

# APPLO



# STUDY CENTRE

## POLITICAL SCIENCE TEST - 3

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### 11<sup>th</sup> Civics

#### UNIT - 3 BASIC CONCEPTS OF POLITICAL SCIENCE

##### SOVEREIGNTY

##### Introduction

Let us discuss about Sovereignty

- Do you think you are powerful? How do you know you are powerful? But, you can say your country is powerful. Do you know how? It is because we are a sovereign nation.
- Sovereignty, the term has been derived from the Latin word 'superanus' which means supreme or paramount. Roman jurist and the civilians during the middle ages employed the term 'summa' potestas

<b>De-facto sovereignty</b>	<b>De-Jure-Sovereignty</b>
De-facto sovereign is one who has no legal claim to sovereignty but possesses it in fact and exercises necessary force to make and enforce its laws.	De-jure sovereignty is one who has a legal claim to sovereignty but does not possess it in fact.

and 'Plenitude potestas' to designate the supreme power of the state. In political science the use of the term 'sovereignty' dates back to the publication of Bodin's 'The Republic' in 1576.

- The stability of a nation depends on the supremacy of the sovereignty the nation enjoys. Sovereignty as a concept represents the legal supremacy of the state. Constitution lays down rules and laws of the state and the constitution of the state is just the representation of the sovereignty. The word sovereign in the preamble of the constitution of India means that the state has the power to legislate on any subjects in conformity with constitutional limitations.

**We shall now study the characteristics of Sovereignty. What are they?**

#### **1. Permanence**

- The chief characteristic of sovereignty is permanence. Sovereignty lasts as long as the state lasts. The death of the king or the overthrow of the government does not affect sovereignty. Hence, the people of England say 'King is dead, Long live the king'.

#### **2. Exclusiveness**

- Exclusiveness here implies that there cannot be two sovereign in one independent state and if it exists the unity of the state will be destroyed.

#### **3. All comprehensiveness**

- Every individual and every association of the individual is subject to the sovereignty of the state. However rich or powerful association or group may be, it cannot resist or disobey the sovereign authority.

#### **4. Inalienability**

Sovereignty is the life and soul of the state and it cannot be alienated without destroying the state itself.

#### **5. Unity and Everlasting**

The spirit of sovereignty lies in its unity. Sovereignty is not bound by time and lasts until the state lasts.

#### **6. Indivisibility**

“De - facto and De-jure sovereignty”	Indivisibility is the life line of sovereignty
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**Absoluteness**

- Sovereignty is unconditional and unlimited. Sovereignty is beyond obedience and it is entitled to do whatever it likes.

**8. Originality**

- Sovereignty wields power by virtue of its own right and not by anybody’s mercy.

**What are the two aspects of Sovereignty?**

- Internal sovereignty: An assembly of people in every independent state has the final legal authority to command and enforce obedience. This sovereignty exercises its absolute authority over all individuals or associations of the individuals in the state. External sovereignty: In simple terms external sovereignty means National Freedom. Every state enjoys absolute liberty to determine its foreign policy and join any power block it likes. External sovereignty implies that every state is independent of other states.

Sovereignty can no more be alienated than a tree can alienate its right to sprout or a man can transfer his life or personality to another without self destruction

- Lieber

Quotable Quote

Sovereignty of the people therefore can mean nothing more the power of them the majority of the electorate, in a system of approximate universal suffrage prevails, acting through legally established channels to express their will and make it prevail.

- Dr.Garner

**Types of Sovereignty**

Nominal and Real Sovereignty	Legal Sovereignty	Political Sovereignty	Popular Sovereignty
a. Ancient times many states had monarchs. Kings exercised real sovereignty and were considered Real Sovereigns	a. The authority of the state has the legal power to issue final commands	a. Political Sovereign in the representative democracy is understood as the whole mass of the people, i.e. electorate or the public opinion.	a. Popular Sovereignty designates public as supreme
b. The French revolution transformed the situation	b. the power which has the legal authority to issue and enforce these law is legal sovereignty	b. Political sovereignty rests in the class of people under whose influence the mass of the people are with.	b. During ancient period popular sovereignty was used as a weapon to challenge the absolutism of the monarchs.

