diplomacy.

Thus crucial thing to locate power is to quantify the potential resources and to qualify the capability to use these resources effectively to its optimum utilization. Both of these categories help us to describe the types of power.

TYPES OF POWER BASED ON RESOURCES

Money: From ancient times money i.e. finance is considered as effective determinant of power. Plato advocated separation of finance from governance and thus underlined the importance of it. It is said that in modern days it is financial strength that makes persons, political parties, and nations powerful. Money excelled over other resources in the capitalist system and thus is an important source of power.

Military: Machiavelli advocated strengthening military capacity to make State powerful. Kingdoms in past and Nation-states in modern days maintain big armies and advanced weapons in their arsenals to frighten adversaries and to secure their territory. Destructive capacity of nations determines the power in such cases.

Social Status: Higher social status on the parameters of gender, class, caste, clan, and race enable the person to impose his will on others. Thus higher social status in the social hierarchy is desired by persons and groups to enjoy the privileges of power holders.

Numerical Strength: In democratic polity the number of the followers or members of particular group determine the power of the party, leader, organization. Elections are won and governments are run on the support of the people. Decisions are made and influenced on the basis of the support enjoyed from the people.

Quality of Human Resource: Educated, committed, and loyal human resource is considered as strength of the great nations. Uneducated and corrupt human resources are liability over the national resources. Thus quality of human resource adds to the strength of the nations as well as community.

Types of power based on the capacity to use resources:

What makes power is the capacity to utilize available resources cleverly and not only presence of it. Thus a tiny Britain ruled over the vast territory for almost 150 years due to its skillful use of available resources. Same British rule was overthrown by the Indian leadership during freedom struggle with optimum use of unarmed satyagrah and manipulation of the international political entrapment of Britishers. In such manner power can be categorized in following manner.

Leadership, Strong and resourceful leader can turn the course of the situation in its favour any time with his leadership qualities. A Leader guides, motivates, channels the organization. Winston Churchill during Second World War; Lincoln during American Civil War are the examples of the leadership who successfully pulled out their countries from the adverse situations.

Decision making, right decisions at right time save resources and energy and give victory to the nations/organization. One wrong decision of Hitler to invade Russia costs Germany a defeat during the Second World War.

Negotiation, It is some time that wars are fought on the ground but are won or defeated on the negotiation table. Thus skilful negotiation can change the course of history at any moment.

Propaganda, it helps to mould the mind of the people or adversaries and to create the favourable environment before the actual negotiation, war begins. Thus propaganda through mass media is majoritary applied in modern contests be it war or elections. Thus control over media is a key to hold power in modern days.

Check Your Progress

1. What is Power?
2. How is it different from Force?
3. Explain types of Power.

AUTHORITY

Meaning:

The word authority is derived from the Latin words; auctor and „auctoritas“. An auctor is an

Originator or promoter of some order, pronouncement or whatever. When an action has been authorized there is some person or set of persons from whom the authority to do it derives.

According to Carl Friedrich, an authority is the embodiment of reason and depends on the capacity of reasoned elaboration. Authority regulates behaviour mainly by speech and words, not force. The term essentially indicates the people who are considered to have the right to make announcements or announce decisions.

Authority implies not only that someone with the capacity to reasoned elaboration has the right to issue regulations and make final pronouncements. It also implies that someone has the right to receive obedience.

McIver defines authority as the power to command obedience. **Simon** interprets it as the Power to make decision which guides the action of others. Authority is legitimate exercise of power.

Characteristics of Authority:-

Legitimacy: Legitimacy determines the effectiveness and acceptance of authority.

Dominance: Authority is the capacity of the individual to command others. An individual or group which possesses authority, exercises dominance over others. Authority is command of seniors to their juniors which is accepted by them.

Accountability: The individual or the group which possesses authority is also answerable to some higher authority. In a democracy, responsibility or accountability is an important characteristic of authority.

Types of Authority:-

Authority can be classified into many ways depends upon its sources and location.

Traditional, Charismatic, and Legal-Rational Authority

Max Weber describes three types of political authority as per their sources: traditional, charismatic and legal-rational. When the power to issue commands emerges from the source of customs and traditions such authority he named traditional authority. The right to rule which is based on the leadership qualities of the ruler is called as charismatic authority. When such rule is legitimized by the legal-constitutional framework Weber called it legal rational authority.

De Jure and De Facto Authority

R. S. Peters distinguish between two senses of authority". Person may possess an authority as a right to do so or he may have it without that also. In first sense it is called the „*de jure*’ authority and in second sense it is called as ‘*de facto*’ authority.

In ‘*de jure*’ sense legal or traditional rules make it possible for auctor to exercise his right to pass commands or orders or directions, i.e. to be „in authority”. De jure authority pre-supposes a system of rules which determine who shall be the auctor, that is who shall be those who with reasoned elaboration, shall take decisions, make pronouncements, issue commands and perform certain acts.

In certain cases authority can be exercised by persons without backing for legal or traditional rules. And in such cases even person who are legally entitled to pass orders can be overruled by the person who is legally not authorized to do so. But still people or followers accept such commands and defer the commands of legally entitled person. In such sense authority is „*de facto*’ which

derives from personal characteristics of the auctor. Thus the right to give orders is distinct from the ability to secure obedience to them.

A person exercises de facto authority with others in virtue of certain personal qualities. He does not need to resort to force, threats, bribes or the like. He does not need to justify saying that a particular course of action should be adopted in the way a man who lacked his authority might have to. He can secure in those with whom he has authority the conviction that something ought to be done by giving it his personal support and does not need to argue a case in detail. People take orders from him even though, he has no right to their obedience. They do so because they recognize certain qualities in him and not because he has a gun, is in a position of command, or whatever. As Peters puts it, „there is something about him which people recognize in virtue of which they do what he says simply because he says it“.

Such account of de facto authority resembles the Weber's account of charismatic authority. It seems to be based on some mysterious element of personal qualities which is very difficult to prove and recognize. But it differs from Weber on the point that Weber was too preoccupied with highly special figures like Jesus and Napoleon to explain the Charisma and Peter's account of de facto authority even recognizes the influence of quite ordinary people like doctors, solicitors and even teachers in class room as masters in their own specialized fields whatever limited they are.

Check Your Progress

1. Explain meaning of Authority.
2. What are the characteristics of Authority?
3. Write on types of Authority.

LEGITIMACY

Meaning:

Legitimacy in simple sense is derivative of legitimate which means allowed by the law or rules or something which is able to be defended with reasoning. In political sense it is the property that a regime's procedures for making and enforcing laws are acceptable to its subjects. Legitimacy is an important ingredient of authority along with power. Legitimacy of a rule or decision implies that the members of society treat that rule or decision as beneficial to society as well as to themselves. So they willingly tend to abide

by it. Use of force or coercion or sanctions may be resorted to only when legitimacy fails to work. Legitimacy is based on respect and willing compliance.

Political science is indebted to Max Weber for application of the term in the manner that Legitimacy constituted the basis of very real differences in the way power was exercised. Liberal thinking requires justification of power. It does not take authority granted or something invincible. In Weberian description there are three broad grounds for exercising authority, based on: tradition, charisma, and rational-legal authority. All three depend on certain belief in the legality of enacted rules and right of those in positions of authority to issue commands. Weber advocated that in modern democratic societies with prevalence of rule of law obedience is owed not to a traditionally sanctioned person or a charismatically qualified leader, but to the legally established impersonal order. It extends to the persons occupying a public office by virtue of the legality of their commands. He demonstrated limitations over such authority when he stated that such authority is confined to the scope of the office and cannot be used in capricious or self-interested way.

S. M. Lipset raises the concept to different height when he discussed the capacity of the political system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society. He underlined the acceptance of the political system by the plural fabric of the society. He argues that Western nations have had to face three difficult and potentially destabilizing issues: the place of the church of various religions within the nations; the admission of the working class to full economic and political rights; the continuing struggle over the distribution of the national income.

In this sense presently globalization poses further challenges to the legitimacy of the political system in general. Those groups who claim certain specific identities do not accept the legitimacy of the territorial boundaries of the nation-states. Quebec in Canada, dissolution of Yugoslavia, and dissent in Northern Ireland are a few of many examples that markedly emphasise this phenomena. In other way the issue of legitimacy also arises in relation to new types of political formation such as European Union which is struggling to meet the legitimacy criteria on political front among the population of its member nations.

The importance of Legitimacy can be emphasized in the words that the ability to issue commands which are seen as binding because they are legitimate is one of the central pillars of a stable political order.

Types of Legitimacy

David Easton refers to three types of legitimacy; ideological legitimacy, structural legitimacy , and personal legitimacy.

Ideological legitimacy is based on the moral convictions about the validity of the regime and incumbents of authority. When the source of legitimacy is the ideology prevailing in the society, it is called ideological legitimacy.

Structural legitimacy is based on an independent belief in the validity of the structure and norms and incumbents of the authority.

Personal legitimacy is based on the belief in the validity of the incumbents of authority roles to the authority roles themselves. The belief in the validity of authorities is based on their personal qualities.

QUESTIONS

- 1) Discuss the meaning and types of power?
- 2) Define authority and discuss its nature?
- 3) What are different types of authority?
- 4) Define legitimacy. What are the grounds of legitimacy?
- 5) Examine the relationship between power, authority and legitimacy?



6

MODULE III UNIT 6 SOVEREIGNTY

Unit Structure

Objective

Introduction

Evolution of the concept of Sovereignty

Aspects of Sovereignty

Defined Sovereignty

Characteristics of Sovereignty

Austin's theory of Sovereignty or Monistic theory of Sovereignty

Pluralistic theory of Sovereignty

OBJECTIVE

We will examine the concept of Sovereignty. Population, Territory, Government and Sovereignty as four essential characteristics of state. In this unit we will study the Concept of Sovereignty in greater detail.

INTRODUCTION

State has four characteristics - namely population, territory, government and sovereignty. The term sovereignty literally means, supreme or highest authority or power, within the state. It is the most important characteristic of the state. It is like the very heart or soul of the state. A nation or a country cannot be called state unless it enjoys sovereign power over its people and within its territory. Essence of the state authority is its sovereign power. It is this element which distinguishes the State from other associations. In every state there must be an authority which is supreme, final, whose will is legally binding over all individuals and associations within the territory. The concept of sovereignty is essentially a juristic concept. It implies supreme and final legal authority, above and beyond which no further legal power exists.

EVOLUTION OF THE CONCEPT OF SOVEREIGNTY

The concept is closely associated with the emergence of modern state. However, its idea can be traced back to Aristotle, who spoke of the 'supreme power' of the state.

The first systematic theory of sovereignty goes to **Jean Bodin** (1530-96). He defined sovereignty as the supreme power over subjects and possessions. According to Bodin, law is the expression of sovereign's will, and binds the subject regardless of their consent. The sovereign power is however, subject to the constraints of natural and Divine law. The sovereign cannot be subject to his own laws, since they express his will.

ASPECTS OF SOVEREIGNTY

Bodin developed the concept of internal sovereignty (as supreme power of the sovereign over citizens and subjects). **Hugo Grotius** (1583-1645), the Dutch writer, developed the concept of external sovereignty. He propounded the theory of equality of the sovereign states in their relations and independence of external control or dominations. Concept of sovereignty was also influenced by the writings of **Niccolo Machiavelli**.

Subsequently **Thomas Hobbes** (1588-1679) of England argued that the sovereignty of the state had no legal limits in principle, and no need for justifying any power outside itself. The state could not only administer traditional laws but could create new laws. He denied the claims of the Church to share political power. He advocated that there has to be a single centre of authority, Hobbes, thus developed the concept of legal sovereignty.

Concept of sovereignty was further developed by **Bentham, Austin, Rousseau, Hegel and Bosanquet**. The jurists viewed the state as legally supreme with final and absolute authority.

Limiting the Sovereign power : As stated above, while a group of writers advocated absolute power for the sovereign, another group of thinkers led by **John Locke, Montesquieu, Spinoza and Kant**, raised the question of the limits of the sovereign power.

They developed doctrine of separation of power, limited and constitutional government and theory of natural rights.

SOVEREIGNTY DEFINED

Blackstone defined sovereignty as "the supreme irresistible, absolute, controllable authority in which the supreme legal power reside".

Jellinek defines it as "that characteristic of the state in virtue of which it cannot be legally bound except by its own will, or limited by any other power than itself".

Duguit defines sovereignty as "the commanding power of the state; it is the will of the nation organised in the state; it is the right to give unconditional orders to all individuals in the territory of the state." **Burgess** characterises sovereignty as "original, absolute, unlimited power over the individual subject and over all associations of subjects."

Garner defines it as "the supreme will and power", elements which distinguish the state from other human associations.

Political Science Dictionary defines sovereignty as "the supreme power of a state exercised within its boundaries, free from external interferences".

The Penguin Dictionary of Politics defines sovereignty as "the right to own and control some area of the world".

All these definitions emphasise absolute and exclusive nature of sovereignty in its internal and external aspects. In simple words „sovereignty means supreme authority of the state within its territory and complete freedom from external control, or interference“.

In conclusion we may quote the words of **Justice Sutherland** of the **Supreme Court of United States of America** :

"Rulers come and go; governments and forms of government change; but sovereignty survives. A political society cannot endure without a supreme will somewhere. Sovereignty is never held in suspense".

In strict sense sovereignty is a legal attribute of a state which entitles it to make decisions with respect to matter within its jurisdiction, free of external restraint or coercion.

CHARACTERISTICS OF SOVEREIGNTY

On the basis of above definitions, we can briefly state the characteristics of sovereignty as follows :-

(i) Absoluteness

The sovereignty of the state as studied from the legal point of view is absolute. It is the most important and essential characteristics of the state. The will and authority of the sovereign power of the state cannot be challenged or overridden by any agency within the state. Externally no power can influence or dictate terms to the state.

However, as pointed elsewhere in these notes, this concept is purely of juridical nature. In reality sovereignty of the state is limited by several factors, such as customs, public opinion, power of electorate etc. Externally even the most powerful state cannot ignore the world public opinion.

(ii) Permanence:

The sovereignty is like the very heart and soul of the State. Destruction of sovereignty means end of the state, it does not cease with the change of government or death of a president. Even after a successful revolution the sovereignty shifts to the new bearer of power.

(iii) Allcomprehensive and universality:

Sovereignty of the State is all comprehensive and universal, in the sense that the sovereign power of the state extends over all its individual citizens and all groups, human associations within its territorial limits. No individual, except, of course, the foreign diplomats and ambassadors, is free from its all-embracing authority. None can claim exemption from the authority of the state.

(iv) Inalienability:

Sovereignty, being an indispensable element of the state, it cannot be alienated from the state. Alienation of the sovereignty would amount to the state's suicide. When there is change of power the sovereignty shifts to new bearer.

(v) Exclusiveness:

It means the state and the state alone possesses sovereign power over its citizen and associations within its territory. In other word there cannot be more than one centre of power within the territorial boundaries of the state. To have more than one centre of power means to divide sovereignty, which juridically would mean denial of the absoluteness of the sovereignty.

(vi) Indivisibility:

If the sovereignty is exclusive it logically follows that it cannot be shared or divided. Sovereignty being the highest will within the state it cannot be divided without destroying or creating more than one state. Some writers speak of 'dual' sovereignty. However, they confuse sovereignty with its emanation. Power which emanates from sovereignty can be divided, but not the sovereignty itself. In a federal state the power flowing from the constitution is divided between the Union and constituent units.

The characteristics of legal sovereignty may thus be summed up as under :

- (i) It is always definite, determinate, organised, precise and known to laws.
- (ii) It may reside either in the person of a monarch, as in an absolute monarchy, or it may be vested in a body of persons as in democracy, e.g. Parliament in Britain.
- (iii) It alone has the power to declare in legal terms the will of the state.
- (iv) All legal rights emanate from the legal sovereign and it can withdraw or annul them at its will.
- (v) The authority of the legal sovereign is absolute, unlimited and supreme. It is not subject to any control from outside the state.

Check Your Progress

1. Explain aspects of sovereignty.
2. Write on characteristics of sovereignty.

AUSTIN'S THEORY OF SOVEREIGNTY OR MONISTIC THEORY OF SOVEREIGNTY

Austin's Theory of Sovereignty John Austin, the famous English Jurist, who gave one of the most authentic definition of sovereignty, in his book **Lectures on Jurisprudence** published in 1832. His theory of Sovereignty has left an indelible imprint on the subject of sovereignty and even today the concept of sovereignty cannot be studied without reference to Austin. Austin provided the most elaborate analysis of the legal theory of sovereignty. His theory is also known as **Monistic Theory**. In spite of several criticisms the basic principles of his theory still serve as the basis for modern jurisprudence.

Austin's theory is as follows

Austin's theory of sovereignty is purely legal or juristic. In simple language it means that :

- (1) In every independent political community there exists a sovereign power. In other words sovereignty is an essential attribute of an independent political society.
- (2) The sovereign is a determinate person or body of persons. It cannot be an indefinite body or a vague concept.
- (3) The power of the sovereign is legally unlimited, there is no legal limit to his power or authority.
- (4) The obedience rendered to the sovereign is habitual and not casual. Austin's thesis is that obedience to the sovereign must be continuous, regular, undisputed and uninterrupted. But this obedience need not be from every member of the society. It is enough if obedience comes from the bulk or majority of the population.
- (5) The power of the sovereign is indivisible. There must be as many states as there are sovereigns. The power of the sovereign cannot be divided or shared. Division of the sovereignty is unthinkable.
- (6) The command of the sovereign is the law. Whatever is not commanded by the sovereign, cannot be considered, as law.

Obedience to be a command of the sovereign is obligatory. Disobedience will invite penalty.

Criticism of Austin's Theory of Sovereignty

Austin's theory was criticised by many scholars such as Sir Henry Maine, Clark, Sidgwick, Laski etc. Criticism of Austin's theory is as under :

(1) Sovereignty does not reside in a determinate human superior. Sir Henry Maine pointed out that sovereignty does not reside in a determinate superior. He pointed out that sovereignty and the power of sovereign can never be absolute. e.g. Maharaja Ranjit Singh, he said that he could have commanded anything yet never in his life he issued a command which could be properly called as law. The rules which regulated the life of his people were derived from customs, usages and conventions. He himself was subject to customary laws of the community.

Not only in the Asian society but even in the Western society no sovereign could disregard the social customs and traditions. In the medieval period the Church exercised complete control over the authority of the sovereign. Accordingly, Sir Maine concludes that sovereignty has never been or can never be absolute.

(2) Maine also pointed out that Austin's theory is inconsistent with the concept of popular sovereignty. It is not true in a democratic society. In democracy sovereignty resides in the people. In this sense, sovereignty cannot be determinate. Austin also does not take into account, what is today called as political sovereignty.

(3) According to Laski, law is not simply a command of a sovereign. It must be based on the moral sense of the society. There cannot be a law opposed to social, moral values and customs.

(4) Sovereign power can never be absolute and unlimited. Even the most powerful dictators and autocratic rulers could not ignore the public opinion, or prevailing customs and tradition. Theoretically, we may say that the power of the sovereign is absolute but in reality, in every society there are forces which can challenge the authority of the state.

(5) Austin lays too much emphasis on force. He believes that obedience can be exacted by the threat of force. But force and coercion are unproductive in the long run. In fact repeated use of force can become counter-productive. Force is something which destroys its own roots. It is not force but the willing consent which should be the basis of authority.

(6) In a modern democratic state the location of the sovereign is practically impossible. In a Parliamentary system sovereignty is located in Parliament. But behind the Parliament is the political sovereign i.e. the common voters. And behind this political sovereign is the mass of people, who make-up for the popular sovereign.

Thus in a democratic society it is practically impossible to discover the sovereign in the Austinian sense.

(7) Austin also failed to distinguish between legal, political and popular sovereignty. In a Parliamentary system while Parliament is the legal sovereign, the electors are the political sovereign, and the masses, popular sovereign.

(8) Austin also failed to recognize the role of other associations within the modern state. Laski has pointed out that in a modern state, there can be powerful associations and groups, which exert great pressure on its members.

(9) In the international system no state is externally free from foreign dominations or influences. Even powerful states cannot disregard the feelings of the smaller states; on the other hand the smaller states are constantly under economic or political pressure of the larger states.

(10) The greatest defect of Austin's theory is that it is undemocratic. According to him the sovereign is the determinate superior while the people are subordinate dependent on him. Such a theory will logically lead to despotism.

Conclusion

Austin's theory is further criticised on the ground that it assigns absolute and Unlimited power to the sovereign. The pluralists do not agree with this argument, they maintain that the state is an association like many other associations in a society. Therefore, the pluralists accused Austin's doctrine of a single and unifying sovereignty. They argue that sovereignty in modern state is diffused and shared by many associations and institutions. Externally also sovereign states cannot ignore the limitations put by the international Law, Austin's theory is therefore regarded as legal fiction. Laski is of the opinion that the idea of an independent sovereign state is fatal to the well being of humanity. Today, the States of the World constitute an international society. There are several common international problems which cannot be solved without international co-operation. For example, international terrorism cannot be tackled without the co-operation of different states. Similarly, agencies of the United Nations work in close co-operation. Besides, there are multi-national corporations (M.N.C.)

and trans-national organisations, having their activities across national and continental boundaries. Today, in addition to regional co-operation, there is a process of globalisation of the world economy. The world economy is now closely integrated. Therefore, in such a situation Austin's theory does not hold ground.

PLURALISTIC THEORY OF SOVEREIGNTY

The greatest challenge to absolute theory of Austin came from the pluralist. They argue that society consists of a number of associations and institutions and the state is one of them.

Pluralism was reaction against the traditional theory of sovereignty which assigns supreme and unquestionable power to the sovereign. Pluralist do not accept the argument that the state alone has the right to the monopoly of power.

Pluralist's Argument:

The validity of monistic or absolutist theory of sovereignty was first challenged by German Jurist **Von Gierke** (1844-1921). According to Gierke three factors were responsible for the change in monistic theory.

(1) By 19th Century there was fundamental change in the nature and the functions of State. It was no longer a Police State, rather service to the citizens became dominant functions of the state. This requires the co-operation between various institutions and the State to realise the goal of welfare.

(2) Secondly, the International Co-operation increased in many fields. The process of International co-operation began in the last quarter of the 19th Century and continued during the 20th Century. This has logically limited the external aspect of the sovereignty. ,

(3) Today, there are number of associations and social groups fulfilling man's needs. They all have claim over the individual. Therefore, State alone cannot claim priority over other social institutions and groups. Many of these associations have their own legal entity. For example, there are religious associations or political parties, which claim the first attention of a citizen. Certain religious sects claim priority over the State. Gierke and Maitland thought that each social group has a personality and will of its own. **Figgs** also agrees with them.

Central Argument : Pluralistic theory was put forward and supported by Gierke, Maitland, Durkheim, Figgs, Barker, Lindsay and MacIver. The Central argument of the pluralistic theory is that state is but one association among several other associations. There are other associations such as Church, Trade Union

organisations, Employees Associations, Political parties and groups; even professional organisations share certain degree of power and influence over their members within the society. These associations were not created by the State, rather they are natural to man. They also operate in specific areas and are independent of the State. Therefore, they should have functional freedom and state cannot dominate or dictate them. Pluralist thus advocate autonomy for professional, political, economic and religious organisations, Pluralist further argue that these social organisations, compete for man's allegiance. They argue that state alone cannot command the individual. Pluralist also emphasise the need to study the actual process of modern life and danger arising out of too much interference of the state.

Evaluation of Pluralist Theory:

Pluralist criticism of absolutist theory of Sovereignty is valid to a large extent. It cannot be denied that different social, cultural, religious associations perform valuable services, and the state would be well advised not to interfere in their work. Pluralist suffer from inner contradictions; while advocating de-centralisation of state power, they actually assigned more power and functions to the State. Laski was a relentless pluralist. He modified his view in later period and criticised the pluralist. In particular Laski wanted State action to defend and protect the common man from the capitalist exploitation. Further, with the emergence of the concept of Welfare State, the political thinkers began to demand greater state action in defence of weaker sections of the society. Modern State was also called upon to check economic crimes, and malpractices prevailing within several social associations. Modern State is also required to extend protection to the individual from group violence, or social injustice. For example, there are many evil social customs which torment the individual. State therefore is required to enact laws to protect the individual from these evil customs. Similarly, to save the institutions of Family, the state is required to enact marriage law. Today, we see greater state action in defence of individual liberty and freedom. With the emergence of Welfare state, the state has entered every aspect of man's life. Modern period has witnessed great expansion in the state activities. There is hardly any aspect of man's life which is outside the sphere of influence of the state.