**What is Pluralism?**

- Pluralism is a powerful protest against the monistic theory of sovereignty, which endows the state with supreme and unlimited power. The pluralistic theory originated in the writings of Otto V. Gierke. The pluralist challenges the claims of the state to supremacy on the ground that the society consists of many associations and the state is one among them. Hence, the state cannot be endowed with sovereign power of the community. There exists many social, political, cultural and economic institutions in society and many of these institutions are prior to the state. For example, Family and church are prior to the state.

### Exponents of pluralist theory

- Harold J. Laski
- J.N. Figgis
- Ernest Barker
- G.H Cole
- Maciver

#### Pluralist Theory

The nature of the state is such attempts to resolve the disputes or conflicts that arise between these various groups in a way that is in everyone's best interests.

### The dawn of pluralist theory

- In democracy, the authority of the ruler is confined, the cabinet becomes more powerful but the state remains sovereign and supreme. With the advent of the welfare state there came a rapid increase in the functions of the state and there remained no sphere of life with which the state did not interfere, the sovereign and the supreme state also faced revolt and reaction. This reaction against the sovereign and supreme state resulted into the dawn of pluralism.

### Is Pluralism important?

- Pluralism upholds the importance of associations and claim more autonomy for it.
- For democracy to flourish the sovereign state must not be subject to any legal authority.
- Division of sovereignty leads to the destruction of sovereignty and in the absence of sovereignty, anarchy will prevail in society.

### What are the criticisms for Pluralism?

- It is the Sovereign state that brings about unity and regulates all the associations existing in society.
- Laws are framed by the state unlike the belief of pluralist.
- State is needed for protecting people from the excess of associations.

## EQUALITY

### Introduction

#### Understanding equality

- The idea that human beings are equal is enigmatic. A nation that seeks equality creates laws to bring change in its society. A law for equality is inadequate and opposed where pluralistic pattern of society has become the order of the day whether it's a developed or under developed nation. Liberty and rights lead to a third principle in political theory, which is of equality. Equality determines how rights are to be distributed amongst the individuals as citizens and groups, both whether equally or unequally. If unequally then what are the grounds for unequal treatment?. On what ground the state or the public authority relate with citizens, individuals and groups unequally. When we talk of equality, we imply different meanings at different times. In liberal perspective, legal and political equality may be emphasized more than economic equality. On the other hand, in a socialist and Marxian framework emphasis is more

on economic equality. A feminist would argue that gender equality is vital while in a caste divided society like India, it could be argued that social equality is more essential, if other dimensions are to be meaningful.

### **Meaning of Equality**

- Equality, which means state of being equal, is derived from *aequus/ aequalis*, meaning fair. It signifies 'having the same rights, privileges, treatments, status, and opportunities'. Equality is treated as something that relates to distributive principle because of which rights, treatments, and opportunities are distributed amongst the beneficiaries in a fair manner. Fairness does not mean all to be treated equally in all circumstances. In fact it very well means unequal treatment for those who are unequal. Essentially it relates to the principle of justice because it requires fair distributive principle.
- However those who are equal should not be treated as unequal and the unequal as equal.

### **Importance of Equality**

#### **Why equality is important?**

- The most powerful moral and political ideal that has inspired and guided human society for several centuries is equality. Every all faith and religion invariably proclaim that all human beings are creation of God. The concept of equality as a political ideal invokes the idea that all human beings have an equal worth regardless of their color, gender, race, or nationality. It urges among human beings equal consideration and respect because of the common humanity. The belief in this notion of humanity led us to the declaration of universal human rights.
- Equality became the slogan in the struggle against states and social institutions which uphold inequalities of rank, wealth, status or privilege, among people during the modern period. In the eighteenth century, the French revolutionaries used the slogan 'Liberty, Equality and Fraternity' to revolt against the landed feudal aristocracy and the monarchy. The demand for equality was also raised during anti-colonial struggle in Asia and Africa during the twentieth century. It continues to be raised by struggling group such as women or dalits who feel marginalized in our society.
- Equality now has become a widely accepted ideal which is embodied in the constitutions and laws in the world. However the most visible and disturbing factor around us in the world and as well in our society is inequality. We can see in country slums existing side by side with luxury housing, schools which may lack even drinking water facilities or toilets, waste of food as well as starvation. There are visible difference between what law promises and what we see around us.
- India through its constitution attempts to fill the gap between equal and unequal with the principle of equality as enshrined in the constitution.

### **Dimensions of Equality**

#### **What is Equality?**

- We live amidst distinctions between human beings on the ground of race and color, knowing well it is unacceptable. In fact such distinctions violate our intuitive understanding of equality which tells us that all human beings are entitled to similar respect and consideration because of their common humanity. No society treats all its members in exactly the same way under all circumstances. There can be no identity of treatment so long as men are different in wants, capacities, and needs. Injustice arises much from treating unequals equally as from treating equals unequally. And most importantly apart from the natural inequalities, there are inequalities created by the society- inequality based upon birth, wealth, knowledge and religion.

- The movement of history is not towards greater equality because as fast as we eliminate one inequality, we create another one: the difference being that the one we discard is unjustifiable while the one we create seems reasonable. Hence the social political, educational equalities are always in need of reinforcement and reinterpretation by every new generation. Like liberty, equality can also be understood in its negative and positive aspects. Negative equality was associated with the end of such privileges and positively it meant the availability of opportunity.

**According to Laski equality means:**

- Absence of privileges. It means that will of one is equal to the will of any other. It means equality of rights
- Adequate opportunities are laid open to all. Opportunities should be given to all to realize the implications of his personality.
- All must have access to social benefits and no one should be restricted on any ground. The inequalities by birth or because of parentage and hereditary causes are unreasonable
- Absence of economic and social exploitation

**According to Barker, the concept of equality means**

- Fundamental equalities of all
- Equality of opportunity
- Equality of conditions where there is an attempt to make the conditions of life equal
- Equality of outcome of results

A State divided into a small number of rich and large number of poor will always develop a government manipulated by the rich to protect the amenities represented by their property.  
- Harold laski

**Equality of opportunities**

- The concept of equality implies that all people as human being are entitled to the same rights and opportunities to develop the skills and talents, to pursue their goals and ambitions. However, it is not the lack of equality of status or wealth or privilege that is significant but the inequality in peoples access to such basic goods, as education, health care, safe housing that make for an unequal and unjust society.

**Natural inequality and social inequality**

- Natural inequalities are those that emerge between people as a result of their different capabilities and talents. These kinds of inequalities are different from socially produced inequalities which emerge as a consequence of inequalities of opportunity or the exploitation of some groups in a society by others. Natural inequalities are considered to be the result of the different characteristics and abilities with which people are born with. Social inequalities on the other hand are those created by society. Unequal treatment in society based on race, color, gender and caste are of social inequalities. Women were denied equal rights for centuries similarly; Blacks were treated as slaves until the institution of slavery was questioned. Even people born with disability with modern technological innovations are able to contribute like any other normal person. Stephen Hawkings, contribution despite his disability is remarkable. Political philosophers have contributed various theories, philosophies and ideologies for further understanding and innovation to place society on equal platform.

<b>Types of Equality</b>				
<b>Civil Equality</b>	<b>Political Equality</b>	<b>Social Equality</b>	<b>Natural Equality</b>	<b>Economic Equality</b>

No Discrimination (religion, belief, etc)	Access to authority Voting	Opportunity Privileges	Natural rights	Wealth
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### (i) Social Equality

- Social equality means no one should be discriminated in the distribution of rights, privileges and opportunities based on birth, caste, religion, race, colour, gender or social status. Each one should be given equal opportunity to develop his personality. Social equality implies few important aspects. They are: removal of discrimination based on social status, absence of special privileges to few and finally ensuring equal opportunity in terms of acquiring education. History reveals that certain forms of social inequality world over were rejected and the demand for social equality are being raised. Slavery in South Africa, west Asia and America, untouchability in India, Racial discrimination in USA against Blacks, Policy of Hitler against Jews and gender related inequalities and discrimination are few examples of social inequalities with countries world over are trying to redress with the policy of government. Civil rights movement in United States of America for Blacks by Martin Luther king Jr and Dr.B.R. Ambedkar's effort for the social equality for the lower caste in India are few examples that set movement for social equality in motion.
- The American declaration announced that 'all men are created equal', French declaration of Rights of Man and citizens declared that 'men are born and always continue free and equal in their rights. The United Nations organization on 10th December, 1948, declared the charter of human rights which laid stress on social equality. However according to the report of Amnesty International, these rights have been violated frequently by a number of countries in the past and still efforts are being made to address the issues of social inequality world over.