Power and influence of social associations may prevail over its members, however, in the ultimate analysis the state will assert its authority. We have seen, how fundamentalist and terrorist organisations even challenged the authority of the Indian state in Punjab. But ultimately the Republic of India brought the terrorist outfits to their knees. Besides, if a state fails to assert its authority, it has in effect lost all claim to sovereign power : Occasions arise in the life of a society when the state power collapses, and total anarchy and lawlessness prevails.

Today, nations such as the former Soviet Union and even India to some extent, which are experiencing multiple pulls of allegiance, are all the more in need of central controlling, guiding and regulating sovereign power of the state.

The main drawbacks of pluralistic theory as under :-

(1) As Miss Follett has pointed out state is the supreme unifying" force, in the absence of which the society will fall to pieces and man will go back to the primitive, state of nature. Without state there can be no order, without order there cannot be peace and without peace, there cannot be justice. State alone can bring order, peace and justice in a given geographical area.

(2) Mabbott has pointed out that every associations must keep peace, obey law and follow norms, rules and regulations laid down by the state. Cocker also agrees that non-political associations cannot function without the safety, security and protection provided by the state. How can for example, educational institutions function or freedom of religion prevail in a state of anarchy.

(3) Pluralists have failed to point out as to which particular functions of the state they would like to limit or completely take away. If the state is to function like any other associations, how can it collect taxes or enforce laws or control anarchy?

(4) Logical consequence, of pluralism would be anarchy in which everyone is for himself. It would be Law of Jungle, and society would be at the mercy of anti-social elements.

(5) A divided sovereignty will destroy itself, it will have no power to assert its authority. As Gilchrist has pointed out if pluralism is taken to its logical end, it will lead to disintegration of the society, all progress will come to an end and every group will contend for supremacy.

(6) Finally, today we are witnessing a process where social, economic and fundamentalist forces have aggrandised the State. They have forced the state to assume greater and greater power. Need for social, economic and educational planning and requirements of welfare state have also increased power of the state.

Conclusion

In conclusion we must say that sovereignty can belong only to the state and no other social groups. In actual practice no state, either internally or externally can exercise absolute power.

Internally, the exercise of states' power is subject to various restrictions and is quite often resisted by powerful social and economic groups. Externally, states are neither absolutely sovereign or completely equal.

CheckYourProgress

1. Explain the nature of Austin's theory of sovereignty.
2. How is pluralistic theory a challenge to Austin's theory?

CLASSIFICATION OF SOVEREIGNTY

The term sovereignty has been used in different senses. This leads to various kinds of sovereignty. We may briefly discuss them as under :-

(1) Titular and real sovereignty:

Titular means nominal or ceremonial, such as the British Monarch or, President of India. While the real sovereign is the one who exercises real power such as the absolute monarchs in the former days. Under Parliamentary system the king or the Queen, or even elected President is nominal sovereign in whom the executive powers of the state are vested, while the Parliament is a real sovereign. A king would also be a real sovereign if he directly exercises all powers.

(2) Legal and Political sovereignty:

Distinction is also made between legal and political sovereignty. A legal sovereign is one which has supreme power to enact law. In a modern state the Parliament or the Central legislative body like the American Congress are the legal sovereigns within their states. A legal sovereign can theoretically override even the divine law or long-standing social customs.

Main features of a legal sovereign are:

- (a) It is definite, determinate, organised and known to laws.
- (b) It alone has power to enact highest laws.
- (c) Disobedience to legal sovereign will lead to punishment.
- (d) All rights emanate from the legal sovereign.
- (e) Authority of the legal sovereign is unlimited.

We have already said that the British Parliament and the American Congress exercise such legal sovereignty.

(3) Political Sovereign

Stands behind the legal sovereign. In democracy political sovereignty belongs to the voters. There are differences of opinion about the location of political sovereignty. Some political scientists feel that not only the voters, but other forces which are behind the legal sovereign, make up for political sovereignty. However, the fact remains that political sovereignty is difficult to locate. There is, however, no doubt that public opinion, the wishes of the voters etc. influence the decision of the legal sovereign. In a direct democracy, the people could be considered as political sovereign.

(4) Popular Sovereignty

The concept of popular sovereignty is very old. For example, Roman scholar, Cicero said "the authority of the Commonwealth is derived from the corporate power of the people." In the medieval period, political thinkers spoke of the voice of the people. Machiavelli said : "voice, of the people is voice of God." The Social Contractualists^also argue that authority of state is based on the consent of the people. In this sense people are the popular sovereign. James Bryce said "the sovereignty of the people is the basis of democracy."

(5) De Jure and De Facto Sovereign

A distinction is also made between de jure (legal) and de facto (actual) sovereign. De jure sovereign is one who is legally recognised, and is competent to issue command of state. Thus the authority of the de jure sovereign rests on law. Sometime due to historical circumstances the de jure sovereign is unable to exercise his power. This may happen as a result of revolutions, or conquest by foreign power. For example, after the Battle of Plassey (1757) the Nawab of Bengal remained de jure sovereign while the East India Company became de facto sovereign, as it exercised complete control over the three provinces of Bengal, Bihar and Orissa.

Some scholars are of the opinion that since sovereignty is a legal concept, only de jure sovereign is the real sovereign. De jure sovereignty is also necessary for political stability.

CONCLUSION

(1) Sovereignty is the heart and soul of a state. Internally it stands for the supreme authority of the state within its territory and externally free from any foreign or external pressure or interference.

(2) Austin advocate monistic or absolutist concept of Sovereignty. Scholars such as Gierke, Maitland, Durkheim, Barker etc. questioned the absolutist concept of sovereignty. This school of thought came to be known as Pluralism.

(3) However, in the ultimate analysis, scholars agree that for a state to be able to perform its functions effectively it must have unrestricted sovereign power, in the absence of which we will revert to the Hobbsean State of Nature. Indeed modern period has witnessed two parallel trends - expansion of individual freedom and greater state action in defence of that freedom and welfare obligations of the state.

QUESTION

- 1) Briefly trace the evolution of the concept of Sovereignty.
- 2) Critically examine Austin's theory of Sovereignty.
- 3) Define the concept of sovereignty and discuss its characteristics.
- 4) Critically examine the pluralist theory of sovereignty.
- 5) Give a classification of sovereignty.

FURTHER READING

- 1) Eddy Asirvatham - Pol. theory, Ch. 11.
- 2) Amal Ray & M. Bhattacharya - Political theory, Ch. 8.
- 3) K. R. Bombwall - Foundation of Pol. Science Ch. 3.
- 4) Agarwal, Bhushan & Bhagwan - Principles of Pol. Science, Ch. 8



7

MODULE-IV UNIT 7

LAW – Nature, Scope and Types

Unit Structure

Objectives
Introduction
Law: - Definition Meaning
Features and Nature of Law

Sources of Law
Types of Law
Scope and importance of Law
Conclusion
Questions

OBJECTIVES

In day to day life we follow various types of laws. Hence to understand the meaning, nature and sources of law is necessary.

INTRODUCTION

Law is the most important feature of the modern state. Laws, which are commonly known as sets of uniform principles, operate in all fields of human activity from science to society.

In political science we are concerned with the laws of the state. The concept of law is one of the basic concepts in political theory because the state is human and a legal association and enjoys monopoly of power. Human community faces two major organizational problems. One is regulation of human behavior and to maintain law and order. Second is to find a common method of deciding claims and disputes. The ultimate objective of laws is to secure freedom and justice for the people. Because when law limits and regulates human action in society, it is in fact, safeguarding individual freedom against encroachment from others. Common people know that laws are made by the government, laws must be obeyed and that laws are necessary because their absence will lead to anarchy.

DEFINITIONS AND MEANING OF LAW

Definitions of law are many and varied. Different schools of jurisprudence have put forth various definitions of law. Some definitions are as follows: -

The term Law is derived from the word „Lag“ which means fixed or „Uniform“. It means rules of behavior which will be uniform for all.

John Austin Says: -“Command of the sovereign is called a law”. It may be Monarch or Parliament. In that sense state is sovereign and rules of the state are called a law.

T.E. Holland:-“Law is a general rule of external human action enforced by a sovereign political authority”.

The Oxford English Dictionary defines “law as a rule of conduct imposed by an authority.”

John Salmond defines: - "Law means the body of principles recognized and applied by the state in the administration of justice".

According to Erksine: - "Law is the command of a sovereign, containing a common rule of life for his subject" and obliging them to obedience".

FEATURES AND NATURE OF LAW

The above definitions tell us that the concept of law have several dimensions and features. These are as follows: -

1. A Law expresses the will of the state: - Law is considered to be the expression of the absolute sovereignty of the state. Rules and regulation of the state is called law.

2. A law is made by the Government: - Government is the authority which works on behalf of the state. Government has three organs, Legislature, Executive and judiciary. Legislative organ of the Government make the laws. Executive organ of the Government implement and enforce the laws. Judicial organ of the Government interprets the law and grants punishment to those who violate the law. Thus a law is made by the Government and reflects the will of the State.

3. Law regulates the external conduct and actions of the people: - Internal thoughts, feeling sentiments can not be regulated by the laws e.g. gender equality laws can only lay down how men should behave with women, it can not regulate what men think about women. Thus a law can only regulate what members of a society do. It can not regulate what they think and feel.

4. Laws are universal: - It means laws are universally applicable to all. It means the „rules of law“. A law must apply to all citizens equally and treat them similarly e.g. equality before the laws and equal protection of law to all. e.g. the penalty for committing a narcotic offence - such as carrying prohibited drugs on one's person is the same for all Indians from Bollywood actor to common man. Thus laws are universally applicable without any discrimination.

5. A law must be constitutionally valid:-

Government makes the laws within the framework of constitution. Laws are precisely written down.

6. There is a coercive authority behind law:-

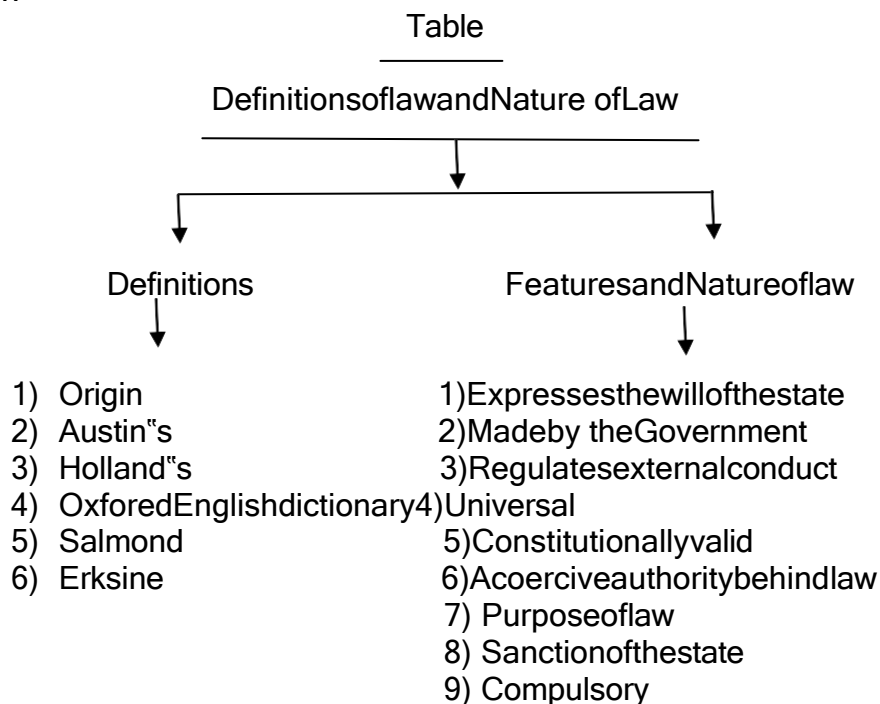
Violation of law invites punishment by the state e.g. Police force identify a violation of the act and judiciary punish the accused. Thus laws are backed up by a system of coercion and punishment.

7. The supreme purpose of law is welfare of the people.

8. People give obedience to the law as it has the validity and sanction of the state.

9. Laws are compulsory - All individuals and associations are bound by the law of the state. It is not optional. No one can be excused for breaking a law on the grounds of ignorance. Individuals and associations are supposed to know the law of the state.

Conclusion-all these features of law explain the meaning and nature of law.



Check your progress:-

- 1) What is the importance of laws?
- 2) Give various definitions of law?
- 3) Write on important features of law and analyse its nature?

SOURCES OF LAW

Sources of law mean various factors that contribute to determine the content of law.

A law is made by the Government and expresses the will of the State. However, a Government does not take decisions in isolation. There exist various Non-Governmental factors that influence the creation of law. These factors or sources are as follows:-

1. Customs: - It is the first source of law. It came into existence before the state came into being. Customs are earliest form of regulation of human society. They were obeyed during earlier times because of their social utility and later on due to habit. Customs are valued and respected by the people. Violation of customs leads to public displeasure. After the emergence of the state, customs slowly gave way to laws. The state understood the utilitarian value of customs. The State initially enforced only the customary law.

Customs is not a law unless it is recognized by the state. In England customs form an integral part of the common law.

However the state does not ratify all customs. Some customs are evil which have to be abolished by law. E.g. the customs of sati, child marriage, unsociability are abolished by law.

2. Religion: - In the primitive society customs had religious sanction. Every aspect of life was regulated by religion. People had faith in religion and therefore followed religious practices meticulously. Eventually, religious rules were translated into legal rules for controlling and regulating human behavior e.g. Hindu laws are based on the code of manu and the Muslim law on the Koran.

3. Judicial Decisions: - The primary function of the judges is to interpret and apply law. While doing so, the judges may come across the gap in the law. Under such circumstances, he uses his knowledge and experience and applies the law to specific cases. Such judgments can be used as precedents in future. It may create a new laws. The power of judicial review in the U.S. and India can become the law making power of the judiciary.

4. Scientific Commentaries: - There are the writings of eminent jurists which contain important legal principles. Jurists collect and compare lot of information. They study the existing legal systems, find out the drawbacks in it and suggest measures to reform it. Lawyers and judges both use the writings of these experts. When they are accepted by the judge, they become part of a law.

5. Equity: - Use the commonsense by the judges. It means the principle of fairness and justice. When the civil law becomes rigid and unrealistic, it gives rise to equity. When the judge finds that justice cannot be achieved with the help of existing law, he decides the case on the basis of fairness. By doing this, precedent is set and it becomes the basis of new law. It is an informal method for making a new law or improving an old law.

6. Legislation: - Legislature is the law making body of the government. Today most of the laws are product of legislature. Law making is the primary responsibility of the legislature e.g. Indian parliament works as a law making body.

7. Ordinance: - To meet an, emergency, the government issue ordinance. It is issued when the legislature is not in session. It is as effective as law. Very often, the legislature converts an ordinance into a law.

8. Different thinkers and philosophical schools put forth different views about the nature and sources of law:-

A. The Analytical view:-

Austin, Hobbes and Bentham are the chief exponents of this view. According to them sovereign authority is the only source of law i.e. the state.

The sovereign authority creates and enforces law. It is authorized to punish those who disobey law. According to them people obey law because the state has coercive power.

This view is criticized on several grounds. It is emphasis on a formal source of law. Apart from sovereign authority, there are other sources of law like custom, religion. Secondly they neglect the evolutionary character of law. Laws are not made overnight, several historical forces enter into making of laws.

B. The Historical View: -

This school of thought is opposed to the Analytical view, According to them customs; religion, traditions etc are main sources of law. Useful traditions automatically take the form of law. Hence the law is the result of the process of historical evolution, social development and influences of the past.

C. The Sociological View:-

According to them there is a close relationship between law and society. Law is the product of social forces. The state does not create law but only imparts legal value to the existing social rules. Laws serve the social needs and interest of the society. People obey law because it promotes social welfare.

D. The Philosophical View:-

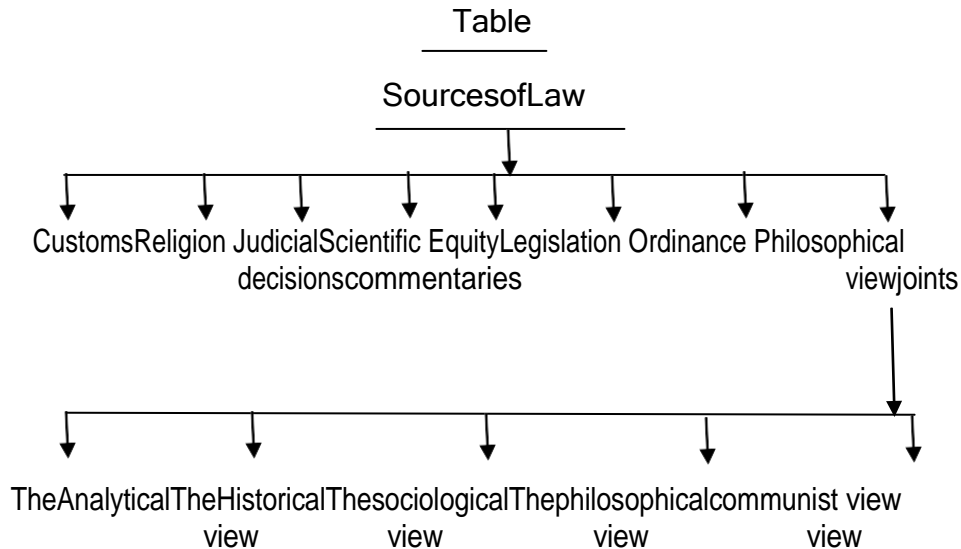
According to them law is a result of culture and is also a means of enhancing it, their interest lies in securing an ideal basis for law.

E. Communist or Marxian View:-

According to them state and its laws protect the interest of the privileged class. They dominate the state. So people should change the entire political system.

Conclusion

In modern times, legislature is the most important source of law. But the content of law is determined by several above factors,



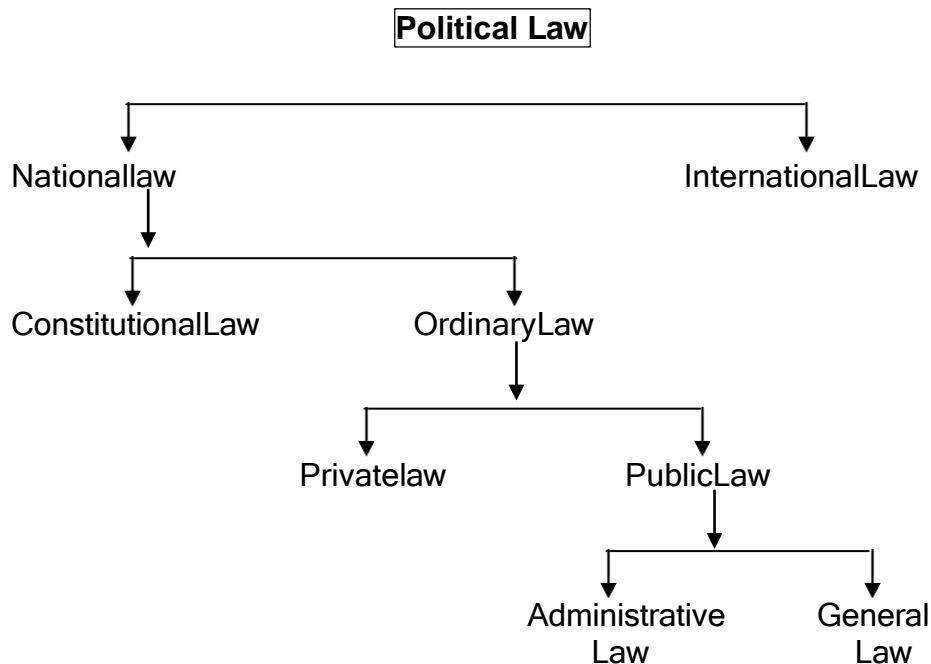
Check your progress:-

- 1) Explain various sources of law.
- 2) Write on different views about the sources of law.
- 3) Discuss legislature is the main source of law?

TYPES OF LAW

Law are classified into different categories depending on its source, nature, usage and function. Aristotle, John Locke and Thomas Hobbes have spoken of natural law and its rule in the functioning of the state. They say that natural laws are those that can not be destroyed by any authority. Natural laws have been created by nature itself. These laws exists above and beyond the law of the state.

We will study about the political law. Political laws are the laws which exist within states and between states. Political laws may be divided into National law and International law.



1. International Law: It regulates the relations between the states. It lays down the rules of behavior of one nation state with another. It is not the creation of any sovereign law making body. The states voluntarily accept this law. No state can be forced to obey international law. It is only the moral binding which makes them accept and obey the law. This is because in contemporary world politics each nation state is sovereign. International law can only request but not compel. It is entirely up to the government of nation states to decide whether the law will be followed or not. In the event that it is not followed no international body can penalize the nation state.

2. National Law: - National law is created by the state. It governs the relation of the individual with the states, as well as relation of the individual with other individuals. It is uniformly applicable to all individuals and associations. It is compulsory for all. Force is the sanction behind national law. Anybody disobeying the national law is punished. National law is created by the Legislature, implemented by the Executive and interpreted by the Judiciary. Hence it is backed by the state, and its organs, as well as the coercive authority of the police and security. Individuals are expected to know the laws of the state. They can not plead ignorance about it.

3. Constitutional Law: - National law is further classified into constitutional law and ordinary law. Constitutional law flows from the constitution of the state. It is the basic and fundamental law of

land. It determines the structure, functions of the state, nature and scope of governmental authority, fundamental rights and duties of the citizens. The government derives its authority from the constitutional law. It may be enacted or evolved. It may be written or unwritten e.g. It is written in India, USA and unwritten in England.

4. Ordinary Law:-

Ordinary law is also a branch of national law. It is also known as statutory law. It is passed by the state legislature. It is subordinate to constitutional law. It is prepared as per the necessity; generally it is prepared keeping in mind the basic principles of the constitution. It governs the relationship between the people and the government. It is divided into private law and public law.

5. Private Law:- It governs the relationship between individuals e.g. marriage, divorce laws.

6. Public Law: - It includes all laws that govern the interaction of one citizen with another in the public sphere or the interaction of a citizen with a public entity such as employers and business houses. It deals with the structure and functions of the state. It defines the relationship of the state with its citizens. The individual has to obey public laws.

7. Administrative Law : - It deals with the relationship between the state and its officials. It comprises those laws that regulate the relationship between government officials and the state. It decides the powers and responsibilities of government employees, cases against government employees are run in the administrative courts and judgments are given as per administrative law.

8. General Law: - It deals with the relationship between the private citizens and the state. These laws are classified on the basis of their source or the manner in which they are prepared. Thus they are:-

1. Constitutional Law
2. Common Law
3. Statute Law
4. Ordinance
5. Case Law
6. Administrative Law
7. Initiative
8. International Law

Out of these we have already studied constitutional law, statute law, administrative law and international law.

Common law: - These laws are derived from customs, traditions, usages etc. It evolves over a period of time. Many times there is no formal documentation of common laws, e.g. In England.

Ordinance: - It is issued by highest executive authority e.g. In India the President can issue an ordinance, in case of emergency, when the Parliament is not in session. It lasts for six months.

Case Law: - When the judges give judgment on cases that come to them keeping in mind the principle of equity, it creates case law. Such judgments are used in similar cases later on.

Initiative: - These laws are proposed or initiated by the electorate. It is the sign of a mature and enlightened citizen. The democracy can be said to be really meaningful in such a state.

SCOPE AND IMPORTANCE OF LAWS

It means purpose and necessity for obeying laws.

1. Law expresses the sovereignty of the state: - Barker states "The state exists for law, in law, through law and as law". For meaningful and successful functioning of democracy, it is essential to obey laws.

2. A law regulates human behavior and social interactions: - Law is essential for maintaining peace, order and stability in the society. Laws are created keeping in mind the interest of sections of people. Without law there will be anarchy in the society. Man is a social animal, He lives in a civil society. When he is living in such society, it is necessary to control his behavior. This function of regulating his behavior is done by law.

3. Law protects the weak: - It curbs the activities of anti-social elements. The objective of law is creation of such an atmosphere, where there is no fear. In a democracy, it is expected that people participate freely in the affairs of the state. If there is no law, the weak, poor and powerless will not be in a position to participate in the affairs of the state. The state functions through law and makes sure that the weaker section is protected. Without law there is no liberty. Purpose of law is to protect liberty of the people.

4. A law enables civilization to progress: - If the state wants to proceed rapidly on the path of economic development peace is essential. In the absence of social security, peace development is impossible. Hence respecting laws is essential for national development. The state uses law as a tool to bring about

progressive developments in the social, economic, political and technological spheres.