### (ii) Civil Equality

- The word 'civil' is derived from the Latin word civilis or civis, which means citizen. Civil equality means equality in which each citizen is provided with equal civil rights and liberties. Civil equality consists of similar civil liberties and civil
- There should not be any discrimination of superior and inferior, the rich and the poor, caste and creed, colour and race, clans and tribes, groups and classes. In England, Rule of law is in force and in the eyes of the rule of law all are equal. Equal treatment is given to all by the rule of law. It is from the British constitution India had adopted the rule of law.

### (iii) Political Equality

- Political Equality means equal right of all citizens, without any distinction, allowed to participate in the affairs of the state. Political right of all citizen is ensured through universal adult franchise. The other factors that ensure the political rights of citizens are:
  - Right to vote
  - Right to contest in election
  - Right to hold public office
  - Right to petition the government and criticize public policy
- Political equality guarantees the enjoyment of similar political rights to all citizens. Universal adult franchise is a means to this end. Political equality is actually the test on the experiments of democracy. It is also believed that political equality in itself is not adequate to disperse political power, it also needs socio-economic equality to achieve political equality.

"Economic Equality is the attempt to expunge all differences in wealth, allotting to every man and

woman an equal share in worldly goods”.

- Lord Bryce

#### **(iv) Economic Equality**

- Economic equality is justifiable only when all people have reasonable opportunities to develop themselves fully. Economic equality is meaningful only when there is an adequate scope for employment, reasonable wages, adequate leisure and equal share in the management of economic concern. Professor Laski explains economic equality, “Political equality is, therefore, never real unless it is accompanied with virtual economic liberty; political power otherwise is bound to be the hand-maid of economic power”.
- Economic equality here means the provision of equal opportunities to all so that they may be able to make their economy progress. Ideologically this is possible in Socialism and not in Capitalism.

#### **(v) Equality of opportunity and education**

- Equality of opportunity and education means, all the citizens should be given equal and similar opportunities by the state. All the citizens should have similar chances to receive education and equal opportunities be given to develop their personality. Social inequalities such as race, caste, religion, language, rich, poor and gender based discrimination should be eradicated. In India, constitution provides provisions for equal opportunities and equal education.

#### **Relation between Liberty and Equality**

- There is no value of liberty in the absence of equality. They are understood from different perspectives by political thinkers such as Lord Acton, De Tocqueville and Harold. J.Laski. Lord Acton and Alexis De Tocqueville were the ardent advocates of liberty. They were of the opinion that where there is liberty, there is no equality and vice versa. “The passion for equality made vain the hope for liberty.”- Lord Acton Professor H.J. Laski believed that liberty and equality should go together. If an individual is given unrestrained liberty to do whatever he likes, he may cause harm to others. Unrestrained liberty will bring only chaos in the society. In the nineteenth century, the Individualists wrongly interpreted the term Liberty. They did not attach any importance to economic equality and laid stresses on Laissez Faire to be adopted by the government said Laski.
- Professor H.J. Laski in his remark said that ‘Where there are rich and poor, educated and uneducated, we always find a relation of master and servant’.

Laissez faire is an economic system in which transaction between private parties are free from government intervention such as regulation privileges, tariffs and subsidies.

- Adam Smith was the ardent supporter of the view that the Individualists maintained that there should be a free competition between the capitalists and labor leaders. They did not want the government to involve in the economic matters. Formula of Demand and Supply was adopted. It was expected that the economic difficulties will be removed by this formula, but resulted in dangerous consequences in Europe.
- The capitalists exploited the opportunity to the core and as a result of it, the gap between rich poor got wider. The labor class was worst affected and the reaction against individualism resulted in the dawn of Socialism. Socialism rose to condemn and refute the principles of Individualism. The transition made clear that Liberty is meaningless in the absence of economic equality.
- Economic equality is essential for the existence of political freedom. Otherwise it will be a capitalist democracy in which the labourers will have right to vote but they will not get their purpose served. Hence liberty is possible only in socialistic democracy where liberty and equality go together. There is only one

solution to liberty. It lies in equality. Thus liberty and equality are complimentary to each other said Pollard.

### **Problems with Equality**

1. Variety of meanings: equal treatment, equal outcomes, equal opportunities (and lots of shades of meaning within these broad categories)
2. Conflicts between each type: equal outcomes: equal outcomes violate equal treatment.
3. Equal opportunities conceptually flawed by problem of regression: is education and training an outcomes or an opportunity? Is an entry level job an outcome or an opportunity?
4. Equal treatment reinforces difference in opportunities and lacks a theory of what should count as a relevant difference and irrelevant differences eg obesity.
5. Equal outcomes are not in fact generally desired as a goal: fairness rather than egalitarianism is the model of social justice being sought. Equality is an aspect of fairness, but also in equality is desired on the ground of fairness to reward 'merit' and to accommodate to choose a way of life.

### **How Equality can be promoted**

- The difference as we understand between liberals and socialist lead us to the desirable way of achieving the goal of equality. The wide debate on the means of promoting equality may lead us to few methods. They are,
  - ✓ Establishing formal equality
  - ✓ Equality through Differential Treatment
  - ✓ Affirmative action

### **Perspectives of various Ideologies on Equality by Andrew Heywood**

- **Liberals** believe that people are 'born' equal in the sense that they are of equal moral worth. This implies formal equality, notably Legal and political equality of opportunity, but social equality is likely to be purchased at the expense of freedom and through the penalizing of talent. Nevertheless, whereas classical liberals emphasize the need for strict meritocracy and economic incentives, modern liberals have argued that genuine equal opportunities require relative social equality.

**Conservatives** have traditionally viewed society as natural hierarchical and have thus dismissed equality as an abstract and unachievable goal. Nevertheless, the new right evinces a strong industrialist belief in equality of opportunity while emphasizing the economic benefits of material inequality.

**Socialist** regards equality as a fundamental value and in particular, endorses social equality. Despite shifts within social democracy towards a liberal belief of opportunity, social equality, whether in its relative (social democratic) or absolute (communist) sense, has been seen as essential to ensuring social cohesion and fraternity, establishing justice or equity and enlarging freedom in a positive sense.

**Anarchists** place a particular stress upon political equality, understood as an equality and absolute right to personal autonomy, implying that all forms of political inequality amount to oppression. Anarcho-communists believe in absolute social equality achieved through the collective ownership of productive wealth.

**Fascists** believe that humankind is marked by racial inequality, both between leaders and followers and between the various nations or race of the world. Nevertheless, the emphasis on the nation or race implies that all members are equal, at least in terms of their core identity.

**Feminists** take equality to mean sexual equality, in the sense of equal rights and equal opportunities (liberal feminism) or equal social, economic power (social feminism) irrespective of gender. However, some radical feminists argued that the demand for equality may simply lead to women being 'male-identified'.

Ecologists advance the notion of bio-centric equality, which emphasizes that all life forms have an equal right to 'live and blossom'. Conventional notions of equality are therefore seen as anthropocentric, in that they exclude the interest of all organisms and entities other than humankind.

*Heywood, Andrew. (2004) Political Ideologies: An Introduction, 4th ed. New York: Macmillan.*

### **Ways of establishing formal Equality**

- Social, economic and political inequalities all over the world have been protected by customs and legal systems that prohibited some sections of society from enjoying certain kinds of opportunities and rewards. Poor were denied of right to vote. Women were not allowed to be a carrier oriented women in some part of the world. The caste system in India prevented people from the lower castes from doing anything except manual labour. In some countries only some families can occupy important positions. Equality cannot be achieved unless these privileges are stalled.
- For ages these systems have the sanction of law, hence for achieving equality government intervention is needed by means of law. Our constitution as a fundamental or supreme law of the land does it. The constitution of India prohibits discrimination on the grounds of religion, race, caste, sex or place of birth. Our constitution also abolishes untouchability. Most of the modern states and democratic governments have incorporated in their constitution the principle of equality.