CONCLUSION

Law is found in all modern societies and is usually regarded as the bedrock of civilized existence.

Check your progress: -

- 1) What do you mean by national law?
- 2) Give the meaning of International law.
- 3) Write a note on constitutional law.
- 4) Explain various types of ordinary laws.

QUESTIONS

1. Define law and briefly examine the sources of law
2. Examine the different types of law
3. Define law and discuss its nature



8

MODULE IV UNIT 8

POLITICAL OBLIGATION AND TYPES OF RESISTANCE

Unit Structure

Introduction
Meaning and Nature of Political Obligation
Grounds of Political Obligation
Right to Resistance
Questions

INTRODUCTION

Political obligation is a central concern of political philosophy. It is related to the survival and sustenance of a political system. A political system survives only when people give obligation

(obedience) to it. In political theory two questions are important. Why do people obey the state?

On what grounds can the disobedience be justified? And what are the methods of resistance? To answer these questions in this topic we will learn following points:-

- 1) Meaning and Nature of political obligation
- 2) Grounds of political obligation
- 3) The theoretical justification of political obligation
- 4) Whether political obligation is absolute
- 5) Right to resist and methods of resistance

MEANING AND NATURE OF POLITICAL OBLIGATION

The word „obligation“ comes from the Latin word „obligate“, which means to perform an enjoined duty. An obligation is a duty to do or not to do something,

Political obligation means- “to obey the command of the state”

Political obligation is something, which, we owe to others, as members of society. As members of society and the state, we are expected to behave in a manner, which is good for all and refrain from acting in a way which is harmful to the society. The state has sovereign authority, it is authoritative. It has the right to issue order to its citizens and the right to receive obedience from them. The state call upon us to follow captain's do's and don'ts. These do's and don'ts are known as duties or obligations

Difference between obligation and obedience

In common usage both the terms are used as synonyms obedience is instinctive. It is a product of training and habit. Obligation is more than obedience. **Obligation is a product of reason. It is a conscious action arising from within the individual** e.g. An animal obeys because of habits and training or out of a sense of loyalty towards the master, while a citizen obeys the law of the state, because he considers it as right on his part to do so.

Classification or Types of Obligations:-

Obligations may be classified into two types.

- 1) Moral and legal obligations
- 2) Positive and Negative obligations

Moral obligations: Moral obligations are those that have not been prescribed by the state. It is only the moral duty. These obligations

include those that have been evolved by society itself over centuries in the form of tradition or custom. Individuals fulfill these duties because society says that it is the good way to behave. Moral obligations differ from society to society. Moral obligations have no legal backing and obeying them is purely voluntary. e.g. to help the poor and the needy.

Legal obligations : Legal obligations are those that have been laid down by the law. A citizen must follow legal obligations because they enjoy the backing of the law. Any failure to fulfill a legal duty can be punished by the state. e.g. A citizen of India can be penalized for disrespecting the national Flag and Anthem because the Flag Code of India forbids it. Thus citizens must necessarily follow all legal obligations.

Positive obligations : Positive obligations are those, which expect individuals „to do something“ such as to obey the laws of the state, pay the taxes, exercise one’s right to vote etc.

Negative Obligations : Negative obligations are those which expect individuals ; not to do something“ which is prohibited. e.g. not to commit theft or murder etc.

A FEW IMPORTANT POLITICAL OBLIGATIONS

Every individual will have to obey the laws of the state and refrain from doing what is prohibited by law.

1) **Allegiance to the state:-** The foremost obligation of every citizen is to show allegiance to the state to which he belongs. A citizen must defend the state against all enemies and dangers and serve and show loyalty to the state for preserving its integrity under all circumstances.

2) **To respect and obey the laws of the state:-** The state makes laws for the welfare of the people. Hence it is an essential obligation of every individual to respect and obey the laws of the state.

3) **To pay all kinds of taxes regularly and punctually :-** The state runs its governmental machinery, maintains armed and police forces, promotes public welfare. All this is possible with money, which comes from the people in the form of taxes. It is, therefore, an essential obligation of every person to pay all types of taxes.

4) **To exercise the franchise:-** It is not only a right but also an obligation of every citizen. For the meaningful democracy he must exercise his franchise with judgment, discretion. Holding public office in a spirit of service and dedication is also an essential obligation of citizens.

5) **Co-operation with Government:-** It is an essential obligation of citizen to help and co- operate with the government, in the maintenance of law, and order and peace. No Government can be successful without the close co-operation of the people in preventing lawlessness, in fighting corrupt practices and in rendering service in times of emergency.

GROUND SOF POLITICAL OBLIGATION

Why should individuals obey the state? In seeking answer to this question we should study various reasons or grounds of political obligation.

1) **The simplest ground for obligation is the legal ground**
State possesses sovereign authority. Therefore it has the right to make laws and the citizens have the obligation to obey those laws. It is a legal duty of the citizens to obey these laws, otherwise they will be punished by the state.

2) **According to Bryce:-**

Grounds of obligations are as follows.

- A) **Human tendency** - i.e. desire to avoid trouble. It is a human tendency to follow the line of least resistance. Most people comply with the command of the state because they wish to avoid trouble. They obey, not because they feel it is their bounden duty to do so, but to avoid trouble from the state authority.
- B) **Deference** - i.e. respect for the head of the state. In tribal and feudal societies deference for man in authority was the most stable basis of obedience.
- C) **Sympathy** - i.e. psychological group feeling towards one another
- D) **Fear** - i.e. . The fear of punishment by the state. The coercive force of the state, keeps men under check.
- E) **Reason** - It means understanding that the conscious obedience of the laws of the state is for the good of the whole community.

3) **The theoretical justification of political obligation:-**

Political philosophers have advocated different theories of political obligation. Some of the prominent theories are:

- 1) The Divine theory-ground of divine right
- 2) The theories of social contract- ground of consent and contract
- 3) The theory of common good and utility of the state.
- 4) The Idealistic theory
- 5) The Marxian theory.
- 6) Ground of prescription
- 7) Theory of force.

1. The divine theory : - It insists that Divine Will is the ground of political obligation.

Almost all religious scriptures have propounded this theory. The state and King is regarded by them as a divine authority. King is the representative of God appointed to rule over the subjects. Hence to disobey a command of the king means disobedience to the will of God and it is sin. Divine Right of Kings and Divine Will is the main ground of political obligation. This ground of political obligation was the most popular in the age of monarchical state. But in the modern age this theory is rejected as it is not only unhistorical, unscientific but also undemocratic.

2. The theory of Social Contract and Consent-

According to this theory, people entered a contract and created a state (sovereign) whom they voluntarily obeyed. Consent of the people is the main ground of political obligation.

Thomas Hobbes, John Locke and Jean Jacques Rousseau were the three distinguished exponents of this theory. Thomas Hobbes in his works said that the state of nature in the absence of the existence of a state would be that of disorder and anarchy. In order to escape such a terrible existence people entered in a social contract by which they surrendered their rights to a single absolute and universal authority. This authority i.e. states would protect the interests of all citizens and prevent civilization from falling back to law of the jungle. He said the state is not a party to the contract but product of it, and hence citizens owed the monarch obedience. Because the people themselves had consented to and entered the contract. The state would be a totalitarian (all -powerful) one wherein the monarch could demand the obedience of the people.

John Locke also believed that a contract was signed and a sovereign authority was created. But According to him the ruler has limited constitutional authority and that the people must obey him as long as he discharged his duties effectively. If the ruler failed to serve the masses, the people have the right to overthrow him and bring in a new ruler.

Jean Jacques Rousseau said that state was the result of a contract by the people. He vested political authority in the General Will i.e. combination of the ideal will of the people. Thus according to Rousseau the state was created by a contract under which all people agreed to be tied and obligated to political authority. If the ruler acted arbitrarily and misused his authority, Rousseau gave the right of revolution to the people.

3. The theory of common good and utility of the state:-

This theory is advocated by the utilitarian who believe that the state is a means to secure the end of common good. Therefore we are obliged to obey the laws of the state. The state is organized and maintained to promote happiness or pleasure. In the words of

Jeremy Bentham „the greatest happiness of the greatest number is the foremost concern of the state“. The state achieves its purpose through laws, backed by coercive power, requiring individuals to obey laws and to contribute to the promotion of the common good.

4. The Idealistic theory:-

According to this theory the ground of political obligation is the human rationality.

This ground of political obligation is based on the assumption that man is a rational being who is aware of his strengths and weaknesses and tries to maximize his strengths and minimize his weaknesses. This theory assumes that every individual's goal is to attain his highest self. An individual can achieve this only as a part of society and state and not in isolation.

Socrates, Plato, Aristotle and idealist thinkers like Hegel, T.H.Green believe that an individual is obliged to obey the state because it is the state that enables him to live the life of a human being who realizes his potential. The rational individual knows that his best interest can be secured only within the state. Therefore individual willingly obeys its laws. According to Hegel "The state is the embodiment of reason, it is the march of God on earth" Individual freedom lies in the perfect obedience to the state. T.H. Green said "Will not Force, is the basis of the state. Thus according to idealist the source of the political obligation lies in the rationality of man.

5. The Marxian theory:-

According to Marxists, in the capitalist system an individual has the right to resist the state because the state is a bourgeois institution and represents the interest of that class alone. The oppressed working class has no obligation to the existing political order. But when the capitalist system is overthrown and the socialist system is established then state will become an institution of the whole people. Then there is no question of disobedience.

6. Ground of prescription (established conventions):-

Well –established customs, conventions is the ground of political obligation. This theory says that people willingly obey the state because they have been doing so for several years. Edmund Burke says, the ground of prescription is based on the belief that the nature of the state today is the result of centuries of evolution and therefore embodies the collective wisdom of many generations.

7. Theory of force:-

This theory explained that the state originated due to physical coercion and warfare. Even after the establishment of the state, force has to be employed for its survival. Force is essential not only for maintaining law and order, peace within the territory of the state

but also external security. It is because the state possesses the physical power that individuals obey the state. The people are afraid that if they disobey the laws, they would be punished hence they oblige the state.

4) OTHER STRONG REASONS OF POLITICAL OBLIGATION

1. An individual has social as well as political needs:-

Man is a social and political animal. No man can live in isolation. Individual's social needs drive him towards the establishment of society and his political needs drive him towards the establishment of state. Since both institutions are in the interest of the individual he willingly owes them his loyalty and accords political obligation.

2. Legitimacy of the Government:-

Educated and politically aware citizens fulfill their political obligation because they believe the source of law is government. It is to be legitimate, e.g. in India the majority of citizens follow laws made by the parliament because the government has been voted to power in the manner that the constitution prescribes by free and fair election. When people believe the government is legitimate they render obedience to the state.

3. Fear of Anarchy:-

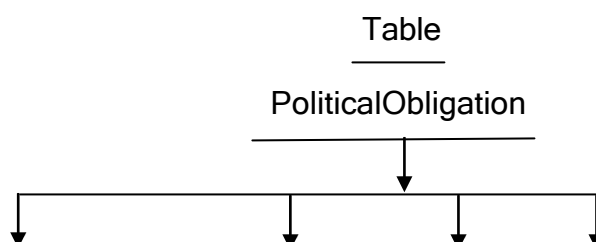
An average citizen is peace-loving and wishes to live a secure and ordered life. In the absence of the state and its laws it is impossible. Hence citizens find it justified that in return for law and order they should perform their duties towards the state.

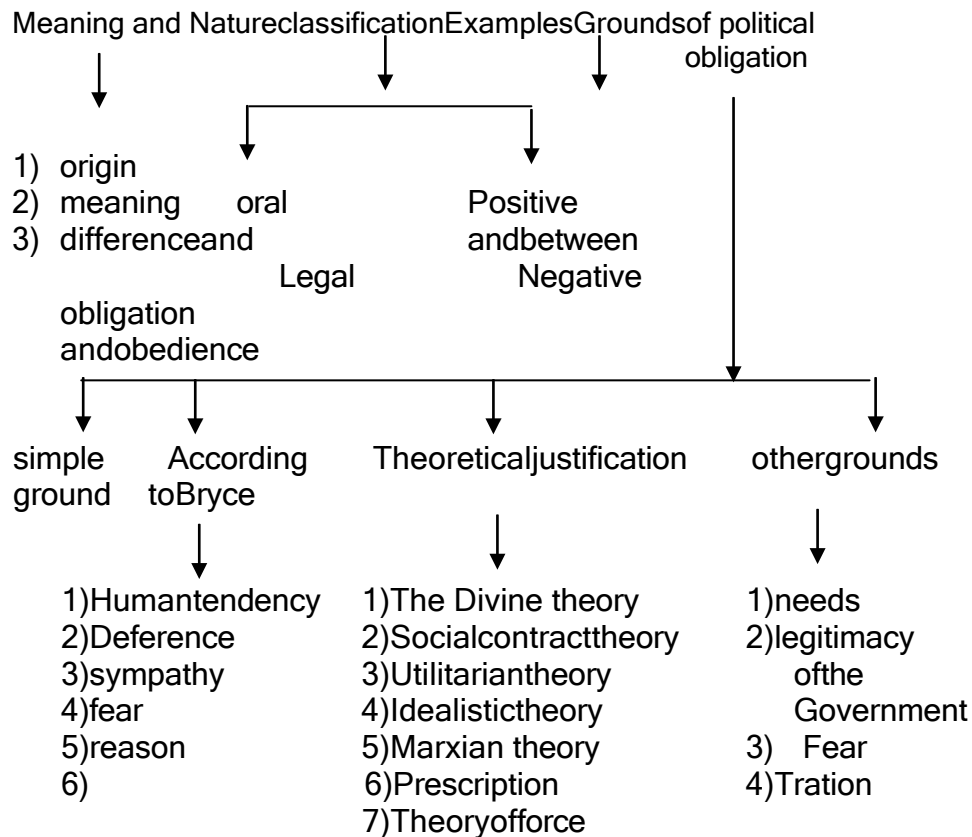
4. Tradition, custom, habit and societal pressure:-

People often perform their political duties simply because they have been already doing so for years as a tradition and habit. Many times people do things because it simply pleases society.

If we sum up various grounds of political obligation

- 1) Legal ground of political obligation
- 2) Opinion of Lord Bryce on political obligation - 5 factors
- 3) Theoretical Justification for political obligation - 7 theories.
- 4) Other reasons - Four





Check Your Progress

1. 1. Explain meaning and nature of Political Obligation.
2. Write on some important obligations.
3. Write on classification of Political Obligation.
4. What are various grounds of Political Obligation.

RIGHT TO RESISTANCE

Introduction:-

Political obligation is never absolute. Citizens have a right to resist and appose the state laws. Students of political science must know the circumstances under which such right of resistance is justifiable. In the context of right to resistance we should study following points:-

- 1) Meaning of right to resistance
- 2) Conditions under which such resistance is justifiable

3) Various forms and Means of resistance.

The Meaning of right to resistance:-

The refusal by the citizens to abide by the laws and commands of the government.

The goal of political disobedience:-

The goal of political disobedience is to secure change in the action, policies, laws, government or in the system. Political disobedience embraces the performance of any act prohibited by the law of the state or the non-performance of any act required by the law of the state, with the purpose of securing changes in the action, policies of the government or of the social and political system underlying it.

The past history of many countries shows glorious instances of right to resist. George Washington in America resisted and revolted against the British rule. In our country crores of Indians under the leadership of Mahatma Gandhi resisted and revolted against the cruelty of the British regime in India.

Justification of right to resistance:-

Political obligation is not absolute. Citizens have a right to resist and oppose the state laws. Only on some occasions and conditions people have a right to resist authority and its laws. But right to resist is the medicine of the constitution and not its daily bread. It means generally laws are made for the wellbeing of the people. Hence people give absolute and unconditional obligation. However sometimes laws are arbitrary, unjust, harmful and violate the fundamental right of the people. In that situation the question arises is whether people should obey or disobey the authority and its laws. In such circumstances political disobedience to unjust laws is justified. It means resistance to the state authority takes place under extraordinary circumstances and for a justifiable reason.

Different political thinkers hold different views on this matter:-

- 1) **Aristotle** said that people revolt against the existing political order due to their desire for justice and equality of status. According to him general causes of disobedience are injustice and inequality.
- 2) **John Milton**: During the renaissance period John Milton asserted that resistance to an oppressive ruler is a natural right. He argued that men are born free and set up governments for mutual defense. Hence the people should have the right to protect the common good against a tyrant.

3) **Liberal thought:** - John Locke who was the founder of liberal thought recognized the right of rebellion, only in the last resort and as a remedy for evil government. He believes that "a right of rebellion resides in the people and may be given effect to, after all legal processes and procedures have been exhausted, if any arm of the government exceeds its power, fails to carry out its responsibilities or invades the basic natural rights and liberties of its subjects".

4) **Idealist thought:** - T. H. Green, who was an idealist philosopher, allows the individual to resist the state authority under certain conditions. He said individual must ask himself certain questions to find out whether his decision to resist the government is justified-

- 1) Have used all the legal and constitutional methods of getting the bad law repealed?
- 2) Is my contemplated step the result of cool judgment?
- 3) Is it the right step? Is it for good of the people?
- 4) Do have the necessary moral caliber to launch a resistance against law? i.e., required will power, courage and ability to launch a resistance campaign
- 5) What will be the results of resistance and will the situation improve by my action?

Thus Green and Locke favour resistance only under exceptional circumstances when no other alternative exists.

5. **Gandhian thought:-**

Mahatma Gandhi had held that the people have the right to oppose bad laws when they cannot change such laws by legal means. He spoke of peaceful disobedience to the government. Jayprakash Narayan, Martin Luther King Jr, Dalai Lama and Aung Sung Suukyi all Gandhians also advocated that it is unethical and immoral for a citizen to obey a bad law. It is the individual's duty to obey a national and just law, it is also his duty to disobey and resist an irrational and unjust law.

Jayprakash Narayan launched movements that resisted the government's unjust land laws which oppressed poor peasants, Martin Luther King Jr. protested the laws of United States government which discriminated between „blacks“ and „whites“. Thus resistance can be justified on certain grounds.

Forms and Means or methods or Types of resistance:-

Resistance to the authority of the state is of two kinds

- 1) Violent resistance i.e. revolutionary
- 2) Non-violent resistance i.e. Gandhian

Revolution:- Revolution is defined as the forcible overthrow of a government. Revolution as a method of resistance has a long history. The ancient Indian tradition sanctioned a rebellion against an unjust king.

By and large revolutions are violent and accompanied by bloodshed. Exception is glorious revolution of England of 1688.

Robert Dahl defines revolution as a collective and ordinarily a violent action by which a people reject the existing authority and prepare to attack and destroy them.

Its aim is to bring about a total and profound change in the existing system.

The French Revolution of 1789 can be described as the mother of all revolutions. The 20th century has witnessed many revolutions the most notable among them are the Russian revolution (1917) and Chinese revolution (1949).

Although today the term „revolution“ is often used to imply any far-reaching change e.g. Green revolution, Revolution in the use of computers etc. but as a method of resistance revolution means the forcible overthrow of a government or social order.

Difference between Revolt and Revolution:-

Revolt implies a violent rebellion against the existing political authority. Rebellion implies purposeful violence by the citizens which brings about a long-term change in the political system. Whereas a revolt occurs on a relatively small scale, is of a shorter duration and involves a relatively small section of society. e.g. In India revolt of 1857.

A revolution occurs on a much larger scale over a longer period of time and involves a huge population. The term revolution has the following implications:-

- 1) **Revolutions influence all aspects of state-**
Revolutions bring out a change in not only the polity of a state but also in its society, economy, culture etc.
- 2) **Revolutions alter the state in a large way-**
Minor changes in government cannot be termed a revolution. Revolution brings about long-term, far reaching, total and profound change in the existing system.
- 3) **Revolutions are usually violent:**

- 4) **Revolutions seek to establish a new order**-Revolutions are not only concerned with ending the existing political, social and economic order but also with establishing a new order

Insurgency:-

It is another type of violent method of expressing resistance to the authority. It is a conspiracy, a handiwork of a few, who are dissatisfied and disappointed with the authority, they resort to acts of terrorism and other kinds of violent acts. During insurgency the cause may or may not have the support of people at large. Yet it creates a terror in the minds of the people e.g. The secessionist movements for the „Khalistan“ or “Tamil Elam” can be regarded as acts of insurgency. Their style of functioning is disruptive and causes panic among people by acts as bomb-blast, hijacking or kidnapping and force the state authority to concede their demands. Such insurgency is not only anti-state but also anti-national. Therefore such organizations are declared “unlawful” and a ban is imposed on their activities.

Military Intervention:-

The intervention of military and its „take over“ has become a routine affair in many of the Third world countries, in defiance of the legitimate civilian authority, e.g. Pakistan, Bangladesh, Burma etc. have experienced military take overs. If the Military generals are politically ambitious, their attempts to take over may succeed because they enjoy superiority in the use of military force and monopoly of arms.

Methods of Nonviolent resistance:-

- 1) Civil Dissent
- 2) Civil disobedience
- 3) Various methods of Satyagraha
 - a) Non-co-operation
 - b) Strikes
 - c) Boycott
 - d) Peaceful picketing
 - e) Fasting
 - f) Courting arrest
 - g) Petitions, Protest, Rallies

Civil Dissent:-

This form of resistance is relatively mild in nature. Civil dissent usually takes place through constitutional means, i.e. in a lawful manner through the ballot, speeches, rallies, peaceful protests etc.

The word dissent means a difference of opinion, an expression of disagreement or non-conformity. In the political sense dissent occurs when citizens refuse to give their assent to a law because they believe it to be unjust. In the democracies people often express their dissent of the present government's policies by voting them out of power in the next elections.

Civil Disobedience:-

Disobedience means a disregard for or breaking of rules. In political sense civil disobedience implies "the open, deliberate, non-violent breaking of law"

If and when the government refuses to pay heed to those constitutional expressions of civil dissent, people become compelled to adopt a more severe form of political resistance i.e. civil disobedience. Throughout political history it may be observed that when the government refuses to take notice of the suggestions and demands of the people when formulating laws, and when its policies are antithetical to the interests of the community, people resort to civil disobedience.

This method requires a great sense of sacrifice since it is a non-coercive method.

Gandhiji used civil disobedience method in South Africa in 1907. In India civil disobedience was used during the Champaran Satyagraha. The salt Satyagraha of 1930 is famous. Gandhiji and his followers violated the salt laws at Dandi March.

An act of Civil disobedience may acquire either of two forms, as follows:

- 1) Performance of a prohibited act.
- 2) Non-performance of a required act.

1) Performance of a prohibited act-

When a government prohibited the people from doing something which they believe is their right, they willingly defy the prohibited law

2) Non-performance of a required act-

When people feel that the government unjustly requires them to do something, they resist by refusing to do it.

Satyagraha: Gandhi's non-violent method of resistance became popular all over the world after the Second World War. It is a technique developed by Gandhiji in order to solve human conflicts in peaceful manner. Gandhiji strongly asserted that the authority could be resisted if it is oppressive. People have the right to resist the bad laws when they cannot change such laws by legal means.

But he talk about peaceful resistance and developed various forms of satyagraha.

Meaning of Satyagraha: - It is a moral weapon. It is a non-violent direct action to solve a particular conflict Literally Satyagraha means "insistence on truth".

Gandhiji identified satyagraha with " Love –force " or „Soul force“, and said that spiritual unity, which is the highest truth could be realized only by non-violence- to love all and suffer for all.

It is a tapasya for truth. It is not a weapon of the weak or coward or helpless but it is weapon of the morally vigilant, active and brave.

Satyagraha rejected the idea of violence but not the idea of fighting. It is active resistance. It involves self-suffering; it evokes a sense of justice in the wrong-doer and helps him to understand the others point of view.

Purpose of Satyagraha:-Satyagraha is a process for resolving conflicts by mutual understanding , discussion on self –suffering. Its purpose is to bring about a change of heart and mentality of all the parties of a conflict.

Essential principles for Satyagrahi:-

- 1) Full control over one's senses in thought, word and deed i.e. self-control in all directions. According to Gandhiji perfectly controlled thought will lead to maximum of work with minimum of energy. One must conquer one's passions.
- 2) **Fearlessness:** Non-violence as a means can be followed only by the strong and one can be strong when one is not afraid of anything.
- 3) **Non –possession :-** Satyagrahi must learn to use all that he possesses-even his own body –for the service of the community. Non possession means non-dependence on material things. Once an individual starts possessing things, his attachment towards them increases and and this attachment obstructs the Satyagrahi in his service of humanity.
- 4) **Physical labour:-** A satyagrahi should occupy himself with productive work. Labour was considered by Gandhiji as the highest form of social service.
- 5) **Swadeshi:-** It is all sided patriotism. It is "serving one's country, one's neighborhood.

- 6) **Humility:-** It is a sense of morality a consciousness of spiritual unity and equality of all men, no lust for power or position.
- 7) **Soulforce:-** Satyagraha is a process for resolving conflicts by mutual understanding or self suffering. It needs patience and a soul force in satygrahi. The use of soul force could be effective only if it rested on the path of truth, ahimsa and self-suffering .

Methodsof Satyagraha:-

- 1) Non-violent-Nonco-operation
- 2) CivilDisobedience
- 3) Strikes
- 4) Boycott
- 5) Peacefulpicketing
- 6) Fasting
- 7) Courtingarrest
- 8) Petitions,Protest, Rallies

1) Non-Co-operation:-

In 1920, under the leadership of mahatma Gandhi, a non co-operation movement was organized on a national scale to disobey and resist the entire government . the immediate reasons for launching the movement were the Rowlatt Act of 1919 and the Jallianwallah Baugh Tragedy . The movement demanded giving up all titles and honors bestowed by the government, non-payment of taxes and fines and boycott of courts, schools, colleges etc. those employed in the police, military forces and in government office were called upon to resign. Those who refused to co-operate with the movement were to be socially boycotted.

2) CivilDisobedience:-

Explanationisgivenonanotherpage

3) StrikesandHartal

Strike means the stoppage of work with a view to demonstrate protest and draw the attention of the public on a certain issue.

Hartal Means voluntary closure of shops, hotels and restaurants along with suspension of business. This method must be employed as an expression of disapproval and dissatisfaction of arbitrary laws.

4) Boycott

Another form of satyagraha to demonstrate total disapproval and protest against arbitrary laws of the state is Boycott. The basic objective of boycott is to cause a breakdown of law and order in a peacefulmannerandtherebytoconvincethegovernmental

authorities that the satyagrahis will not be partners in the wrong doing.

Mahatma Gandhi had used the technique of boycott in different situations both in India as well as in south Africa. He called upon the people to boycott all titles and honors bestowed by the government.

5) Peaceful Picketing

Another technique of satyagraha is peaceful picketing by which socio –eco - political pressure is used against the government to force it to do justice and at the same time, political consciousness is aroused among the masses. While using this technique, the satyagrahis were required to use their speeches in a most gentle and inoffensive manners.

6) Fasting

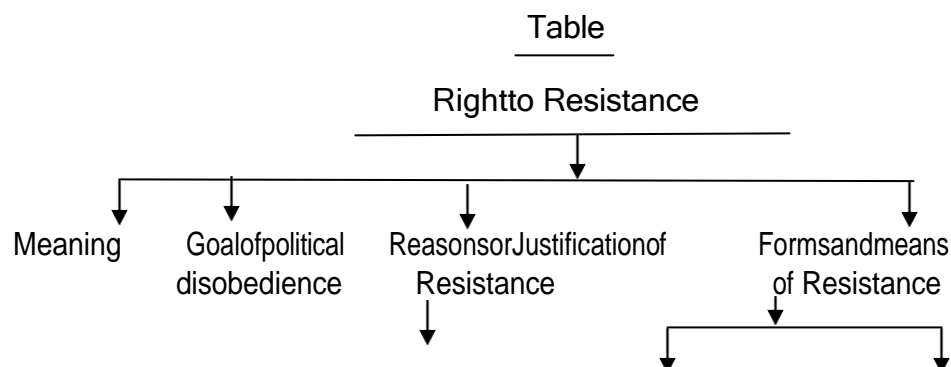
It is a most effective weapon of satyagraha. It should be undertaken only when one is thoroughly convinced of the rightness of one's stand. It should be used as a last resort and never for personal gain. It demands faith in god, which must come from the very depth of one's soul.

7) Courting arrest

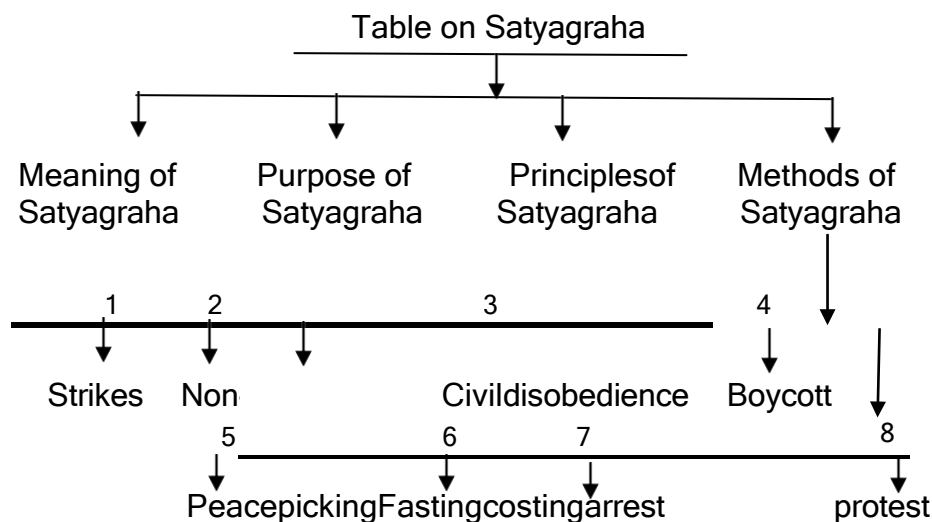
Another technique of satyagraha **where by** the masses deliberately break the unjust laws is courting arrest. People become ready and willing to be imprisoned in order to demonstrate their total disapproval against such law. The chief objective of courting arrest is to exert pressure on the government to do justice. During our Independence struggle, lakhs of Indians including our leaders courted arrest voluntarily and willingly only to force the British to quit India.

8) Petitions, Protest, Rallies and Demonstrations

Conclusion _ India, under the dynamic leadership of Gandhiji won the non violent battle of her independence. Satyagraha is a technique which can be adopted by the people to resist unjust laws in a democratic system.



- | | | |
|-----------------------|---------------|-----------------|
| 1) Injustice | violent | non-violent |
| 2) Defense | ↓ | ↓ |
| 3) InvaDestherights | | |
| 4) Idealist give some | 1) Revolution | 1) civilDissent |
| Conditions | 2) Revolt | 2) civil- |
| 5) Gandhian | 3) Insurgency | disobedience |
| | 4) Military | 3) Satyagraha |
| | | Intervention |



Check Your Progress

1. Is Political Obligation absolute?
2. On what reasons we can resist the state?
3. What is the meaning of violent of resistance?
4. Write a note on non-violent forms of resistance.
5. Give the meaning and purpose of Satyagraha.
6. Explain the methods of Satyagraha.

QUESTIONS

1. What is meant by political obligation ? explain some important obligations of the citizens ?
2. Why should a state be obeyed?
3. What are the grounds of political obligation.
4. What is meant by political obligation? Discuss its types.
5. Explain 'persistence', Under what circumstance can resistance be considered to be legitimate?

6. Discuss various forms of resistance?
7. Short Notes :-
 - 1] Right to resist
 - 2] Political Obligation
 - 3] Satyagraha



9

MODULE V UNIT 9

BASIC POLITICAL VALUES: LIBERTY, EQUALITY, JUSTICE

Unit Structure

Liberty

Meaning and aspects of Liberty
 Features of Liberty
 Types of Liberty
 Restrictions and safeguards of liberty
 Importance of Liberty
 Summary

Equality

Introduction of equality
 Meaning of equality, Aspects of equality
 Dimensions of equality
 Features of equality
 Types of equality
 Evaluation of equality

Justice

Meaning of Justice
 Nature of Justice
 Bases of Justice
 Dimensions of Justice
 Importance of Justice

Questions

LIBERTY

Introduction – The concept of liberty emerged in the 19th century and became important in democracy. It is a very widely used term but is difficult to precisely define it.

Meaning -The word “liberty” is derived from the Latin word “liber” meaning “free.” Liberty is necessary for quality human life. It is a necessary condition of rationality, of action, of achievement. To be free is to be able to translate one’s ideals into reality, to actualize one’s potentialities as a person. **Lucas** regards freedom as being chiefly freedom, from ill health, from fear, from want, from arbitrary arrest, from public opinion.

Two aspects of Liberty - In negative sense it means merely the absence of restraint or absence of interference or impediment. It is a situation in which A is free from B to do the desired things of his/her own choice. Positively it refers to the positive opportunity for self-development. **According to Isaiah Berlin** negative liberty is absence of interference by others and positive liberty means persons capacity to implement his will.

Characteristic Features of Liberty:-

- 1) Liberty and freedom are synonymous.
- 2) Liberty does not mean absence of restraints, It means acceptance of reasonable restrictions,
- 3) Unrestrained liberty means law of jungle,
- 4) Liberty is opposed to political subjection. It advocates independence for every nationality.
- 5) It means freedom to do something positively.
- 6) Activities of the state and individual liberty are not opposed to each other. In fact they are complementary.
- 7) The law of the state protects freedom of the weak.
- 8) Liberty incorporates the idea of individual and social welfare. There must be a balance between the two.
- 9) It is an essential condition for all-round development of human personality.
- 10) Liberty is associated with responsibility.
- 11) It is a dynamic concept. Its meaning changes with changing times, places and conditions.
- 12) It is the responsibility of the state to create required conditions for enjoyment of liberty.

Types of Liberty

Notion of liberty can be classified in many types.

Natural Liberty:- It means total and complete freedom. It means lack of any restraint.

This notion of liberty refers to the fact that man is by nature free. Natural Liberty is strongly advocated by Rousseau who said that, "Man is born free but everywhere he is in chains." However, this concept of liberty is illusory. It is a myth.

Personal Liberty

This notion suggests that every human being desires to exercise his faculties and to determine the general conditions of his life. This provides justification of personal liberty which is championed by Mill who said that the individual should be free to experiment with his life, as long as his actions do not affect others.

National Liberty

It means national independence.

National liberty stands for achievement of complete independence and subsequent sovereignty of the nation from the dominance of foreign nation. Freedom from the bondage of other states is essential for the realization of liberty in its fullest sense. It means it is the foundation of all other liberties.

Civil Liberty

This liberty exists in a civil society.

It means liberty in social life. **In the words of Gettel**, "it includes liberty to free action and immunity from interference. It comprises rights and privileges that the state creates and enforces." It includes freedom of the person, **physical freedom** from injury or threat to the life, health, and movement of the body, **intellectual freedom** for the expression of thought and belief, equality before the law, security of private property, freedom of opinion and expression, and freedom of conscience. **As per Laski** civil liberty is the sum total of the rights, recognised in various degrees in different states. It is a safeguard against physical and moral coercion exerted by either an individual or the state. It includes; the right to life, personal safety and freedom, religious freedom, the right to reputation, the right to work, education, family rights, the right of association, the right to the general advantages of social life, the right to property.

Political Liberty

It refers to the individual's role, participation and share in the administration of the state. It connotes the opportunity of taking part

in the process of government, and of having a say in the future development of the community. **As Barker says**, political liberty is “a liberty not of curbing; constituting it by a general act of choice or election, in which we all freely share on the basis of universal suffrage; controlling it by a general and continuous process of discussion, in which we allfreelyshareaccording to our capacities.” Political liberty reinforces the duty of political obedience. Political liberty is often equated with the right to vote, the liberties of holding views about political matters and of ventilating those views inpublic, the right of addressing those with whom the decision rests and the liberty of seeking and holding office. Political liberty isbased on the ideal of participation.

Political liberty is a guarantee to the whole community that it will not be governed by any outside power or by any individual or section of its own members. Further it is a guarantee to a sufficiently large group or interest that its claim will be heard and its wishes would make themselves felt. **According to Laski** political liberty can be realized if a citizen is educated enough to express what he wants and if he is well informed by honest and straightforward supply of news. **According to Sartori**, Political freedom is protection against arbitrary and absolute power. It desires “a situation which permits the governed effectively to oppose abuse of power by the governors.”

Economic Liberty – It means reasonable opportunity for everyone to earn his daily bread.

It implies economic freedom wherein a labourer is assured of a just reward. This freedom creates harmonious industrial system inwhich every man will produce only that which he is capable of producing and the community will have need for what he produces. Economic liberty also implies the absence of economic inequalities which can become economic constraints.

It is understood as a security that the economically weak will not be at the mercy of economically strong. It tends to resist the concentration of economic control.

According to Laski, economic liberty means, “security and the opportunity to find reasonable significance in the earning of one’s daily bread.” It implies that the citizen must be free from theconstant fear of unemployment and insufficiency which, perhaps more than any other inadequacy takes away the whole strength of personality. The citizen, “must be safeguarded against the wants of tomorrow.” The citizen must be able to make his personality flow through his effort as a producer of services, and “find in that effort the capacity of enrichment.” He further says that economic liberty implies democracy in industry.

Restrictions and Safeguards of Liberty

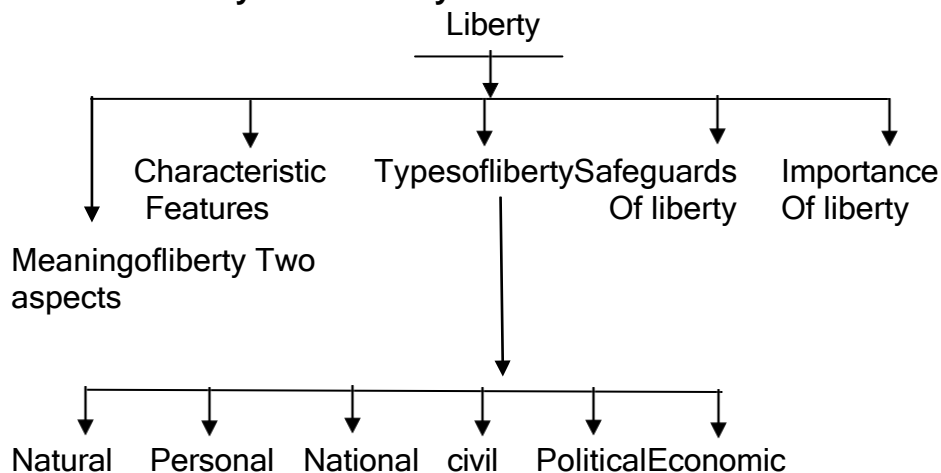
Absolute liberty is dangerous. It supports the dictum that, „might is right.“ Such unrestricted freedom is ultimately denial of equality along with freedom of others. Certain safeguards are devised to check liberty. Some of them are; prevention of others, general public utility, equity, national unity, security and sovereignty of the country, peace and order in the society, etc.

Liberty also involves certain safeguards. Just law is the vital condition of liberty. Law can destroy, law can uphold conditions of liberty. Democratic polity is prerequisite of liberty. In democracy widespread enjoyment of liberty is dependent on the respect for minority rights and on the widespread habit of tolerance in a community. An independent judiciary and a healthy development of local self-governing institutions further help liberty. Constitutional government, a charter of fundamental rights, a tradition of constructive public opinion and eternal vigilance are other sure safeguards of liberty.

Importance of Liberty:- It is a very important political value.

- 1) It is one of the pillars of democracy. a democratic government is meaningful only if people enjoy liberty. Love for liberty teaches individuals to oppose injustice. It puts a check on the activities of the government.
- 2) Liberty is the most precious aspect of human life. Only liberty can bring about all-round development of human personality.

Summary table of liberty:-



Check Your Progress

1. Give meaning of Liberty.
2. Explain aspects of Liberty.
3. Write on types of Liberty.
4. Explain importance of Liberty.

EQUALITY

Introduction Equality:- The American Declaration of Independence, 1776 proclaims that, "all men are created equal, that they are endowed by their Creator with certain unalienable rights." The French Declaration of 1789 also proclaimed, "men are born and live free and equal in their rights." Both the documents underline the fact that Equality is a protest ideal, a symbol of man's revolt against chance, fortuitous disparity, unjust power, crystallized privilege.

Equality is a difficult and controversial notion in politics. It is a fact that humans are not equal. They have differences in their mental, moral qualities or their attitudes and abilities. The demand for equality does not neglect the differences among humans. It is a protest against unjust, undeserved, and unjustified inequalities, for hierarchies of worth and ability never satisfactorily corresponds to effective hierarchies of power. Demand for equality provides necessary motion to break the inertia of human society, which constantly tends to perpetuate the existing vertical structures. Such structures perpetuate themselves with nurturing the belief that each man should live according to his station? And by means of routine, custom, and traditional social mechanisms. The ideal of equality works against such force of gravity inherent in politico-social organisms.

Meaning of Equality

Thus the very differences in the nature of men require mechanisms for the expression of their wills that give to each its due hearing. **In brief**, equality refers to the equal enjoyment of rights by all citizens and absence of any discrimination based on status, race or sex. The principle that all men are equal only means that they ought to be treated in the same manner in certain vital respects. It means impartiality of treatment. **According to Harold J. Laski** equality means "the absence of special privilege" availability of "adequate opportunities" "open to all." It is fundamentally a leveling process. **Marx** argued for equality as "an end to class domination" and "economic exploitation of man by man." These definitions show two aspects of equality.

- 1) Negative aspect—It means absence of special privileges.
- 2) Positive aspect—It means that adequate opportunities should be made available to all.

Dimensions of Equality:-

A. Legal Dimension of Equality

Legal dimension of Equality is essential ingredient of liberal democracy. Legal equality implies that every individual is equal before the law and is entitled to and can claim equal protection of the laws. In modern democratic states, law neither allows special privileges to any particular class nor confers unequal rights on, or claim unequal obligations from, different categories of citizens.

Equality before the law does not guarantee equal treatment by the law but equal access to the law, and consideration only of those factors laid down by law as relevant.

Legal equality does not mean that any two persons must always be treated exactly alike. It claims that the grounds for deciding between two persons should be only those laid down by law, and not any legally extraneous ones, whether unreasonable grounds of moral sentiments or Natural law, or unreasonable ones of private caprice. Application of legal dimension is contextual. Division of labour and distributive justice provides ground for legitimate unequal treatment to certain classes or categories of individuals or groups.

Equality before the law basically denotes equal enjoyment of certain fundamental rights and duties.

B. Political Dimension of Equality

Political equality implies equal access to political power. This form of equality is closely associated with liberal democratic form of government. The concrete expression of political equality is the conferment, on all adult citizens, of the right to vote and its corollaries, the right to contest for public office and equal eligibility for administrative and judicial posts provided the necessary technical qualifications are fulfilled. In short, political equality denotes the equality of political rights of citizens.

This notion of equality is heavily discarded by many. **According to elitist theory**, „ordinary citizens, even when they have votes, have no real access to political power.“ In democratic political system power is contested by political parties which are themselves controlled by a clique or self appointed leaders.’ **According to Laski**, “political equality, is never real unless it is accompanied by virtual economic equality; political power, otherwise is bound to be the handmaid of economic power,” **Marx** ridiculed the notion of equality in a society based on capitalism.

C. Socio-Economical Dimensions of Equality

It is generally agreed that legal and political dimensions alone are not adequate to interpret equality because it ignores the basic

fundamental aspect of equality, i.e., its socio-economic dimensions. If the legal and political equalities are of the formal type, economic and social equalities are substantive and of the material type. First is apparent and second is real equality.

Literally it implies the attempt to expunge all differences in wealth, allotting to every man and woman an equal share in worldly goods. But practically it is difficult to follow this meaning. Properly interpreted, economic equality means the provision of adequate opportunities for all in the material sense of equalising the starting-points, that is, creating by means of a relatively equal distribution of wealth the material conditions for equal access to opportunities. In Marxian sense it demands State ownership of all wealth.

The principle of social equality remains a characteristically democratic preoccupation.

Characteristic Features of Equality:-

- 1) Absolute equality i.e., complete identity of treatment and reward is not desirable.
- 2) Men are by nature unequal in their capacity
- 3) It is basically a leveling process.
- 4) It is essential for social justice.
- 5) It means equal opportunities to all.
- 6) It means absence of special privileges to any one.
- 7) Essential things must be provided to all.

Types of Equality:

Equality can be classified into four types.

Ontological Equality:

This form of equality has its base in religious and moral tradition. It is expressed in the religious belief that all persons are equal before God. Natural theorists stressed an essential equality of human beings qua human beings. In modern scientific world this notion is quite ineffective to argue in favour of equality. But Marxism takes similar position when it asserted that all human beings are knowledgeable, conscious and practical agents. All human beings have to labour productively to produce their means of existence and reproduce their own species.

Equality of Opportunity:

It means that access to important social institutions should be open to all on universalistic grounds. Especially by achievement and

talent. The debate about equality of opportunity was especially important in the development of modern educational institutions where promotion and attainment were in theory based upon intelligence, skill and talent regardless of parental and class background; in terms of universal criteria of achievement, not on ascribed standards of age, sex or wealth.

Equality of Condition:

Equality of opportunity is closely linked to equality of condition. Equality of opportunity rewards those who have ability and who are prepared to exercise their skills in the interest of personal achievement in a competitive situation. In order for equality of opportunity to have any significant content, it is essential to guarantee equality of condition, that is, all competitors should start at the same time.

Equality of Outcome

It stressed on equality of result regardless of starting point and natural ability. It seeks to transform inequalities at the beginning into social equalities as a conclusion. Social programmes of positive discrimination in favour of disadvantaged or disprivileged groups are meant to compensate for significant inequalities of condition in order to bring about a meaningful equality of opportunity to secure an equality of result.

Evaluation of the notion of Equality;

Importance of Equality :-

- 1) A peaceful society can be developed only on the solid foundation of equality. The history is full of wars, clashes and revolutions because there was absence of equality.
- 2) Equality is a necessary precondition for enjoyment of liberty. Without equality liberty becomes a privilege of some people
- 3) Equality promotes justice

Equality is 'highly contested' concept. It is one of the leading ideals of the body politic; it is the most controversial of the great social ideals. It is the essence of social justice. Along with other ideals it is the basic core of today's egalitarianism. Despite various differences it serves to remind us of our common humanity. In social sciences we use the concept of equality in number of ways. e.g. Equality before the law, equality of opportunity, equality of outcome, gender equality, racial equality, social equality etc. There is no single acceptable, common notion of the term equality.

Apart from common meaning of the term the value of equality itself is attacked by many thinkers and school of thoughts. In ancient Greece Aristotle justified inequality when he justified slavery. He contented that slavery was a natural and reasonable institution

because there was a fundamental difference and inequalities among men. In his words, „some are marked out for subjection, others for rule.“ Cicero contradicts these arguments of Aristotle, According to him, `men differ indeed in learning, but they are equal in the faculty of learning`, `nature has given to all men reasons.“

Main obstacles in the implementation of equality:-

- 1) Social- Age old customs, traditions and superstitions create inequality of social status.
- 2) Political- Political power is enjoyed by people belonging to certain castes and certain families. This means absence of equal opportunities.
- 3) Economic - There is concentration of economic wealth in the hands of few.

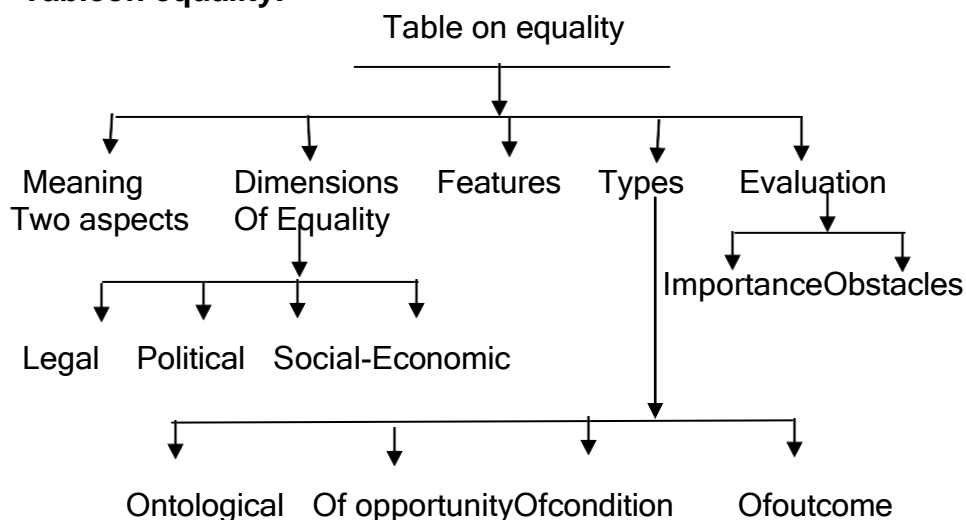
Following are some common arguments against equality;

The different components of equality are often, mutually incompatible. For example, equality of opportunity and condition tend to produce inequality of results. The notion of equality of opportunity is characteristic of liberalism and some versions of liberalism are content to accept a situation where inequality of outcome is predominant.