### **Equality in Indian Constitution**

#### **The concept of Equality in Indian constitution**

- The Indian constitution under article 14 provides for equality before law or the equal protection of laws to all persons. This is a statement of formal equality and gives meaning to what preamble seeks to ensure in terms of 'equality of status and of opportunity'. This also means that laws of the land will apply to all equally and there should not be discrimination on grounds of birth, caste, color, gender, language, race, religion, etc. in fact article 15 of the constitution substantiates article 14 further by prohibiting any such discrimination.
- Equality before law and equal protection of law have been further strengthened in the Indian constitution under article 21. It ensures that 'No Person shall be deprived of his life or personal liberty except according to procedure established by law. This means that a reasonable fair and just procedure should be followed for depriving a person of his personal liberty and life. It admits no arbitrariness, discriminatory procedure or unequal treatment for different individuals'.

#### **Right to Equality (Article 14 - 18)**

- ✓ Equality before law (Article 14)
- ✓ Prohibition of discrimination on grounds of religion (Article 15)
- ✓ Equality of opportunity in matters of public employments (Article 16)
- ✓ Abolition of Untouchability (Article 17)
- ✓ Abolition of titles (Articles 18)

- How Equality can be achieved through differential treatment? It is necessary sometime to treat people differently in order to ensure that they can enjoy equal rights. Certain differences may have to be taken into account for this need. Some special consideration for the disabled and protection for women employees especially in the corporate and IT industries when they travel amidst work in the night are provided. These acts should not be treated as an infringement of equality but an enhancement of equality. Similarly some of the policies are needed to overcome the hindrances of equality by the government. For example, India follows the principle of reservation and other countries follow affirmative action.

## **Affirmative action**

### **Perception of Affirmative action**

- Affirmative action implies that it is not sufficient to establish formal equality by law. In order to eliminate deep rooted inequalities, some positive measures are necessary and such positive measures could minimize and eliminate slowly the entrenched forms of social inequalities. Most of the policies of affirmative action are thus designed to correct the cumulative effect of past inequalities. In our country we have adopted a policy of quotas or reserved seats in education and jobs to provide equality of opportunity to deprived groups, and this has been the subject of considerable debate and disagreement. The policy has been defended on the grounds that certain groups have been victims of social prejudice and discrimination in the form of exclusion and segregation. Therefore in the interest of creating an egalitarian and just society they need to be given special protection and help. However these measures of affirmative actions are time bound and temporary. It is expected that these special consideration will enable these communities to overcome existing disadvantages with others on equal terms.
- The critics of positive discrimination contend that the provision of reservation and quota arbitrarily denies the rights of other sections right to equal treatment. They think that reservations are of reverse discrimination where the principle of equality remained questioned. Equality is meant for treating all equals instead it creates a distinction among individuals on the basis of caste and racial prejudices. Hence this theorist wants to do away with social distinctions that divide society. Whatever the debate may be the fact is health and education for rural and slum children are glaringly deprived while comparing with the children in elite schools.

### **Affirmative Action Definition**

A Policy or program providing advantage for people of a minority group who are seen to have traditionally been discriminated against, with the aim of creating a more egalitarian society through preferential access to education, employment, health care, social welfare, etc.

- These students face hurdles in gaining access to special coaching and fees for professional courses may also be high. Hence they cannot compete on equal terms with the more privileged sections. We all know that such social and economic inequalities of this kind remain as hinder to equal opportunities. Theorists of today acknowledge this but what they contest is not the goal of equal opportunity but the policies that the state should pursue to achieve the goal of equality.

Of equal – As it harmed me, giving others the same chances and rights as myself- As it were not indispensable to my own rights that others possess the same.