A political programme to secure equality generally would be feasible, since to secure radical equality of condition or equality of outcome would require massive social and political regulation by the state resulting in a totalitarian and authoritarian regime. The price of significant equality is political despotism which would subordinate individual talent and achievement.

The achievement of equality may be incompatible with other values which are also desirable than personal liberty, or at least that liberty and equality are somewhat mutually exclusive.

Table on equality:-



CheckYourProgress

1. GivethemeaningofEquality.
 2. Writeonvariousdimensionsof Liberty.
 3. LibertyandEqualityaretwosidesofthesamecoin. Explain.
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JUSTICE-PROCEDURAL,DISTRIBUTIVE

Meaning:-The word „justice“ has been derived from the Latin term justitia, which means the idea of joining or fitting, the idea of bond or tie. The joining of fitting implied in the idea of justice is that between man and man in an organized system of human relations.

According to Barker justice is not only about binding man and man but also is the reconciler and the synthesis of political values. It is their union in an adjusted and integrated whole.

Rawls, “Justice is a set of principles for defining the appropriate distribution of benefits and burdens of social co-operation after identifying the relevant considerations which determine this balance.”

Nature of Justice

It is one of the most provocative concept that contain the essence of values like Liberty, equality, rights, fraternity, dignity etc. **In common parlance** it is employed as just behavior or treatment, the quality of being fair and reasonable. The essence of justice is in achieving proper balance,. **In legal sense** it means fair trial, a just sentence. In political theory, justice has concerned both the terms of membership of a social group and the distribution of burdens and benefits within that group. In first sense it is called as social justice while in second sense it is known as distributive justice.

Plato attempts to assimilate virtue of justice with the pursuit of the common good. According to him every member of society should perform their social functions without interrupting work of others. He designed an ideal state with fixed statuses and locations of its members and thus balances in their personal roles and social functions. **Aristotle** was of the opinion that justice denotes an equality of proportion between person and things assigned to them, i.e., those differences in treatment should be proportional to the degrees to which individuals differ in relevant respects.

The liberal view of justice emphasized on legal and political dimensions. The rule of law i.e. equality before law and equal protection of laws with provision for civil and political rights to participate in the political process are the determining characteristics of modern liberal democratic school of thought.

Barker has shown that justice represents synthesis of the principles of liberty, equality and fraternity. Human relations are guided by faculty of reason present in humans. It is this virtue of reason that convinces humans that all human are equal in dignity and potentially capable of acquiring excellence according to their capacities and making suitable contributions to the social good. They all need and deserve equal freedom for personal development in their own right so as to prove their worth to society. Unrestricted freedom to some is denial of liberty to others. Value of liberty demands proper balance by equality. At the same time forced or imposed equality is detrimental to the development of creative and productive tendencies of individuals. Undue emphasis on equality is against the liberty of the people. Fraternity among humans provides a common bond that keeps human relations harmonious and helps to solve and content antagonistic tendencies between liberty and equality. Thus finally justice implies that liberty should be qualified by the principle of equality and equality is further qualified by the principle of fraternity.

It is a dynamic idea because our realization of it is a continuous process. Our progress towards its realization depends upon the development of our social consciousness, so that what was regarded as just some centuries ago is not so today.

Bases of Justice:

According to barker there are four premises on which people generally consider a legal system just or unjust. They are namely religion, nature, economics and in Barker's own opinion ethics. **St Thomas Aquinas** supported religion, **Blackstone** supported natural law, **Duguit, Prodhon, Marx** regarded economics and **Plat. Aristotle, Hegel, Kant, Green and Barker** hold that the true source of justice is to be found in ethics.

Dimensions of Justice :

Legal Dimensions of Justice:

Law refers to the general body of rules recognized and enforced by the state and upheld by the courts. The essence of justice in any given society implies legal codes enacted by the state and supplemented by customary rules which are observed by the people. Law defines the rights and duties of individuals and

associations in a community. The legal dimension of justice denotes adherence to declared rules.

Political Dimension of Justice:

Political justice refers to the transformation of political institutions, political process and political rights according to current conceptions of justice. It means the establishment of democratic institutions in the political life of the community so that these institutions represent and take care of the interests of the people, not of any privileged class. It also implies a full guarantee of the liberty of thought and expression, especially the right to criticize the government and its policies, right to form associations and interest groups. It postulates a universal availability of the mechanism for resolving the conflicting claim of different interests in society.

Social Dimension of Justice

Social justice implies elimination of all kinds of discrimination and privileges on the grounds of birth, race, caste, creed or sex. Social roles should be determined on the basis of capacity and not status. There should be social mobility between the various types of occupations and trades.

Economic Dimension of Justice

Socialists, anarchists and the Marxists advocated that justice must be sought in the economic structure of a given society. Proudhon advocated an economic system based on the principle of mutual cooperation, Duguit stressed on social solidarity, Marxists sought to end proletariat suffering which are due to their exploitation by bourgeois, by overthrowing the existing state apparatus through a socialist revolution and establishing classless society.

John Rawls' Theory of Justice

John Rawls' theory of justice conceptualizes a general principle of distribution which will justify the class difference in life which any society, capitalist or non-capitalist, is bound to produce. He imposes a strict limit to the amount of redistribution of income allowed by his ethical principle. This limit is governed by the market economy. Rawls proposes to implement his distributive justice within the constraints of the classical model of the competitive capitalist market economy, in which impersonal market forces determine the level of productivity and investment.

For Rawls, justice is the first virtue of social institutions as truth is of system of thought. He proposed to discard those institutions and laws however efficient or systematic they are if they are unjust. In a just society liberties of all equal citizens are assumed to be settled. The rights provided by justice are not subject to the calculation of

social interests or political bargaining. Any well-ordered society he affirms is thoroughly regulated by a public conception of justice. In this society everyone accepts and shows that others acknowledge the same principles of justice and the basic social institutions satisfy these principles.

Thus Rawls develops a theory of justice which can provide a standard by which the distribution arrangements of a given society can be assessed but which need not concern itself with the basic question of the ownership of the means of production. John Rawls has set forth a mode of liberal democratic society which he believes, satisfies the concept of justice as explained by him. His theory of justice is a theory of liberal democratic justice.

Procedural Justice:-

Exponents of procedural justice are Herbert Spencer, F.A Hayek, Milton Friedman, and Robert Nozick.

It implies that it is necessary to determine a just procedure for the allocation of social advantages, viz. goods and services, opportunities and benefits, power and honours; then its outcome will automatically be accepted as just.

This notion corresponds to liberalism. According to this view point, the function of justice is to regulate the mutual relations between individuals and groups. Hence, the quest for justice should aim at evolving reasonable rules which should be applied impartially to all categories. Freedom of contract is the foundation of procedural justice. It requires the state to ensure that no individual or group would oppress another by force or fraud.

Procedural justice treats the rules of market economy as the model rules of human behaviour. It holds that the market mechanism creates necessary conditions for the most efficient use of resources; any artificial social policy designed to disturb this process will lead to wastage of the rare material and human resources.

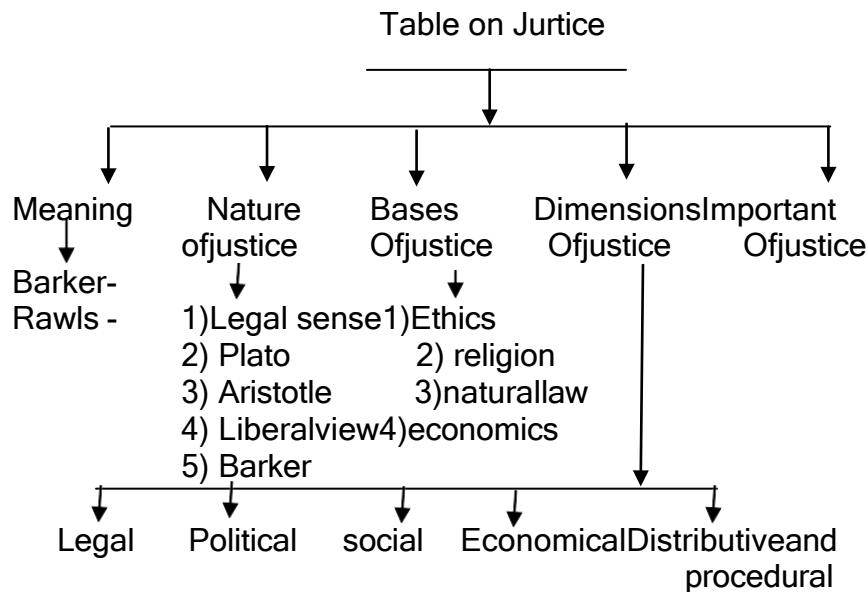
Distributive Justice:-

It implies that the allocation or distribution of social advantages among various sections of society itself should be just.

It corresponds to the philosophy of socialism. It holds that test of justice in society consists in ascertaining whether the poor and the underprivileged have adequate opportunity to improve their lot. It demands that the opportunities of self-development should be progressively extended to the underprivileged and disadvantaged sections of society.

Importance of Justice:-

- 1) Justice is an important virtue of the society and state. It is a balancing factor which connects the concept of law, liberty, equality and rights into a well ordered and well knit society and synthesizes of political values.
- 2) Justice results into wellbeing of a society as it brings a co-ordination between rights of an individual and interest of the community.
- 3) Justice is one of the most important end of the state.



Check Your Progress

1. Give the meaning of Justice.
2. Write on dimensions of Justice.
3. Write importance of Justice.

QUESTIONS

1. Define 'Liberty' and discuss its types
2. Discuss some methods by which liberty can be safeguarded.
3. Explain various dimensions of equality.
4. Write on Justice and discuss its types.
5. Write short notes on the following:
 1. Equality
 2. Liberty
 3. Distributive justice
 4. Procedural justice



MODULE VI
UNIT 10

RIGHTS—MEANING, TYPES OF RIGHTS

Unit Structure

Objectives
Introduction
Meaning and Definition of Rights
Features of Rights
Types of Rights
Significance of Rights
Safeguards of Rights
Questions

10.0 OBJECTIVES

To understand the meaning and Types of Rights.

10.1 INTRODUCTION

All living beings e.g. trees, animals, birds, human beings, are entitled to live a natural life and possess the right to life. In that sense the concept of rights belongs to not only human beings but to all living creatures. There exist several categories of rights such as human rights, animal rights, rights of the Ecology and so on. It means the concept of rights is universal and varied. However, in political terms, the term right generally refers to only human rights. As citizens we should be aware of our rights and the laws that exist to protect them.

10.1 MEANING AND DEFINITION OF RIGHTS

Some definitions of rights are as follows:-

Harold Laski defines rights as “those conditions of social life without which no man can seek, in general, to be himself at his best”.

The Oxford English Dictionary defines “Rights held to be justifiably belonging to any person”.

The Human Right Act 1993, INDIA STATES

Human Rights mean “the rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution and enforceable by Courts in India”.

Generally - It means rights are the expression of human liberties which can be realized in any organized society through the political processes.

SOME IMPORTANT FEATURES OR CHARACTERISTICS OR NATURE OF RIGHTS

Rights imply the following:-

1. Rights are Natural.
2. Rights are Universal.
3. Rights are linked with duties.
4. Rights are never absolute.
5. Rights are dynamic.
6. Rights are social in origin.
7. Rights enable human beings to live a human life.
8. Conceptually human rights mean two things

1. Rights are Natural;

All human beings possess rights at the time of birth. Human beings enjoy rights simply because they are born human. Hence, human rights are also known as ‘fundamental rights’, ‘Basic Rights’, ‘Natural Rights’, Birth Rights also. Human Rights are natural, it means they are not created by man but created by God or Nature.

2. Rights are Universal:-

They belong to all human beings, irrespective of gender, race, religion, caste, nationality etc. Rights are equally possessed by all human beings. They are common to all without discrimination.

3. Rights are linked with duties:-

The enjoyment of rights involves fulfillment of certain obligations. An individual must exercise his rights in such a way that he contributes to social welfare and common good. Man is a social animal. He lives in society. In order to live peacefully, happily and meaningfully in a society, he has to respect himself and others. The legal notion of rights correlates rights with duties. A citizen is expected to execute a number of positive legal duties towards the state. Since the state is the immediate source of rights, a citizen is

under obligation to perform some duties towards the state, e.g. obey the laws, pay the taxes, maintain peace and security etc.,

4. Rights are never absolute:-

Rights must be restricted in the rights of others. They should not be absolute in nature, because individuals enjoy rights only as a member of a society. When all the members of the society demand personal freedom, it automatically calls for limiting the area of each individual freedom e.g. the Fundamental Rights in the Indian Constitution are limited to some extent. The State is empowered to impose reasonable restrictions on rights in the interest of security of the State, public order etc.

5. Rights are dynamic:-

Rights change with the social, political, economic and cultural developments within the state and in this sense, they are not static but ever changing and dynamic in nature.

6. Rights are social:-

The foremost objective of rights is to create the atmosphere of freedom necessary for the development and realisation of human personality. Therefore right is a claim of an individual for the fullest development of his personality. But all claims cannot have the status of rights. A claim may be made by an individual but it has to be aimed at common good and general welfare. A right is claimed by an individual only as a member of the society and not as an isolated individual. It has to receive recognition and support from the community. But social recognition of a claim in itself is not enough to make it a right. A claim to become a right also needs a legal recognition by the state. It means individual can enjoy rights only as a member of society. There exists no right outside the society and the state. Rights arise only in society and can exist, enjoyed only within a society. An individual can enjoy rights not as an isolated human being but only as a member of society and state.

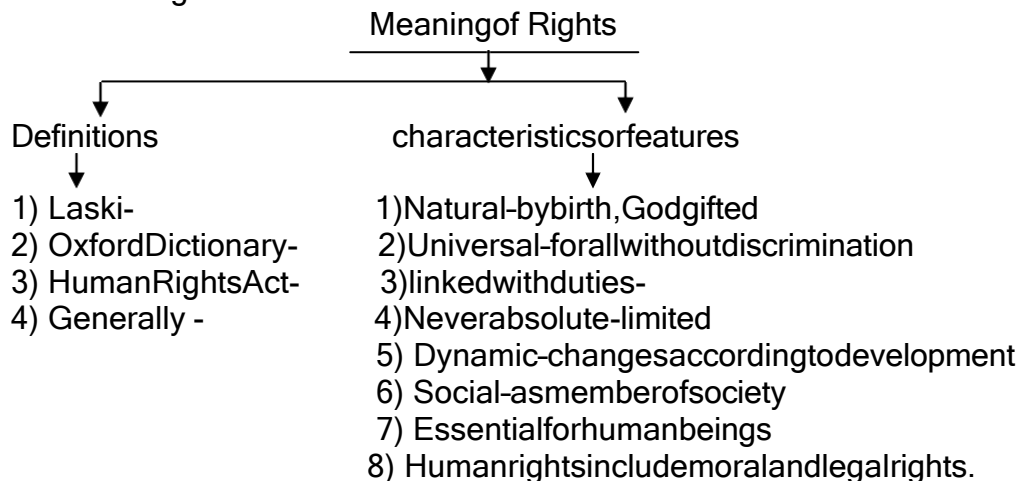
7. Rights enable human beings to live a human life:-

In the absence of rights, there would be no difference between man and beast. Rights are essential for all human beings. In the absence of rights, it will not be possible for a person to utilize his/ her talents to optimum level. Rights are necessary for the full development of human personality. Hence most of the democratic countries have realized the importance of rights and have incorporated some basic rights in their constitutions. Rights constitute the basic ground for freedom, equality and justice.

8. Conceptually human rights mean two things:-

a. Human rights are those rights, which are due to a person because he is a human being. These are moral rights derived from humanness of every human being. They aim at ensuring human dignity.

b. Human rights are those rights that pertain to legal right. They are established as per the law making process of the society. In the modern world, the moral and the legal aspects of rights relating to life, liberty, equality and dignity of the individual represent the core of human rights.



Check your progress:-

- 1) Give various definitions of Rights.
- 2) Explain the meaning of Rights.
- 3) Write on important characteristics of Rights.

TYPES OF RIGHTS

UN documents refer to two categories of human rights.

1. Civil and political rights.
2. Economic and cultural rights.

Civil Rights:

The term civil rights are often used synonymously with the terms civil liberties. Civil rights prevail in a state when authority is legitimate and restraints are imposed in accordance with the law and the constitution. These are guaranteed to all citizens and

aliens. These rights are necessary to uphold human dignity and the enjoyment of a decent civic life. They are known as civil, for they constitute the essential conditions of social life.

Civil rights include following rights-

- a. Physical liberty e.g. Right to life, right to personal liberty.
- b. Intellectual liberty eg. Right to freedom of thought and expression
- c. Practical liberty eg. Right of freedom to decide for oneself, right to freedom of peaceful assembly and association, right to marry and form a family, right to education.

All over the world in a liberal democratic system emphasis has been given on the civil and political rights of the citizens. United Nations General Assembly has compiled the International Covenant on civil and political rights, which came into force in March 1976. Most countries of the world have signed the covenant and agree to follow its provisions.

International Covenant on civil and political rights (ICCPR) serves reference of all the civil and political rights that citizens may claim. These civil and political rights are as follows: -

1. Right to Life:-

Every human being enjoys Right to life, No individual may be arbitrarily deprived of his right to life. If a country practice the death penalty, it may do so only in case of the most serious crimes, and the death should be carried out in a humane manner in accordance with the law.

2. Right to Liberty:-

Every individual enjoys the right to liberty and security to his person. No one can be deprived of his liberty except when it is justified. Even then, if the detention must take place, it should be in accordance with the law. A detained individual has the right to know why he has been arrested. An individual who has been wrongly detained should be granted adequate compensation by the authorities.

3. Equality before the law and equal protection of law:-

All persons should be treated equally by the law without any discrimination. All are same before the law.

4. Right to a nationality and a name:-

Every child, irrespective of his race, colour, sex, language, religion, property, birth enjoys the right to protection as well as the right to be registered at birth, have a name and acquire a nationality.

5. Right to personal privacy:-

Every individual enjoys the right to keep private matters regarding his personal life including his family, home and correspondence.

6. Right against torture:

No individual may be subjected to torture or cruel inhuman treatment. No one can be subjected to medical or scientific experiment without his consent.

7. Right to freedom of thought, conscience and religion:-

Every individual enjoys the right to adopt a religion or belief of his choice and the freedom to worship, observe practice according to his beliefs in public as well as in private. However the state may impose reasonable restrictions on one's religious practices in the interest of public order, morality, health.

8. Right to freedom of opinion and expression—

Each individual enjoys the right to hold opinions without interference and to express them either orally in writing or in print, through art. However, state can impose reasonable restrictions in order to protect the reputation of others or public order.

Political Rights:

Political rights and liberties are available only to citizens and not to aliens (people of foreign, nationality). It means these are guaranteed only to citizens of the state. This enables the citizens to participate in the functioning of the state. It enriches political life. In the absence of political freedom, democracy is impossible. The most important political rights are :-

- a. Right to vote - Right to participate in the selection of the Government.
- b. Right to contest election.
- c. Right to hold a public office
- d. Right to criticize government
- e. Right to nationality.
- f. Right to petition.

10.4.3.Economic rights:

These rights are very significant. It makes an individual self-sufficient. Socio-economic rights have been emphasized in modern times because it is realized that political and civil rights are of no use if the individual does not possess even basic economic necessities: food, shelter etc. A hungry man would not think about which political party to vote to power if none of them can assure him a meal a day. It is important to ensure the economic liberty of the individual is secured, before he may be expected to judiciously use his civil and political liberties, for instance a poor man sell his vote to a political party for money.

Many times it is observed that the problem of the poor and the socially backward are the same. Socially backward and economically backward sections of society often overlap. Problems such as poverty, disease, unemployment, illiteracy etc are not just economic ones but also social ones. Hence social and economic empowerment must go hand in hand if success is to be achieved; state can progress only if the people develop.

Economic rights means the rights which makes an individual self-sufficient. It implies that all persons should have an equal opportunity to earn for himself sufficient wealth so as to ensure a decent standard of living.

Important economic rights:-

- a. Right to work.
- b. Right to property
- c. Right to equal pay for equal work
- d. Right to education.
- e. Right to form and join trade unions.
- f. Right to strike.

a. The right to work:

It implies that work opportunities should be available for every individual. No individual should be discriminated against when he chooses to access his opportunity to work.

b. Right to education:

Every individual should enjoy the right to be educated. Such education would enable all persons to participate effectively in a free society. To this effect primary education should be free and compulsory for all. Technical and higher education should be accessible to all.

c. Just and favourable conditions of work:-

Employers should not take undue advantage of the plight of employees. Work conditions should be safe and pay should be fair. The government should lay down a minimum wage that an employer can pay his employee, so that they are not made to work for pathetically meagre amounts of money. Women and men should receive equally pay for equal work done. Working hours should be reasonable.

d. Right to strike.

Every employee should enjoy the right to form trade unions so that they may use numerical strength in order to negotiate welfare policies with his employers. Employees should also enjoy the right to strike work within reasonable limits, without causing undue inconvenience to the general public.

Above Economic rights have not yet gained the status of legally enforceable rights in many parts of the world. Right to work is the most important economic right which is guaranteed in most of the countries.

10.4.4 Cultural Rights:-

Cultural rights or cultural liberties are also important to the individual because they make his life more complete. Once the individual has been socially, economically and politically empowered, he seeks to fulfill his cultural desires. Culture gives the individual a sense of identity. Societies that do not enjoy cultural freedom are known to be restless and unfulfilled.

As such, the United Nations General Assembly has recognized the need for an International covenant that encourages countries to take action towards socio-economic and cultural empowerment of their citizens. The international covenant mentioned following cultural rights are as follows:-

1. Right to social security.
2. Right to a cultural life.
3. Right to protection of childhood
4. Right to motherhood
5. Right to benefits from science.
6. Right to intellectual property.

Right to social security:-

Every individual should enjoy the right to social security paid by the state eg. Financial benefits for the handicapped, medical and accident insurance etc.

Right to a cultural life:-

Every individual should be able to freely participate in the cultural life of his community and society

Right to protection of childhood:-

Children should be protected from social and economic exploitation. Child labour and child trafficking should be eradicated.

Right to motherhood:-

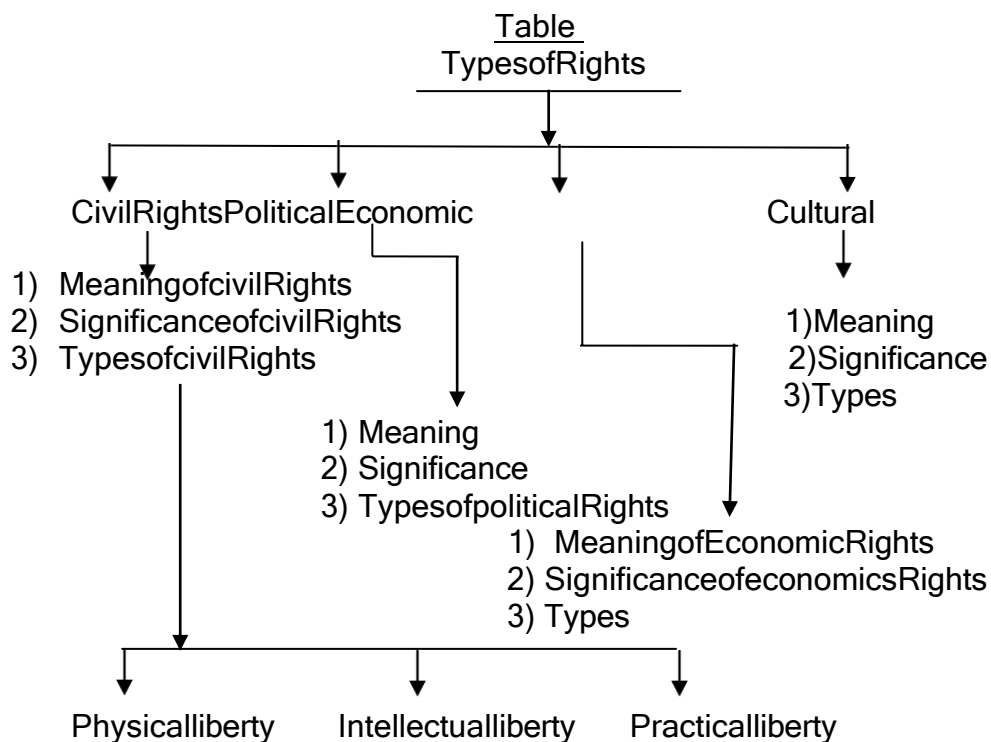
Working mothers should be granted maternity leave with adequate social security benefits. Every mother should enjoy the right to medical and social assistance before during and after childbirth.

Right to benefits from science:-

Every individual should have access to the benefits that have been gained from scientific progress achieved by his state.

Right to intellectual property:-

Every individual should enjoy all the moral and material benefits that may result from any scientific, literary production which he has authored. This implies that no one can copy an original work without the permission of its creator. No one can claim the credit for work done by another.



Check your progress:-

- 1) Describe various types of Rights.
 - 2) Write on civil Rights.
 - 3) Discuss on Political Rights.
 - 4) Write a note on Economic Rights.
 - 5) Write on Cultural Rights.
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SIGNIFICANCE OF RIGHTS

Civil, social, economic, cultural etc, all rights are extremely significant in individual's life. Hence, on December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the universal declaration of Human Rights. Following this historic act the Assembly called upon all member countries to publicize the text of the Declaration.

The declaration emphasizes equality among all human beings. The Declaration is not legally binding but it has great significance. It has influenced constitutions of many countries. It has guided the judicial process in many countries.

It is also addressed to all human beings underlines universal brotherhood of man. All people in the world are expected to live with dignity, promoting world peace.

The makers of the Indian Constitution gave equal importance to the Civil and political rights on one hand and economic and social rights on the other. These rights are given in Part III of the Indian Constitution in the form of fundamental rights. It assures them equality and freedom. The economic and social rights are made basic principles guiding the government. The provisions regarding these are made in part IV of the constitution under Directive principles of state policy.

The significance of Rights are as follows:-

1. **Social Significance;**
 - a. Social rights enable individual to integrate with society
 - b. They protect the individual from social evils such as the caste system, gender inequality etc.
 - c. Social rights enable individual to have equal access to all opportunities in society.
 - d. Thus social rights establish social justice.

2. Economic significance;

Economic rights enable all individuals to earn their own livelihood in a dignified way. The right to equal economic opportunities enable an individual to develop professional abilities to the maximum. Thus economic rights establish economic justice.

3. Political significance;

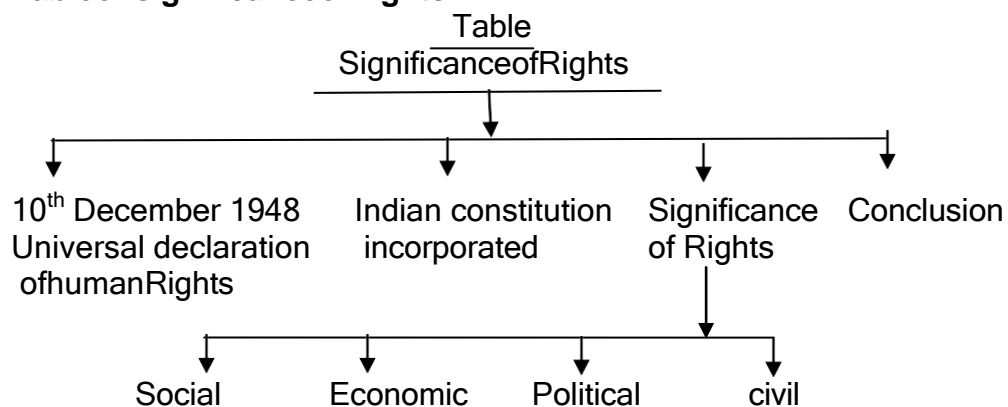
Political rights enable individuals to participate in the polity of their state. In a democratic form of government political rights are essential prerequisites. It creates a free political atmosphere in a country. Political rights enable political justice.

4. Civil significance;

An individual can be happy and content only when he may choose his lifestyle and freely express his thoughts, ideas and opinions. Civil rights enable individuals to freely develop and realize their moral and intellectual potential. Thus civil rights enable the personal development and happiness of an individual.

Conclusion; Thus rights establish liberty, equality and justice and these three values are considered to be essential in order to enhance the quality of life.

Table on significance of Rights



SAFEGUARD RIGHTS

The success or failure of democracy depends largely on the extent to which rights are enjoyed by the citizens. The emphasis is not on granting of rights but on actual enjoyments of rights. Rights are not meant to remain abstract entities but are meant to become actual conditions necessary for the development of human personality. Therefore careful provisions have to be made for protection and realizations of rights.

If the rights are to be enjoyed in a meaningful way then it is necessary to protect them from the changing pattern of political controversies and to place them beyond the mere legislative

majorities and executive fancies. They must be protected from and guaranteed against violation by both executives and legislative authorities as well as by individuals. The following effective measures can be taken for the protection of the rights;

1. Fundamental rights to be incorporated in the constitution;

A common device adopted by most of the democratic countries is to incorporate a list of the fundamental rights in their constitutions and guarantee them from violation by legislative and executive authorities.

2. Constitutional remedies:

The mere provision of fundamental rights in the constitution may not adequately guarantee their protection unless the constitution also provides for certain remedies if and when the fundamental rights are denied or violated. For instance Arts 32 to 35 of the Constitution of India guarantee the right to constitutional remedies to every citizen of India. If the fundamental rights of any citizen have been violated, he can move the Supreme Court or High Court for the issues of writs such as (1) habeas corpus (2) Mandamus (3) prohibition (4) quo warranto (5) certiorari ; which ever may be appropriate for the enforcement of the fundamental rights.

3 Rule of law

Rule of law means equality before the law or the equal protection of the law. Rule of law ensures both personal liberty and equality before law which are the two major groups of civil and political liberties of the citizens in a democracy. It is guaranteed as the Fundamental Right to equality under Article 14 of the Constitution of India.

4. Fearless Judiciary;

Independent, fearless judiciary to interpret and apply those remedies, for the protection of the rights of the individual is necessary. The judges must discharge their duties without any fear or favour. Therefore, it is essential to make the judiciary independent of the legislature as well as the executive. Any political pressure or influence on the judiciary is bound to defeat the purpose of justice.

5. Free press

A free, fair, impartial, and honest press goes a long way in the protection of the rights of the people. The journalists can help the people by giving widespread publicity to the cases of violation of rights either by individuals or by the government and its agencies. They can also give publicity to various voluntary groups and movements engaged in the work of protecting the basic rights of the weaker sections of the society. The press can create public awareness and mould opinion in defence of the rights.

6. Enlightened Public Opinion

A, Sound, healthy and enlightened public opinion puts the government on the right track or sometimes even removes the government if it rules arbitrarily and encroaches upon the rights of the people.

7. External vigilance and burning love for liberty

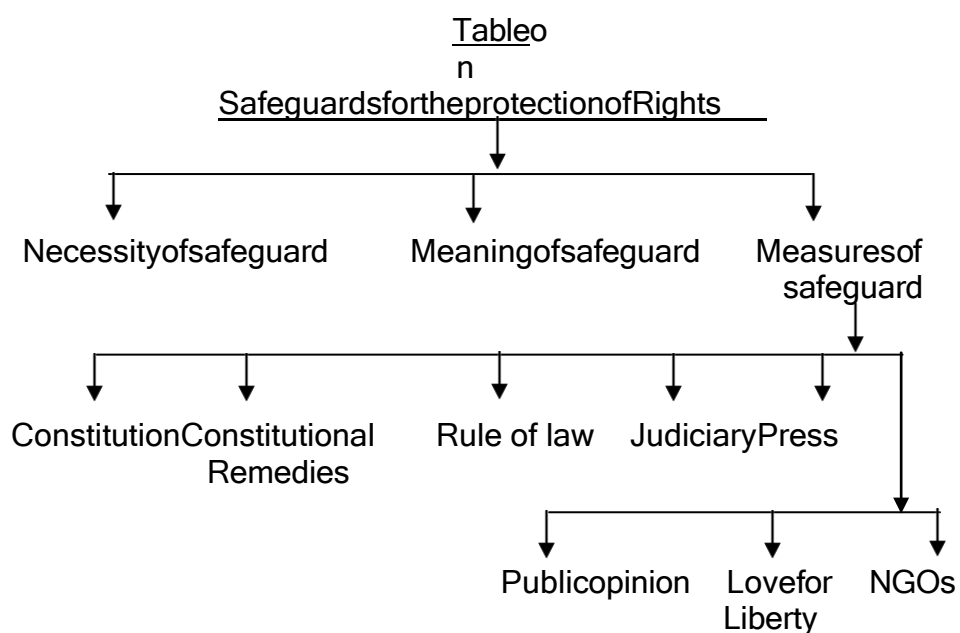
A state may have the best laws and the most effective legal remedies but unless the people exhibit their love for their rights, the protection of their rights cannot be guaranteed. If the people ignore their rights and do not demonstrate their vigilance, they are bound to lose their rights. The masses must always be on their guard and ready and prepared to fight for the protection of their rights.

8. Voluntary Organisations- NGOs

In the past few years several movements have been launched in India for the protection of rights. These organizations and movements make the people aware of their rights and help them to fight for securing the same. The Narmada Bachao Andolan is fighting for the rights of the tribals. The Peoples Union of Civil Liberties takes up the cause of civil rights of the people.

Several NGOs like Amnesty International, Greenpeace, children's Hope India etc are working worldwide for protection of human rights.

The Indian Government established the NHRC (National Human Rights Commission) on 12th October, 1993. In addition to this National Commissions for women, scheduled castes and Tribes, Minorities and other backward castes. Their functions include protection and promotion of rights of these specific categories and suggest measures for their welfare so that they can better exercise their rights.



Check your Progress:-

- 1) Explain the importance of 10th December 1948.
- 2) Write on Significance of Rights.
- 3) What do you mean Safeguards for the protection of Rights?
- 4) Give various measures which safeguard the Rights.

QUESTIONS

1. Discuss the meaning and important features of rights.
2. Comment on the Civil and political rights enjoyed by Individuals
3. Explain about social, economic and cultural rights.
4. What are the different types of rights?
5. Examine the significance of rights in the life of individual.
6. Explain the term right? How can it be secure in the state.

**11**

MODULE IV
UNIT 11
FORMS OF GOVERNMENT

Unit Structure

Introduction
Democratic form of Government
Definitions of Democracy
Dimensions of Democracy
Forms of Democracy
Strengths and Weaknesses of Democracy
Pre-requisites of Democracy
Challenges to democracy
Non-Democratic Government
Meaning of non-democratic govt.
Types of Non-democratic Government
Features of Non-Democratic Government
Distinctions between Democratic and Non-democratic form of Government.
Democracy in India

INTRODUCTION

Democracy and Non- Democracy Governments are two oppose forms of government and each of them has their components and distinction. One can safely divide today's world into (i) Democratic countries and (ii non-democratic countries. Not only this, where there is no democracy, people are struggling to get democracy and where there is democracy, people are asking for more democracy. It shows that all over the world, democracy has become the most favoured form of government.

DEMOCRATIC FORM OF GOVERNMENT

Definition of Democracy

Democracy is a word, comprised as „demos“ (People) and „Kratos“ (government).

Literally it means „Rule by the people“

Political Science Dictionary defines democracy as “a system of government in which ultimate political authority is vested in the people.”

Willoughby, ' The word democracy is unfortunately used in popular discussion, and indeed in much political literature, in two quite different senses: as designating a society or community in which class distinctions are absent or relatively unimportant, and as designating a distinct form of government.

J. S. Mill - 'Democracy is a form of govt. wherein the whole people or some numerous portion of them exercise the governing power through deputies periodically elected by themselves'.

Abraham Lincoln defined democracy that “as a government of the people, by the people, for the people, by all.” Thus according to Lincoln, the essence of Democracy is that it is based on the consent of the people

The Oxford English Dictionary, ' Democracy is a system of government by the whole population run usually through elected representatives.

These definitions of democracy bring out various aspects.

Three Dimensional Concept of Democracy

Initially democracy had only political content. In today's world, it has assumed economic and social characteristics. Now it is studied as a three dimensional concept.

(i) Political (ii) Social (iii) Economic dimension.

(i) Political Dimension of democracy-

It really means a system of government in which everyone has a share of power and Liberty.

Under democratic system, the government is based on consent of the people. Hence public opinion, criticism, differences of opinion are part of the system. Not only this, in a democratic polity, Fundamental rights of the individual are guaranteed. In modern democracies even group rights are also granted. In India we have 'cultural and educational rights' granted to minorities which are linguistic and religious minorities.

(ii) Social aspect of Democracy-

It means equal right and opportunities to all. It is not enough to have political democracy. It must come along with social democracy. Under this concept, dignity of human being is honored. He should be respected in all walks of social life. He should be able to easily become member of any union/ association of his choice. He should not have to suffer discrimination because of his caste, race, gender, language, religion, etc.

(iii) Economic aspect-

This is the ultimate and most important aspect of democracy. Unless this aspect is achieved to large extent, social and political democracy would be meaningless. It aims at reducing the gap between the rich and the poor. It means 'freedom from hunger, guarantees employment, old age benefits, social security, affordable medical services, etc.

Forms of Democracy

1. Classical Democracy-

This form can be traced back to Greek era in 4th century BC. Those days, there were city-states like Athens, Sparta. Hence direct democracy was practiced. The citizens of city-states were full time into assemblies- debating, discussing, legislating etc. Since all citizens had slaves to look after their economic interests, they could easily be full time legislators. In city-states, - women, slaves, foreigners had no citizenship.

Direct democracy was possible due to small size and population of city-states. Take the case of Athens; which was regarded as the

largest city-state. It had a population of (approx.) three lakh. Out of these, citizenship was given only to 5040 people. Also its size was half of Mumbai city. No wonder it was then to practice direct democracy.

2. Liberal Democracy–

England is regarded as mother of liberal democracy. Later this form became popular in many other European countries and USA. The liberal democracy has evolved through two phases -

(i) Classical Liberalism (ii) modern Liberalism

Classical Liberalism - The contribution & thoughts of British philosophers like Thomas Hobbes (1581-1679), John Locke (1632-1704) and French philosopher Jan Jacques Rousseau (1712-1778) laid the foundation of liberal democracy. They had discussed 'natural rights' which are to be protected and promoted by the state. Their thoughts were a powerful reaction against arbitrary authority of monarchs. Hence they also suggested a limited role to the state. They strongly supported private property, free enterprise, etc.

Modern Liberalism –

Classical liberalism protected natural rights of an individual, but it left him totally at the mercy of market forces. Since the thinkers supported 'free enterprise', poor people had no protection in the economic field. Next generation thinkers realized that if classical liberalism is not controlled, it will create unmanageable gap between the rich and the poor. This will lead to social unrest. Hence state must assume an active role in the economic field.

Modern Liberalism believes that state should be pro-poor, manage the economic affairs in such a way that poor are not left high and dry. For this, there should be national planning, government should regulate prices. The idea is that state should assume bigger role in socio-economic life of the society.

3. Participatory democracy–

To understand the concept of 'participatory democracy' better, we must understand the conditions prevailing in Europe between two world wars. The first world war ended in 1918. During this, President Wilson of USA announced the concept of 'self-determination'. After world war-I, three empires, (Ottoman, Austro-Hungarian and Russian) ended and in their place, new nations were born. Not many of these new nations had conditions necessary for the successful functioning of democracy. Also the economic cost of world war-I made many European countries very poor. These European societies faced challenges in the form of Nazism, Fascism which came to power in Germany, Italy.

However, Fascist and Nazi forces were defenders in world war-II which ended in 1945.

The lessons of two world wars focussed on the participatory nature of democracy. People should be more aware of political issues, problems of governance. They should actively participate in the process of governance. Participation can be achieved through political parties, through civil society initiatives, through Non-Government Organizations (NGOs), through pressure groups, etc. This is how democracy should be made more participatory. Hence one can say that 'participatory democracy' is not a model of democracy, in fact it is an evolved, advanced stage of democracy.

Over a period of time, scholars have identified some important aspects of participatory democracy. These are discussed below—

(i) Majority rule - Here ruling class is elected by majority of the people. But it does not mean that majority will be insensitive towards minority. In participatory democracy, 'minority rights' is an important concept.

(ii) Public consent- free, fair elections held periodically is an important aspect of participatory democracy. Hence there should be powerful, autonomous, independent Election commission to supervise elections.

(iii) Public opinion - Though elections are held periodically in a free, fair manner, during the time between two elections, government must be sensitive about public opinion.

(iv) Discussion, Criticism, -

A participatory democracy moves in a situation where it is willing to face adverse reactions, informed criticism and is willing to discuss various options. The ultimate idea is to move towards consensus building.

These are some important aspects of participatory democracy.

Strengths and Weaknesses of Democracy

Though democracy is a favoured form of governance, it does not mean that it has no disadvantages, weaknesses. We must know both strengths, as well as weaknesses—

a) Strengths/merits of democracy—

(i) Equality of all- The model of democracy is based on the principle of 'equality of all'. It automatically means 'equal opportunities to all',

equal protection of law to all. Here no discrimination on the grounds of caste, creed, colour, religion etc. allowed.

(ii) Freedom- under democracy, every citizen is given freedom of speech and expression, free movement anywhere in the country, freedom of religion, freedom of trade / occupation, etc.

(iii) Stability- Since democracy means majority rule, it offers stability. The government enjoys support of maximum number of people.

(iv) Responsive government - Under democracy, government is not only responsible to people, it is also responsive to people's needs, public opinion.

(v) Interest of all-

Today all over the democratic world, 'welfare state' is an established concept.

It means government will be looking after welfare of all people.

(vi) World peace - In democracy, the principle of peaceful co-existence is quite important. A democratic set-up will strive for world peace.

Demerits/Disadvantages-

(i) Rule of small number- In democracy, smart, manipulative leaders, can appeal to people on emotional ground to get votes. Even in a political party, the real power is concentrated in the hands of few. Hence it can be dangerous.

(ii) Ignorant rulers- All over the world, whether developed or developing, ordinary citizens are not knowledgeable. They elect somebody from among them who is equally ignorant. Hence democracy becomes a system run by ignorants.

(iii) Lack of efficiency- Since democracy means discussion, deliberation, the time taken for decision making is long. This results in inefficiency.

(iv) Corruption- Here too, the experience of all democratic societies is educative. One finds corruption at all levels of the administration. Today contesting elections have become quite expensive. For this, all corrupt ways are used to generate money.

These are the advantages and disadvantages of democracy. Though there are disadvantages, it does not mean that we throw away democratic model. The idea is to remove these disadvantages and make democracy a perfect model.

Conditions necessary for the Success of Democracy or Pre-requisites of Democracy

We must understand the conditions which are necessary for the success of democracy .

(i) Educated, citizens- A citizen should be knowledgeable about his rights and duties. They should be able to protect their rights. Not only this, they should be able to hold government accountable.

(ii) Free, Fearless media- Today media is regarded as the fourth pillar of democracy. Media covers newspapers, periodicals, radio, TV channels, internet. Media informs people, It airs their problem. It criticizes government about its programmes & policies.

(iii) Political parties- A good democracy must have well-developed party system. If one party is in power, then there should be equally powerful, competent opposition party to oppose the government.

(iv) Local self-government- Today it is accepted that local self-government bodies are ideal training grounds for the future leaders of democracy. Hence a democratic country must have a good system of local self-government.

(v) Leadership- A democratic system needs a set of good leaders across the political spectrum. Such leaders inspire people, make people knowledgeable. They are wise, sensitive and well-read.

(vi) Economic security- Since in a democracy, welfare state is an accepted form, it offers economic security of maximum number of people. It creates employment, and educational opportunities. It creates a sound public health system.

(vii) Participation of the people in the functioning of government and people having control over government.

(viii) Democracy is based on the principles of equality, liberty, fraternity, human dignity.

These are some important conditions for a successful democracy.

Challenges of Democracy

Though democracy is liked by many societies, it faces some serious challenges; These challenges should be studied properly so that one can meet these challenges.

(i) Communalism and religious fundamentalism This challenge is faced by many democracies. However, in India we also face

communalism which results into communal riots. In other countries, there are sectarian riots like Shia-Sunni fights in Pakistan, Catholic-Protestant fights in UK.

(ii) Terrorism and militarism-

After 9/11, USA declared that terrorism is the global enemy. India has been facing this problem for many years in Jammu & Kashmir, some North-East states. In other countries like Bangladesh, the danger of military take-over is always present. Today many countries of Asia and Africa are under military rule.

(iii) Casteism- This is a peculiar Indian problem. we have caste-based politics, caste-based voting pattern and caste based wars. In states like Bihar, there are inter-caste wars. In many states of Indian union, we find dominant caste controlling maximum centers of power.

(iv) Criminalization -Increasing criminalization of politics is the real threat to democracy. Here law breakers become law makers. As a result we often witness breakdown of law and order. Many political parties have contacts with gangs of criminals. Such gangs are often used during elections.

(v) Corruption- Whether developed or developing country, corruption is noticed at all levels. Political leaders use political power to collect illegal wealth. They use police dept. to grant undue favours.

(vi) Poverty & illiteracy- These are unique to Asia and Africa. Here even today many people are illiterate and are quite poor. For a poor person, what matters is satisfaction of his basic needs- food, shelter, clothes. He is not much worried about democracy. Similarly an illiterate person cannot understand the basics of democratic government.

These are challenges that democracy faces globally. Out of these challenges, some are unique to India. We must fight these challenges. Otherwise we will have to suffer under dictators. Here democracy must be saved and must flourish.

Check Your Progress

1. Write definition and meaning of Democracy.
2. Explain dimensions of Democracy.
3. Discuss various forms of Democracy.
4. What can we do for the success of Democracy?
5. Write on challenges of Democracy.
6. What are the requirements of Democracy?

NON-DEMOCRATIC GOVERNMENT

Meaning

These are the government that have not linked to the people and the process of ruling. Types of Non-democratic government are as follows :-

Types of Non-Democratic Government

1. Authoritarianism

It is form of social organization characterized by submission to authority. It is usually opposed to individualism and libertarianism.

An authoritarian government is one in which political authority is concentrated in a small group of politicians. Examples are North Korea, Iran, Zimbabwe, China, Cuba, Saudi Arabia etc. Characteristics of this system –

1. Emphasizes arbitrary law rather than the rule of law.
2. Tends to embrace the informal and unregulated exercise of political power.
3. Political stability is maintained by control over and support of the armed forces.
4. It is highly concentrated and centralized power.

2. Totalitarianism

It is an extreme version of authoritarianism e.g. Fascism, Nazism.

3. A Theocratic Dictatorship – e.g. Iran.

4. Party Dictatorship – e.g. China, Cuba, North Korea.

5. Royal Dictatorship – e.g. Saudi Arabia, Malaysia.

6. Countries with Dictators – e.g. Libya, Sudan.

7. Countries with Transitional governments – e.g. Egypt, Afghanistan, Iraq, Cambodia.

8. Countries with governments with incomplete control of their national territory – e.g. Cuba, Pakistan.

Features of Non-democratic form of government

1. Never open and democratic.
2. Rulers monopolize power.
3. Opposition parties hanged.

4. No right to criticize government.
5. Base of official ideology.

Differences between Democratic and Non-Democratic form of Government.

1. In Democratic system people are participating in political decision making process without considering any differences. They are able to decide their destiny through their representatives or directly.

In Non-democratic form of government people are not participating in political process. They are restricted by central body. The government has absolute power over its citizens. The government determines everything and every activity within the territory of its sovereignty.

2. In Democratic form of government governing authority are elected by the people.

In non-democratic system country governs by a small group of people whether they are individual, military or party and come to power through coup or revolution.

3. In democratic system authorities powers are limited by the Rules and constitution, public opinion.

In non-democratic system authorities have absolute power.

4. In Democratic system there is pluralism and multi-party system that competes to achieve the majority of parliament seats.

In non-democratic system one party controlled the whole country and there is no opposition inside the government.

5. In democratic system individual liberty and free press are the basic components. e.g. People can express their opinion, make their choices, work independently.

Even the minority groups whether they are religious or ethnic living in the safe environment without Governmental intervention.

In non-democratic form of government individual freedom is diminished. Minorities rights are absolutely under the threat of government. The minority cannot express their identity, speak and study in their language. All is controlled by the government. Government arrests politicians and human rights activists also jails them without trial as Tibet in China.

6. In democratic form there is a freedom of market and trading. The government promotes private sectors.

In non-democratic form markets are monopolized by the government. There is no space for private sectors and competitive market.