## **Liberty**

### **Introduction to Liberty**

- You have liberty to enjoy the freedom sanctioned as per law. The business of law is to safeguard the liberty of an individual. In the safety of an individual lies the status of one's freedom. The law and liberty are twins and are connected to each other to sanction equal treatment equally for all. Here we all know that, it is the objective of the state to safeguard the liberty of its citizens.
- Do you know something that the law of the state propels a reasonable restriction on every individual? That doesn't mean the privileges of citizens are compromised. The main objective of the state is to protect, what is due for him as his right. And in the process care for the equality of an individual becomes an agenda of state.
- Shall we take a journey into the world of liberty, we intend to enjoy

- In a classroom setting, the liberty of a student varies. In the view of some student, some teachers are strict and some are liberal, in terms of liberty and freedom he/she enjoys in the classroom. Teachers have a privilege to sanction reasonable restriction against student's undue advantage in a classroom. The sanction of reasonable restriction by teacher is actually for the smooth conduct of a student and as well for the effective learning in the classes. Understanding the concept of liberty begins in the classroom by the conduct and attitude of student towards his teacher and his classmates. Raising questions to clarify doubts to his class teacher is his/her right, but the sanction of it becomes liberty. Liberty is just the sanction of law and the restrictions imposed are also a kind of liberty. Conducive learning environment of classroom, conditions the student to understand the meaning and the purpose of liberty.

Shall we trace the origin of Liberty?

- Liberty remained an essential element for both man and state for progress. History records very well the cruelty of absolute monarchy that ignored the claims of liberty in ancient and medieval ages of England. People could no longer tolerate and rose in revolt against the absolute monarchy. The struggle continued until Emperor John had to bow down and ensure freedom for his subjects. Attempt of emperors after Tudor and Stuart, and the continued absolute monarchy resulted in civil war. King Charles was beheaded and even during the period of Cromwell people could not attain freedom.
- This resulted in the famous "Glorious revolution" in England in the year 1688, containing the absolute monarchy for some period and later led to the outbreak of French revolution in 1789.
- However it had not given a desired liberty. The successors of Napoleon behaved like monarchs. The fall of Napoleon III, resulted in establishing the Third Republic. After the fall of Third Republic in 1940 and Fourth Republic in 1958, Fifth republic was established. Struggle against countries that colonized got liberated after a long struggle for independence. Italy in nineteenth century and India in twentieth century made untold sacrifices for attaining national liberty.

### Historical Context

- ✓ Response to the rationalism of the Enlightenment
- ✓ Response to the French Revolution (1789)
- ✓ The revolutionaries in France fought for "liberty, equality, and fraternity"
- ✓ Ideas of the French Revolution influenced writers in England – they were inspired by the fight for democracy and the common man
- ✓ Response to industrialism
- ✓ Longing for nature and simplicity

### Meaning of Liberty

- The term 'liberty' has been derived from the Latin word 'Liber' which means free from all shackles. The Latin word 'Liber' denotes the absence of all restraints. It means one can do whatever one likes, regardless of all conditions. Liberty does not permit a person to do whatever one likes. The basic fact of liberty is that law is the condition of liberty. According to Professor Barker "Liberty is possible only in an ordered state, a state where the legal and political aspects of sovereignty coincide or nearly coincide. Laski believes that 'Historical experience has evolved for us rules of convenience which promote right living and to compel obedience to them is a justifiable limitation of freedom."

### Exponents views on Liberty

- ✓ "Liberty is the positive power of doing and enjoying those things which are worthy of enjoyment and work"-Gettel

- ✓ "Liberty is the freedom of the individual to express without external hindrances to personality"- **Professor G.D.H. Cole.**
- ✓ "Liberty does not mean the absence of restraint but it lies in development of liberty"- **Mahatma Gandhi**
- ✓ "Without right then cannot be liberty, because without rights, men are the subjects of law unrelated to the needs of personality" .-**Harold. J. Laski**

## **Two Phases of Liberty**

- Positive liberty: Positive liberty means freedom to do something that the individual should have rights and opportunities to develop his personality. Negative Liberty: For J.S. Mill liberty means Negative liberty He submitted that there should not be any restraint imposed upon man and his actions. He also asserted that there should not be any hindrance in the path of man.

### **i. Natural Liberty**

- The concept of Natural liberty indicates unrestrained freedom to do what ever one likes. Natural liberty means absence of all restraint –an unrestrained freedom to do whatever one likes.
- JohnLocke: In the state of Nature people enjoyed the rights to life, liberty and property.
- Critic: It is absolutely incorrect because it is only the state that guarantee the enjoyment of these rights. In the state of nature people possessed not rights, but the power of animal.