7. Equality and Rule of Law are the important components of democracy. Law is superior and equal law is applicable to all.

In non-democratic form government makes disparity among its citizens.

8. Components of democratic system are -

1. People participate in governing and decision making.
2. Collective decisions.
3. Electoral participations.
4. Political pluralism-multi-party system
5. Minority rights.
6. Free Markets.
7. People enjoy liberty, Rights, equality.

Components of non-democratic form are as follows-

1. People are not self-governing.
2. No liberty and freedom.
3. Repressing oppositions.
4. Inequality among citizens.
5. Head of the government enjoys complete power.
6. Free media, Newspapers, Organizational activities are prohibited.

Check Your Progress

1. Give meaning of non-democratic movement.
2. What are the features of non-democratic movement?
3. Explain distinctions between democratic and non-democratic.

DEMOCRACY IN INDIA

India is democratic republic consisting 28 states and seven center-controlled union territories with New Delhi as the nation's capital.

India is 7th largest and second most populous country and making it world's largest democratic country. It has world's oldest civilizations with rich and varied cultural heritage,

According to the constitution of India nature of the Indian state is sovereign, socialist, secular, Democratic, Republic. The nature of the Indian State is Federal. It means division of power between the union and states. There is also separation of powers among the major branches of government. i.e. Legislature, Executive and Judiciary.

Preamble of the Indian constitution shows the philosophy of the India state.

Source of authority is the Indian people. Government work on the consent of the people. The main objective of the state is secure to all its citizens Justice, Liberty, Equality and Fraternity. Accordingly Indian Constitution provided for fundamental rights, directive, principles, Independent judiciary, division of power, parliamentary democracy, secularism, Universal adult Franchise etc.

From last 62 years Indian democracy is working successfully. But it is found that following factors are affecting the Indian democracy–

1. Religion:

It plays important role in politics. Political party support greatly upon religion. Many political parties are identified by the religion of their supporters. Many national religious issues are the key points of the success in elections.

2. Caste:

Many political parties draw supporters from specific caste or sub-castes.

3. Population:

India is the most populous country of the world after China. The one billion-plus population has challenged the country's ability to provide jobs, health, education. Slowing population growth has been a major issue for the government.

4. Regions:

India is very densely populated. It has 28 states with different cultures.

5. Negligence among elected members:

The representative form of democracy has succeeded in driving the nation for the last 60 years. But practical side cannot be acknowledged completely. Some of the elected representatives are enjoys all privileges and takes his duties for granted.

6. Elitism of families:

Teading politicians are introducing their sons and daughters in politics and power. Our democracy became rich people"s democracy.

7. Political parties

Politics has become a game of oppostunism and corruption. Most Political parties are only interested to coming to power. Every political party adopts different caste politics. Some try to raise the religious sentiments of the people. The key players in Indian political hre today are regional parties, who represents sectional, ethnic, caste linguistic interests.

8. Awarness about Rights:

Real democracy will come into being only when the masses are awakened and take part in the economic and political life of the country, otherwise rights have no meaning in practice.

9. Illiteracy :

Fordemocracyelectoratesouldbeliterateandpoliticallyconscious.

10. Poverty:

Oneforth of the population todaygoes to bed with empty. Stomach, live below the poverty line. They are still struggling for existence.

11. Legistators:

Some of our legistaters have criminal records against them. The people who make the laws themselves break them. Actually politicians should respect the true spirit of democracy.

12. Economic Issue:

Economic Issue like poverty, unemployment,development aremain issues that influence politics of India. India is still an emerging country, making the pace and shape of development a major concern.

13. Law and order:

Terrorism, Naxalism, religious violence, caste-related violence are important issues that affect the political environment of the Indian nation.

14. Vote bank Politics:

The lack of homogeneity in the Indian population causes division between different sections of the people based on religion region etc.This has led to the rise of political partieswith agendasof these groups.

Vote bank politics of most parties sidelines national issues such as economic welfare and national security.

15. Need of India :

More importance should be given to the local level of grassroots problems very few people are concerned with the political controversies e.g. the debate over whether a temple or mosque should be built at the disputed site in Ayodhya. What matters to people is whether their village has a clean-drinking water, is there a bus line, primary health care facilities. They expect their elected politicians to deliver on these sort of things.

MODULE VIII
UNIT 12

IDEOLOGIES

Unit Structure

Objectives
Introduction
Meaning of Ideology
Role and Significance of Ideology
Classification of Ideologies
Conclusion
Questions

OBJECTIVES

- 1) To understand the concepts of the ideology.
 - 2) To understand the factors that contribute to the emergence of political Ideologies and role of ideology.
 - 3) To understand the Relevance of ideologies in the present times.
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INTRODUCTION

19th and 20th centuries witnessed the development of many ideologies, such as Individualism, Liberalism, Utilitarianism, Socialism, Communism, Fascism, Gandhism etc. Every country today follows one or the other political ideology. Many ideologies arise in times of crises and offers a better order.

An ideology may be developed by an individual like Mahatma Gandhi, Karl Marx, Benito Mussolini or by a group of thinkers.

MEANING OF IDEOLOGY

The term ideology was coined by the French philosopher Destutt de Tracy in 1795. Literally, ideology means the science of ideas.

The Oxford English Dictionary defines 'ideology' as "The system of ideas at the basis of an economic or political theory."

Anderson and Christol define ideology as-
"a system of ideas characterizing the nature of state and describing the relationship between the government and the citizen of this

state. Such an ideology embraces a set of political, economic, social, cultural values".

Acc to Carl J. Friedrich "A political ideology is a reasonably coherent body of ideas concerning practical means of how to change, reform or maintain a political order."

David Easton defined "ideologies are articulated sets of ideals, ends and purposes which help members of the system to interpret the past, explain the present and offer a vision for the future".

The term ideology implies the following.

1) A set of ideas - An ideology usually comprises a body of ideas, not a single idea. For instance the ideology of capitalism comprises the ideas of free market economy, non interference of the state in economic affairs, liberalization, privatization etc.

2) A way of thinking – A style of thinking or perspective that permeates the everyday life of citizens to such an extent that directly or indirectly influences their polity, economy and society can also be termed an ideology.

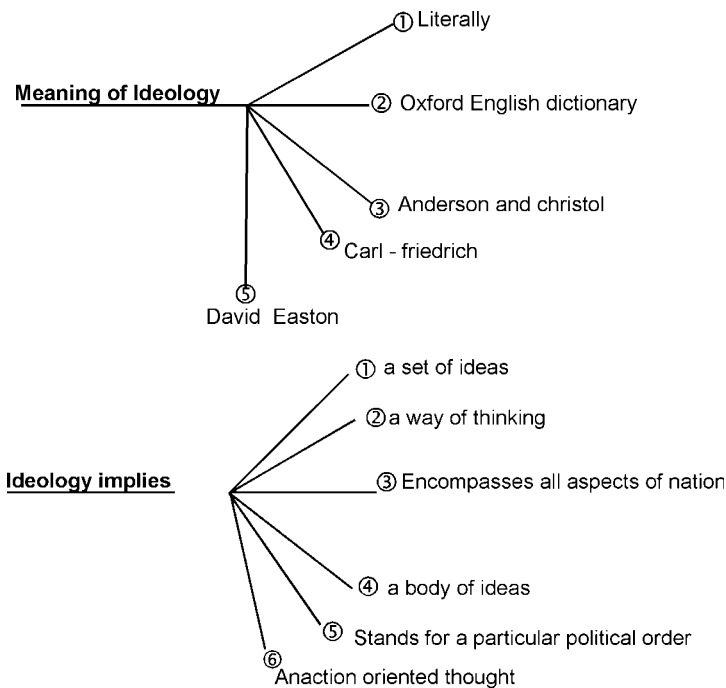
3) Encompasses all aspects of a nation – An ideology seeks to affect all aspects of the state. For instance the ideology of Gandhism seeks to establish a polity of self government at the village level, an economy wherein every village will be self-sufficient, education on the basis of craft and experience etc.

A body of ideas that influences only one aspect of state cannot be termed an ideology.

4) Ideas if not only a group of people, but even that of an individual person – An ideology need not necessarily be one that is propounded by a group of people. A body of ideas propounded by a single individual can also be termed an ideology if it effects a nation.

5) A political ideology stands for a particular political order society and a strategy for its establishment.

6) A action oriented thought - Every ideology is an action oriented thought. They are capable of inspiring men to action.



ROLE AND SIGNIFICANCE OF IDEOLOGY

Why ideologies are so popular? What is the role of ideologies. The significance and role of ideologies are as under :

1) Ideologies work as the mainspring of political action.

They are very useful in organizing people and unifying their efforts in establishing the desired political order. Most mass movements in the world have been inspired by political, economic or religious ideologies. Ideology gives a strong emotional appeal to those who are committed to it. Hence its followers demonstrate their feelings for it, which works as the mainspring of political action. Thus ideologies promote political action. Hence many times political leaders use ideology as a tool and manipulate public opinion in favour of or against a particular issue.

(2) Ideologies make human lives meaningful-

Besides the satisfaction of the materialistic desires, a sense of mission and purpose is also very much essential to make life meaningful. Ideologies provide the higher faith to which the individuals can devote themselves. All this is an essential as the satisfaction of the basic material wants.

(3) Political ideologies hold political communities together-

In the past, it was the religion which supplied the necessary institutional and organisational apparatus for holding political communities together. However with the decline of established religions in the modern age, political ideologies have come to play this linking role.

(4) Political ideologies cause tensions and wars-

Political ideologies not only cause tensions or war of ideas within a country, but also lead to actual wars between nations. For example the ideologies of liberalism and communism came in open conflict with each other and also led to the division of the world into two blocs. All conflicts at the international and local levels originate from the conflict of ideologies.

(5) Ideologies influence all aspects of social life-

Ideologies are used as means of effective social control. Modern ideologies have attacked the traditional ideas and put forth new ideas and provided a new spiritual basis for social life.

(6) use as tool-In some of the developing countries, ideologies are used as national tool for achieving government stability. Even the functionalist regard political ideology as an essential part of the social system and view it as a stabilising force. An ideology can make or break a nation.

Check Your Progress

- 1 Write on meaning of Ideology
- 2 What is significance of Ideology
- 3 Give examples of some important ideologies.

CLASSIFICATION OF IDEOLOGIES

Every Country Under the Grip of Some Ideology:

The role of modern political ideologies is significant and all-embracing that every country has come under the grip of one ideology or the other. The United States for example, is wedded to the capitalist economic system with democracy, Great Britain and Sweden are committed to moderate socialism; Italy clings to left-wing socialism, China, Yugoslavia, Bulgaria, Albania, Poland, Rumania, Czechoslovakia, Hungary, North Korea, North Vietnam, Cuba, and many other countries were committed to communist ideologies and so on. It is developed or developing. Political ideology plays a decisive role in shaping, moulding and guiding the political behaviour of people, parties and nations.

1. Idealist theories:

The idealist theories hold that both political institutions and political behaviour of people are determined, moulded and guided by

political ideologies that they hold dear and significant. The chief exponents of idealist theory T. H. Green, Kant and Hegel.

2. Materialist Theory of Ideology:

The materialist theory of ideology, of which Karl Marx was the high priest, asserts that ideology is merely the rationalisation of the class interests and political power of the oppressing class. He viewed an ideology as a weapon in the hands of the capitalist ruling class to conceal their material interests by intellectual rationalisation of the prevailing economic order.

Marx, looked upon his own system of ideas, on the other hand, as scientific and Positive, as unique and unprecedented insight into the course of historical development, not as ideology but as a science of history. It is a supreme irony that Marxism, which views ideology so negatively, should produce political systems with such intense concern for it and in which so much energy is expended to inculcate and enforce loyalty to it. The most intense ideological production the world has ever known."

3. Positional Theories of Ideology:

According to the positional theories of ideology, an ideology is nothing but a political myth, a belief system which seeks commitment either to preserve, reform or to overthrow a particular social order.

4. Functionalists' View:

Finally, the functionalists regard political ideology as an essential part of the social system and view it as stabilizing force. Thus, from the above paragraphs, it is clear that, though different theories of political ideology hold different views, each theory assigns some particular role to an ideology.

5. Relevance of Ideologies of Third World Countries:

Let us now examine their relevance for the consolidation of national independence; securing of socio-economic progress; and coping with the problems of the third world countries.

But, before we do so, let us dispose of one fundamental question. It is regarding the relevance of ideologies in the contemporary world. It has been pointed out by some writers that as a result of the rise of industrial states' both in the capitalist and socialist societies, ideologies have become redundant, irrelevant, meaningless and superfluous. Their (capitalist and socialist societies) socio-economic and political problems are alike. And, the technological and scientific developments in these societies have virtually wiped off the differences between them.

Thus, we find that capitalism and the capitalist society are radically different from what they were during the hey day of older liberalism. The scientific and technological developments on the one side and the application of industrial science on the other have qualitatively changed the complexion of the traditional capitalist state. Also, the political and economic forces in the contemporary world have drastically brought about fundamental alterations in the purposes and functions of the capitalist society. It is said that the capitalists and workers are now equal partners in all the affairs-including profit sharing industries. The concept of the participation of workers in management has eroded the concept of classes-the exploiters and the participation of workers in management has eroded the concept established fact in the western societies. Further, the individual ownership of industry has given way to corporate ownership. And, the workers enjoy social, economic and political rights, their economic condition have vastly improved and their living standards are much better. They also enjoy both social and economic security. Also, today the liberal capitalist state is no more a silent spectator of economic activity. Its active intervention in economic matters has on the one hand checked the growth of business monopolies, unhealthy trade practices and on the other the exploitation of workers or consumers. Instead, the state belongs to the whole of the community and is devoted to promote the welfare of all in society. Apart from this, it is said that the working class with capitalist societies has adopted the bourgeois norms and life styles and they do not believe in ideological conflicts.

On the other hand the acceptance of the principle of peaceful coexistence by the former Soviet Union and now by China is a great departure from the traditional Marxian theory and its principles. It is assumed that this idea pleads for the mutual existence of liberalism and Marxism and the acceptance by both of each other's values and precepts. It is, it is obvious, that in the contemporary world both liberalism and Marxism have lost their original positions and have come close to each other, liberalism in the radical direction and Marxism in the bureaucratic direction and because of this change both the ideologies have lost their original positions. Today, both of them claim to be the welfare states, looking after the interests of the community as a whole. The problems of both of them are not economic, but purely and simply technological, scientific. Therefore, ideology is not of much relevance in the contemporary world.

But, the proposition of the 'irrelevancy of ideology' is not acceptable. Capitalist and the Socialist society, and third world countries, all of them are in search of an ideology which may suit their soil, help the socio-economic developments fulfill the aspirations of their people. In the absence of a clear-cut ideology, aims and objectives before them, they may not be able to achieve their desired goals. It certainly does not mean that they must accept

any of the existing ideologies in their entirety. What it means is that an ideology which provide them a clear cut direction and facilitate their march to progress and development.

Ideology and the Concepts of Capitalism, Private Property and vnership of the Means of Production

Capitalism, refers to an economic system based on the free play of economic forces. It is the hallmark of liberalism. For the liberals, capitalism offers to all vast economic opportunities together with basic political freedom. Classical liberalism stood or fiscal liberty. Fiscal liberty was inseparable from political liberty and the sovereignty of the people. Both fiscal and civil liberties were related to property and the rights of their owners. Negative liberalism believed in the ownership of private property and the means of production. It passionately defended right to property and considered ; right as sacrosanct and indivisible. It pleaded for free economy, i.e. free trade, exchange and competition along with non-interference by the state in all economic matters. It did not want the state to interfere in economic matters at all. Liberalism has undergone a process of radicalization in recent times. The new liberalism (positive liberalism) goes beyond the domain of classical liberalism and its belief in individual's right to life, liberty and property. The state is now considered to be an apparatus for initiating positive action for the welfare of the community, along with liberty there is considerable emphasis on equality. Equality at bestis interpreted as an equality of opportunity. Capitalism today appears to be a dimension of the new liberalism. Though liberalism has changed a lot and the capitalist democratic System lays stress on the implementation of welfare measures for economicallyweaker sections of society, its basic faith in private property and ownership of means of production has not diminished.

Marxism considers liberalism as primarily a theory of thejustification of the absolute rights of capital over labour, of capitalist exploitation over social justice. Marxism stands not only for the common ownership of the means of production but also of their enjoyment in common. Also, Marxism is not only a revolt againstthe Capitalist system but alsoasoundalternative to itThe theorists of evolutionary socialism also denounce capitalism but they fail to provides the means of ending capitalism or provide an alternative sound system. It is onl Marxism which provides both the means to wipe out capitalism and an alternative system for it.

Evolutionary socialism, as we have seen, is a belief in change through gradule and peaceful means as against the revolutionary methods advocated by the Marxist! Thus, they stand for the progressive transformation of society in such channels and would remove the glaring inequalities that are due to the capitalist system ofsociety.Evolutionarysocialistsdonotfavourtheabolitionof

capitalism as such. They believe that its nature can be meaningfully controlled and capitalism can be finished through evolutionary changes. It is also opposed to the resultant evils of exploitation and corruption which are inherent in the capitalist system, it aims at the elimination of the evils of free competition which bring havoc in a capitalist society. It is to be replaced by co-operation and harmony. Co-operation will remove antagonisms between employers and workers and bring about social unity. This will also create a sense of unity and strength in society.

Under evolutionary socialism, basic and key industries are to be nationalized and controlled by the state. They will include railways, airways, shipping, engineering, defence production and industries with a high capital cost. Other industries are to be left to private management. They desire public and private sectors to co-exist and be co-operative to each other and be competitive and non-exploitative.

CONCLUSION

1. An ideology is a regular system of ideas.
2. A political ideology stands for a particular political and socio-economic
3. Ideologies arise in times of crisis or social upheaval.
4. Modern political ideologies grew during the French Revolution.
5. Ideologies play a multi-functional role in politics—they are the main spring of political action, mass movements are inspired by ideologies.
6. The question of relevance of ideologies is being raised. Ideologies—Marxism and capitalism have absorbed from each other.

QUESTIONS

1. What is an ideology? What purposes do ideologies serve?
2. Write on types of ideologies.



MODULE-VIII
UNIT 13

COMMUNISM AND GANDHISM

Unit Structure

Introduction

Meaning of Communism
Principles of Communism
Evaluation and Relevance of Marxism
Contemporary Communism or Neo-Communism

Gandhism

Meaning and Nature of Gandhism
Principles of Gandhism
Evaluation of Gandhism

INTRODUCTION

Socialism and communism was indeed a reaction to the industrial capitalist society. Hence communism, socialism, and capitalism are three ideologies that are often named in the same breath. No discussion on communism is complete without referring to socialism and capitalism.

Meaning of Socialism: - Socialism is a policy which aims at securing a better distribution and production of wealth through democratic methods. Its main aim is establishing a more economically just society. Socialist opposed capitalism.

Meaning of Capitalism: - It implies an ideology that supports an economic system that favors private investment, profit making, competition, free market economy, no interference of state in the economic activities.

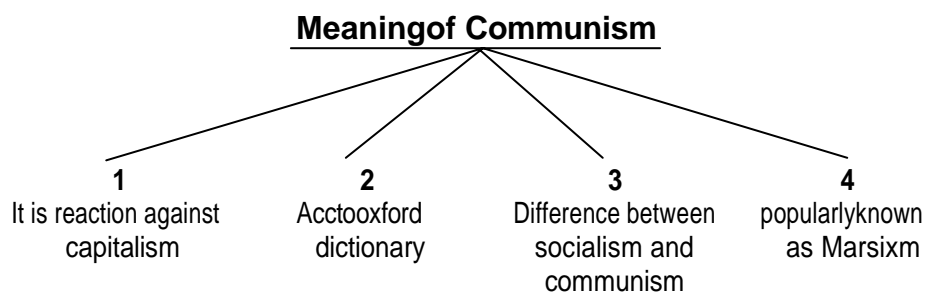
This ideology enabled every individual to enjoy his economic liberties without governmental influence but it resulted in oppression and exploitation of the majority by a few wealthy individuals. Tension was created between the 'haves' and 'have-nots' due to unplanned production, unequal distribution of wealth and free competition. In view of the growing anarchy particularly during the Great Depression in the 1930's - it became necessary to ensure regulation by the state. Thus emergence of socialism and communism was the reaction to capitalism and individualism.

Meaning of Communism

Communism and socialism are often confused with each other, Karl Marx was the father of communism. He also used the term scientific socialism to communism. They are, however, different concepts bearing different meanings and connotations. It is said that all communists are socialists, but all socialists are not communists. Hence, in a way, communism is a branch or form of socialism. Communism is a more radical, revolutionary and violent form of socialism.

According to the Oxford English Dictionary "Communism means a political theory advocating a society in which all property is publicly owned and each person is paid and works according to his or her needs and abilities."

Communism and Socialism share the same goal i.e., economic justice but differ in the means. Communists are revolutionary. Communists often position themselves against the ruling government and seek to achieve their programme through political confrontation. Socialists seek to achieve their goals by co-operating with the government.



Principles of Communism

- (1) Dialectical Materialism.
- (2) The Materialistic interpretation of history.
- (3) Theory of Surplus value.
- (4) Theory of class-war.
- (5) The Dictatorship of the proletariat
- (6) Classless and stateless society.

(1) Dialectical Materialism-

The word 'dialectic' literally means discussion or logical argument.

The theory of Dialectical Materialism is based on Hegel's theory of the dialectic which explains the progress of civilization through thesis, antithesis and synthesis. Hegel says that human society progresses through gradual evolution. This evolution occurs with the process of dialectic. i.e. logical discussion, the acceptance of newer and better ideas and the rejection of older and outdated ideas. The process of acceptance of what is good and rejection of what is bad occurs as follows:-

At any given point of time there exists one dominant idea in society, termed as thesis, over a period of time there emerges a new idea opposing the thesis, termed as antithesis. The thesis and antithesis clash, discussion and argument takes place and a new idea emerges. It is better than the thesis and antithesis known as synthesis. With the passage of time, the synthesis becomes the dominant idea in society and assumes the role of thesis. Again it goes through the process of dialectic i.e.

Thesis X Antithesis = Synthesis.

Karl Marx applied theory of dialectic to communism. According to him Capitalism is the thesis, Proletariat class is the antithesis and communism is the synthesis.
Capitalism X Proletariat class = Communism. Thus Dialectics is a theory of development. It is soul of Marxism.
Karl Marx applied theory of dialectic to materialism.

Features of Dialectical Materialism-

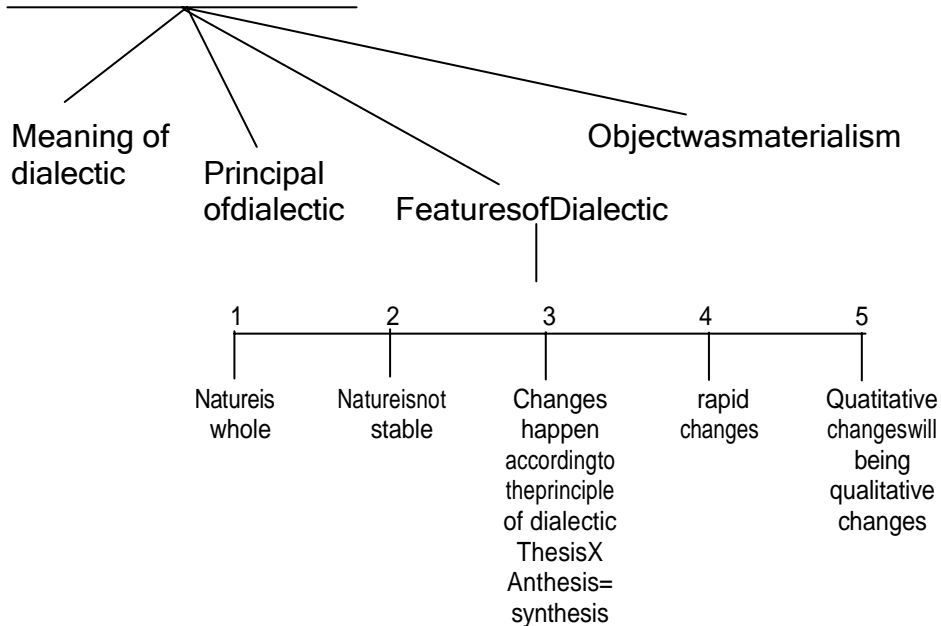
- (1) Dialectics regard nature as connected and integral whole.
- (2) Nature is not stable. It is subject to change and change is continuous.
- (3) There is constant conflict and contradictions between the Negative and positive forces. -
Thesis X Antithesis
- (4) Changes in dialectics are rapid.
- (5) Quantitative change (rise in the number of propertyless proletariat class)
will bring qualitative change (communist society)

According to him, with the rapid growth of industrial capitalism wealth is accumulated in the hands of few. The number of property

less proletariat begins to rise. This quantitative change gives rise to qualitative change?

In capitalist society there are two classes- bourgeoisie and proletariat. Their interest, objectives, attitudes are opposite. But they exist side by side. Both the classes are dependent on each other. One day revolution will take place and will eliminate the class structure of society. A classless communist society is established. Thus Marxian Method was dialectical and the object was materialism.

Dialectical Materialism



(2) The Materialistic interpretation of history-

Marx interpretation of history is based on materialism. According to him economic structure of society decide the other structures of society. All the social, political, intellectual relations, legal systems, outlooks, which emerge in the course of history are derived from the material conditions of life.

A particular class which gets control on the means of production dominate the rest. It will use political power along with its economic might to oppress the others and thus create revolutionary situation. Thus the whole history of mankind is a history of class-struggle-slaves against masters, serfs against feudal lords, workers against capitalists.

Principles of historical materialism are as follows-

(1) Change and development of society take place according to the objective laws, not according to divine law, (objective laws relate to the material world)

(2) The progress and development is determined by the material conditions of social life.

(3) Change in production- relations call forth the change in the whole social system and political-order eg. Master and slaves, Federal lords and serfs, capitalist and workers.

(3) Theory of Surplus value:-

Marx was of the opinion that it is the labourer and his work that gives a commodity its value, For instance it is the carpenter who turns a piece of wood into a chair and enhanced the value of chair a piece of wood costing- Rs 300/- Carpenters get Rs 200/- a piece of wood turns into chair- Rs 2000/-

Theory of surplus value is an extension of his theory of value. The difference between the value of goods produced by the workers and the actual wages paid to them means our surplus value. Value to the commodity is created by the worker but profit (surplus value) is pocketed by capitalist. (Profit in the above case Rs 1500/-) Capitalist keep the maximum share of profit (Rs 1500/-) and give the carpenter a much smaller share (Rs 200/-) This difference between the selling price of the commodity and the amount paid to the labourer is termed as 'surplus value'

The capitalist can exploit the workers because they own the means of production and the workers are forced to sell their labour to them. While employing them, they pay them the minimum wages, get more work done by them.

To expose the injustice and exploitation under the capitalist system Marx explained the theory of surplus value.

According to Marx labour is the real productive factor but the worker does not receive a just share of the value. This exploitation will serve as one of the reasons that motivates the proletariat to revolt against the Bourgeoisie, leading to a class war.

(4) Theory of class war:-

The Communist Manifesto, the Bible of the working class, starts with the statement "The history of all existing society is the history of the class struggles". The struggle between the two opposing classes the class of oppressors and the class of the oppressed. At every stage of social development a particular class got control on the means of production and exploited the rest. Dominant class alone enjoyed freedom and used the state also as an instrument to preserve its economic power.

Causes of class struggle: In Capitalist system workers class are subjected to exploitation. They will feel capitalism is the source of their misery and suffering. In the capitalist order the interest of the capitalist class is to maximise the profit, whereas the interest of the working class lies in the enhancement of wage.

Thus Marx believed that the class struggle and destruction of capitalism is inevitable because capitalism contains the seeds of its own destruction when the proletariat will take class consciousness, the class struggle will take the form of revolution. In this struggle on the one side is the labour, poor class and on the other the capitalist class who are few in number, When the struggle is mounted between the two, middle class will give leadership to the labour class. Marx calls upon the working class to unite and overthrow the capitalist order. The proletarians have nothing to lose but their chains. The establishment of a classless society will be the end of this revolution **Forms of class struggle-** (1) economic form (2) political form (3) ideological form.

(1) Economic form- In this workers start a struggle against the capitalists to get some economic concessions eg. workers will fight for higher wages, to reduce working hour, improvement of working conditions. To fight for the economic benefits the workers at first formed organisations eg. Trade Unions, Method of struggle will be strikes.

It will improve their economic conditions and will make them economically conscious. But economic struggle will never be their sole objective. To stop economic exploitation they should do political struggle.

(2) Political struggle- It means participation in the elections objective of this struggle will be to overthrow the bourgeois government from power and establish the authority of the working class. In this whole political structure undergoes in radical changes.

(3) Ideological class struggle- People must be mentally prepared. Workers must realise the extent of exploitation. Marxist ideology will bring consciousness among the workers.

The purpose of all forms of class struggle will be destruction of capitalism and establishment of classless society.

(5) The Dictatorship of the Proletariat:-

Marx believed that when the class war takes place, the proletariat will emerge victorious. Although the purpose of the class war is to establish a stateless and classless society, this objective cannot be achieved until all state institutions such as the bureaucracy; judiciary, legislature, executive etc are abolished. Hence before the abolition of the state, society would have to

undergo a transitional period in which the proletariat assumed control on all aspects of state.

Proletariat dictatorship means power in the hands of the working people for building up a communist society.

- (1) In this period proletariat will gradually take over all natural resources and means of production under its control.
- (2) The proletariat will discard all institutions that were associated with the capitalist state and set up a new legislature, a new judiciary, a new code of law and a new police force.
- (3) The workers will set up their own centralized apparatus and force the total defeat of the capitalist class.
- (4) The goods and services will be distributed according to the principle "Each according to his need and ability".

(6) Classless and Stateless society:-

Marx says that during the phase of dictatorship of the proletariat, the labour class would control the state's institutions and use them to destroy capitalism. The proletariat would then use the state institutions to establish a society based on economic and social justice.

Once this is achieved, the proletariat would renounce its dictatorship and all institutions of state would gradually cease to exist. This would eventually lead to the withering away of the state itself.

According to Marx state is a machine for the oppression of one class by another. State is used as a weapon by the bourgeoisie to exploit the proletarians. Hence in the classless society there will be no need of state. It will wither away.

Communist society:- Higher form of socialism is called communism. It will work on the basis of following principles:-

- (1) 'From each according to his ability, to each according to his needs'.
- (2) Emancipation of individual from all sorts of slavery is the primary and sole objective of communism.
- (3) Discrimination is the first thing to be banished by communism. Differences of culture, language, race and religion will exist in communist society, but they will assume ugly shapes and hinder the growth of society.

- (4) Work is compulsory. Every individual must perform his duties according to his ability. Communist society wants to abolish the leisure class and the system of unearned income.

Evaluation and Relevance of Marxism

Demerits of Communism:-

(1) Ignored non-economic factors-

Marx has ignored non-economic factors when formulating his theories. For instance, his belief that only materialistic considerations shape history has been proved to be false, there are numerous non-economic factors such as political, religious, social which have shaped the individual's action and the history.

(2) Labour alone does not create value-

Labour is not the only factor that adds value to the commodity. Besides labour other things like land, capital, administrative organisation, electricity charges, machinery also determine the value of commodity.

(3) Excessively revolutionary-

The theory of class war is dangerous to mankind. It preaches violence, hatred.

(4) Wrong conception of state-

Marxism insists that the state is a hurdle that prevents the proletariat from securing their rights. State serves as a tool in the hands of capitalists to exploit the working class. This is not always true. In contemporary welfare states, state is committed to securing the interests of the public.

(5) Concept of withering away the state is utopian-

The modern communist states like China and other East European communist states have shown no inclination at all to wither away.

(6) Anti-religious -

Marxism is anti-religious. According to Marx "Religion is an opium of the people and an ally of capitalism", therefore, it must be eliminated. Communism cares only for materialism.

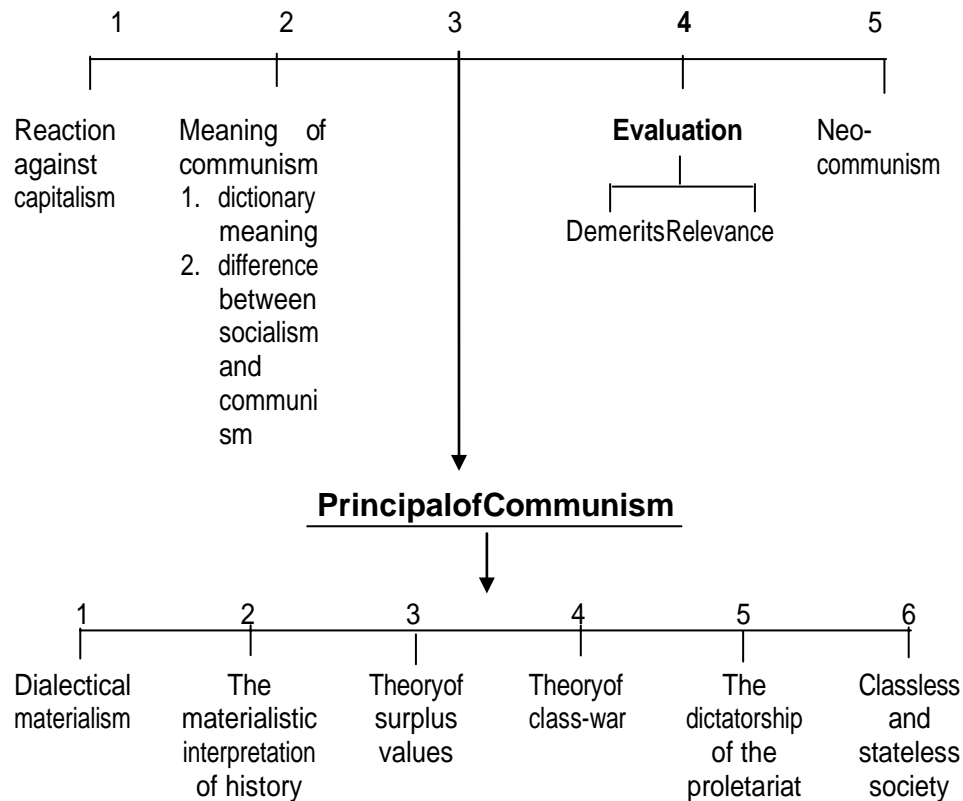
Relevance:-

- (1) The Marxist form of communism has set millions of minds around the globe on fire. Communist ideology is strongly followed by many countries. eg. Eastern Europe, China. As an ideological movement, communism was one of the most powerful political force of the 20th century. In practice 20th century communism was largely a vehicle for modernisation that was most successful in economically backward societies where its success was judged in terms of its capacity to deliver social development.
- (2) It created a proletarian consciousness and gave encouragement to unite-
At a time when the Industrial Revolution had made the lives of workers hellish, when the worker could see no way out of his penury, Marx emerged with his ideology that offered hope to the downtrodden.
- (3) Capitalist adopted more labour-friendly measures in their factories.
- (4) In the age of privatization, liberalization and free market economy, capitalism has made a comeback and exploitative practices by industrialists are resurfacing. Consequently, the communist ideology and anti-capitalist movements are gaining strength and relevance.
- (5) Contemporary communism differs from Marxist communism and more relevant in today's period :- Lenin interpreted and adapted Marx's ideology to suit the Russian conditions and staged a successful revolution in 1917. With his reinterpretation the ideology of communism took its definite form.

Contemporary Communism or Neo-Communism

Contemporary communism is different from what Marx, Lenin Stalin had propounded. Contemporary communists take into account modern day realities before formulating their goals and plan of action. (1) It accepts that the state is a necessary institution without which human society would fall back to anarchy. Hence what must be achieved has to be achieved within the state. (2) It accepts that class war and revolution are not the only means to social and economic betterment. Constitutional method, political awareness, education are better paths towards this goal. (3) It accepts that cooperating with the legitimate government can also be a way to secure communist goals.

Table on Communism



Check your progress:-

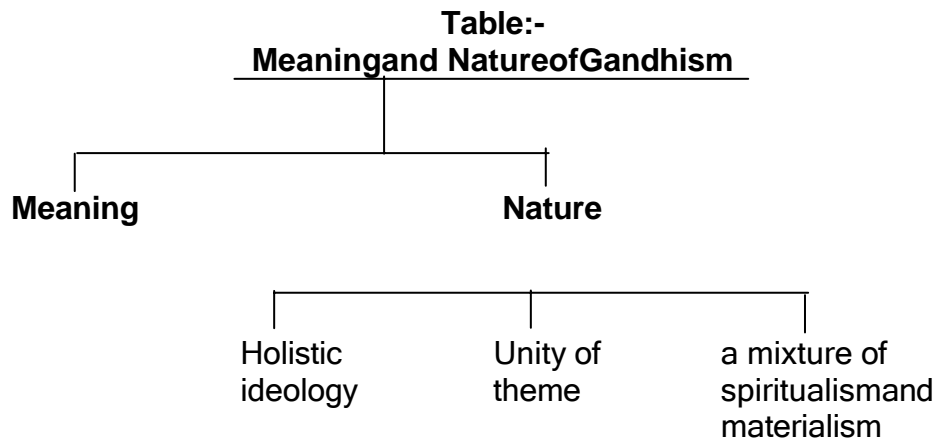
- 1) Discuss briefly the main tenets of Marxism.
- 2) Critically evaluate Marxian ideology, bringing out its strengths and weaknesses
- 3) What is meant by communism?
- 4) Discuss the principles of communism.
- 5) What is Neo-communism.

GANDHISM

Meaning and Nature of Gandhism :- The body of ideas and ideals that Mahatma Gandhi practiced and preached is called Gandhism. (1) It is a holistic ideology. It covers all aspects of human life i.e. Political, economic, social, educational, spiritual, nutritional and ecological. etc (2) In all Gandhian ideas one finds unity of theme. It means all ideas and ideals of Gandhism is based on moral and ethical principles such as truth, non-violence and

purity of Ends and Means. (3) Gandhiji studied the text of all religions. Common ethical principle of religion be interpreted in context of present situation and applied it and practiced them to solve the various types of problems in his unique way. He gave shape to his ideas through experience. As such Gandhi was not a thinker, he was a practioner who applied abstract religious philosophies to real life situations logically and scientifically. In that sense Gandhism is a combination of religion and science.

It is a mixture of spiritualism and materialism.



Principles of Gandhism:-

- 1) A decentralized form of governance i.e., idea of self-governing villages
- 2) Decentralize Economy
- 3) Simple life and minimum needs.
- 4) Trusteeship
- 5) Value-based Politics
- 6) Sarvodaya
- 7) Swadeshi
- 8) Ahimsa and truth
- 9) Satyagraha

(1) A decentralized form of governance- Gandhism was against centralization. Gandhiji believed that centralization of authority would lead to misuse of authority and exploitation of the people. Hence Gandhism was against monarchical form of government or parliamentary form of government and strong central government.

Self governing villages :- Gandhism advocates a decentralized form of governance, in which independent and self-sufficient self-governing villages will work. Village communities would be self-sufficient. It means village will be able to take care of their needs without depending on any other village. Independent village means the village will be able to take their own decisions without having the interference of any other authority. Gandhi says India would be a land comprising not cities, but villages that would be individual

and independent political units, these villages would all coexist in harmony.

In this structure composed of many villages - life will not be pyramid with the apex sustained by the bottom. But it will be an oceanic circle whose centre will be the individual always ready to perish for the circle. villages, till at last the whole becomes one life composed of individuals.... The outermost circumference will not wield power to crush the inner circle but will give strength to all within and derive its own strength from it.

Thus Gandhism stressed on the establishment of a federation of self sufficient, autonomous village community. In each village, there will be a General village council, composed of representatives of each family. This council will elect an executive committee which will look after the affairs of the village.

(2) Decentralize Economy - It means village based economy. i.e. production and distribution must be decentralized. Gandhism is against large-scale Industrialization and capitalism. Gandhism says that the economy of autonomous villages should be based on cottage industries such as pottery, cloth weaving, carpentry etc. The production as well as consumption of the commodities produced by these cottage industries would occur in the same locality.

(3) Gandhism and property - Simple life and minimum needs:-

Gandhism emphasises the importance of a simple living and limited needs. On one hand, the ideology recognises that moral development is not possible if basic needs are not met; on the other hand, the ideology is against the accumulation of unnecessary wealth and luxuries. Gandhism believes that poverty leads to crime, similarly, possessing excessive money also hinders moral and spiritual development.

(4) Trusteeship - an individual must possess that amount of wealth that is essential to him. Excess property must be sacrificed for the society. Gandhi promoted the concept of trusteeship of property to meet the economic challenge. According to Gandhi, wealth is a social product. It is the contribution from many. The entire society has claims on it. The owners of property (eg. capitalist, landlords) must recognise this claim. They must hold property as a trusty on behalf of the many. They must utilise property to bring the best returns for the society and not to simply maximise profits. Social needs are to be identified as one would easily identify the needs within a family. Application of trusteeship is based on individual's sense of fairness and responsibility. It is voluntary. Man must rise to his best self and manage society without the need of the state to dictate.

Gandhi's views on property and trusteeship led to the emergence of the idea of Bhoodan. i.e. donation of land. When the Bhoodan movement gained ground, Gramdan movement was born. To fulfill the Bhoodan movement, money was required for the purpose of seeds, cattle. Hence Vinoba Bhave started the Sampattidan i.e. gift of wealth movement.

Trusteeship would prevent capitalism, concentration of wealth in the hands of a few. It will provide the rich a chance to realize and perform their moral duties towards mankind.

(5) Spiritualization of Politics -Gandhi was the supporter of value based politics. Gandhism does not favour the separation of morality from politics and statecraft. All political activities and the goal of politics should be for securing the justice good and moral. Gandhism advocates that all political activities, political leaders and political institutions should function in an ethical manner. Their ends and means should be good and pure. For instance, the government can impose reasonable taxes in a constitutional manner on earning members of society so that financial benefits can be granted to the poor and needy.

This will enable the nation to progress not only politically and economically, but also socially and spiritually.

(6) Sarvodaya - The word sarvodaya is a combination of two words : Sarva meaning all, and Uday meaning 'rise'. Sarvodaya means 'the rise or upliftment of all'. In Gandhism, Sarvodaya is an attitude, which leads an individual to think those thoughts, perform those actions, speak those words which result in the upliftment of all mankind. Sarvodaya seeks to do good to all and harm to none, Live for the sake of others. It believes that the good of all can be achieved through the good of each. Sarvodaya is a type of socialism which emphasises the need for the development of the community as a whole, rather than the rise of the individual at the cost of the community.

Gandhi's sarvodaya has its roots in the Vedantic concept of the spiritual unity of existence and the Gita-Buddistic concept of sarvabhutahita or the good of all living beings. Principle of Sarvodaya is developed by Jayaprakash Narayan.

Sarvodaya is an ideology that attempts to reconstruct society on the basis of love and mutual trust between individuals and social classes. Gandhiji wants the bonds that bind a family together to bind the society at large. In this idea man is the centre and sympathy, altruism, must govern human actions. The individual's voluntary efforts are the foundation for the good society.

(7) Swadeshi :- It is one of the important features of Gandhism that seeks to improve the Indian economy. Swadeshi was popularised during the British rule, at a time when British economic practices had crippled the Indian economy. The British would procure raw materials such as cotton from India at cheap rates and ship it to England where her factories would use the raw material to manufacture finished goods. These goods would then be shipped back to India, to be sold here at very high prices. Years of such practices drained the wealth of India. India's poor economic condition enabled the British to strengthen their control over India. Political control was used further to exploit India economically.

Swadeshi identified the reason why the British were in India was their wealth. Once the source of Indian wealth was cut off, the British would leave India.

Hence the Swadeshi movement urged Indians not to purchase foreign goods. Indians were urged to wear only khadi that had been spun at home with cotton that had been procured from the Indian peasant. Huge bonfires were lit on the street and British goods were burnt in view of British officials. Thus Gandhivadis did not preach swadeshi, they performed it. The success of swadeshi in crippling British economy led to the agreement that the British empire was brought down by charkha.

(8) Ahimsa and Truth - Truth means "Real existence". Ahimsa means non-violence. To achieve 'Truth' i.e. real existence; Means should be non-violent.
It refers to three fold form of Ahimsa.

- (1) non-violence of thought i.e. good intention
- (2) non-violence of speech i.e. not to abuse and hurt
- (3) non-violence of deed i.e. avoiding injury

Ahimsa is one of the important principle of religious text. Gandhiji applied it to solve a practical problem i.e. in the form of Satyagraha. He also applied the ideal to the economic and political aspects of the citizen's life. Gandhi proved that Ahimsa is the only solution, way to bring about a successful revolution. The changes brought about by such a revolution based on Ahimsa possess a degree of permanence, when compared with the changes brought about by bloody revolutions of Russia and France.

(9) Satyagraha-

Satyagraha was practised by thousands of Gandhivadis during the Indian struggle for Independence. Satyagrahis took to the streets in protest of British policies and remained peaceful and non-violent even when the British attacked them with lathis and guns. Satyagrahis equanimity in the face of oppression and their confidence that they were winning even as the British hurled blows on them perplexed the British officers. Thus

Satyagraha succeeded in arousing the conscience of the British, which is what it had set out to do.

Meaning of Satyagraha- Literally, satya means 'truth' and agraha means 'force'. Therefore, Satyagraha means 'The force born of truth, non-violence and soul-force'. When man believes that he is on the side of what is true and right, he gains the courage and strength to overcome the most difficult of challenges on the basis of truth alone. Hence there can be no Satyagraha in an unjust cause. It is a weapon of the strong and brave, not a weak. It needs confidence, soul-force, belief on God and truth. Satyagraha is aimed at influencing one's adversary by the use of one's soul-force and making him want to meet one's requests.

Types of Satyagraha-

- (1) Civil disobedience (2) Non-cooperation (3) Hartals (4) Picketing
- (5) Boycott
- (6) Hijarat (7) Fasting

(1) Civil disobedience - It implies the people's refusal to obey unjust British laws. According to Gandhism, civil disobedience must be restrained and used only in the case of laws that are truly unfair. In this, disobedience must be civil, sincere, respectful, restrained and must be based upon some well understood principle. There should not be hatred behind it.

(2) Non-cooperation - It means masses refusal to cooperate with the day to day functioning of the government and administration. Gandhiji says "Even the most despotic government cannot survive except by the consent of the governed."

(3) Hartals or strikes - It means stoppage of work with a view to demonstrate protest and draw the attention of the public on a certain issue. This method must be employed as an expression of disapproval and dissatisfaction of arbitrary laws.

(4) Picketing - Another technique of satyagraha is peaceful picketing by which socio-economic-political pressure is used against the government to force it to do justice and at the same time, political consciousness is aroused among the masses, while using this technique, the satyagrahis were required to use their speeches in a most gentle and inoffensive manners.

(5) Boycott - Another form of satyagraha to demonstrate total disapproval and protest against arbitrary laws of the state is Boycott. The basic objective of boycott is to cause a breakdown of law and order in a peaceful manner and thereby to convince the governmental authorities that the satyagrahis will not be partners in the wrong doing. Mahatma Gandhi had used the technique of boycott in different situations both in India as well as in South Africa.

He called upon the people to boycott all titles and honours bestowed by the government .

(6) Hijarat–Hijarat implies the voluntary migration of an individual from one's place of residence. This form of satyagraha was never as popular as the other techniques of satyagraha.

(7) Fasting –It is a most effective weapon of satyagraha .It should be undertaken only when one is thoroughly convinced of the rightness of one's stand. It should be used as a last resort and never for personal gain.

India, under the dynamic leadership of Gandhiji won the nonviolent battle for her independence . Satyagraha is a technique which can be adopted by the people to resist unjust laws in a democratic system.

Evaluation of Gandhism

Gandhism is not only a political philosophy, it is a message. It is a philosophy of life. It wants to bring about a transformation in human society. Gandhi's outlook was far more comprehensive than that of the religious scholastics.

Gandhism believed in the supremacy of ethical values and its application to political principles of ahimsa sarvodaya and satyagraha inspired later leaders such as Martin Luther king, Nelson Mandela Vinoba Bhave, Jayaprakash Narayan.

Gandhi's opposition to large-scale nationalization, capitalism, urbanization and the craze for labour saving devices is rooted at the keen perception that the only way to harness the huge Indian manpower characterized by an accelerated rate of the growth of population in the context of the slender economic resources of the country was to strengthen cottage industries and khadi. Gandhism challenged the foundations of modern civilization and preached a return to simplicity and the absence of pretentiousness and luxury.

Today common man tends to agree with Gandhian principles and even certifies them as „good and the correct way to live“, but he finds it difficult to put these principles into actual practice. Hence although Gandhism survives in spirit, it appears to be almost extinct in practice.

Table on Gandhism



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