Rousseau: "Man was born free, but everywhere he is in chains"

- Critic: Rousseau does not appear sound because there is no scope for the growth of human personality. According to social contractalist, liberty looks like a license than a liberty. If he is allowed to do whatever he likes, there will be only chaos in the society.

### **ii. Civil Liberty**

- The concept of civil liberty reflects "Rule of law" civil liberty indicates the liberty man enjoyed in the society it prevails in the state. It denotes the enjoyment of our rights within the limits of law. The protection of civil liberty is guaranteed by the laws of the state.

### **iii. Political Liberty**

- The concept of political liberty means liberty of citizen to participate in the political life and the affairs of the state. Leacock calls political liberty as constitutional liberty and Gilchrist considers political liberty as a concept synonymous with democracy. Political liberty includes minimum rights. These rights are the right to vote, the right to contest elections, the right to hold public views and criticize the government and right to petitions.

### **iv. Personal Liberty**

- The concept of personal liberty means the availability of those conditions in which the individual can act as he pleases without being under any type of arbitrary and illegitimate restraint. It also means that every individual has the right not to permit any other individual to interfere in the affairs of his personal life. Every individual should have the liberty to dress, food, standard of living, marriage and education of children etc. The state should not interfere in the personal matters of the individual such liberty is essential for the free development of human society.

### **v. Economic Liberty**

- The concept of economic liberty means the liberty to earn one's daily bread. Beyond the distinction of caste, colour, creed and gender every individual should have liberty to earn his daily bread by fair means.

### **Liberty unfurled**

- Liberty is an important condition in a state that gives an opportunity for human beings to develop their personality.

### **vi. Fiscal Liberty**

- According to this principle; there should be no taxation without representation. It was the slogan given by middle classes who claimed that they should be allowed to decide as to how and on whom their money was to be spent. Both civil and fiscal liberty were related to property and the rights of their owners. It was felt by the middle classes that without fiscal and civil liberty they would not be able to exist and be exploited by arbitrary rulers.

### **vii. Domestic Liberty**

- It covers equal right for women and children. They need to be protected against maltreatment, cruelty and exploitation. They were also having the right to education. It means the liberty of the nation or the country. National liberties exist where the nation or the community is independence and sovereign. National liberty can otherwise also call as National sovereignty. Every nation wishes to stay independent and without this independence the progress of the nation or the state is not possible. Liberation remains an ultimate slogan for all those nations enslaved by imperialistic forces. Nations colonized by imperialist force struggled against foreign empire until freedom is restored.
- The struggle of Italy against Austria, England against Hitler and Napoleon struggle of African counties against imperialist forces and Indians struggle against England are few examples where struggle was made ultimately for restoring the liberty of the Nation. When India was attacked by China in 1962, and by Pakistan in 1965 and 1971 the Government of India made all efforts to safeguard the freedom of nation.

### **ix. International Liberty**

- This concept implies peace and international cooperation and the formation of world federation of states. Liberals were opposed to the use of force as an instrument of national policy. Capitalism needed peace and international cooperation for the free flow of goods from one country to another and they needed all political and other barriers to be removed that stood in the way of the development of world resources.

### **Perspective of various ideologies on Freedom by Andrew Heywood**

- Liberals give priority to freedom as the supreme individualist values. While classical liberals support negative freedom, understood as the absence of constraints or freedom of choice, modern liberals advocate positive freedom in the sense of personal development and human flourishing. Conservatives have traditionally endorsed a weak view of freedom as the willing recognition duties and responsibilities, negative freedom posing a threat to the fabric of society. The new right however, endorses negative freedom in the economic sphere, freedom of choice in the market place.
- Socialists have generally understood freedom in positive terms to refer to self-fulfilment achieved through either free creative labour or cooperative social interaction. Social democrats have drawn close to modern liberalism in treating freedom as the realization of individual potential. Anarchists regard freedom as an absolute value believing it to be irreconcilable with any form of political authority. Freedom is understood to mean the achievement of personal autonomy, not merely being 'left alone' but being rationally self-willed and self-directed.

- Fascist rejected any form of liberty as nonsense. 'True' freedom, in contrast, means unquestioning submission to the will of the leader and absorption of the individual to the national community. Ecologists particularly deep ecologist, treat freedom as achievement of oneness, self-realization through the absorption of the personal ego into the ecosphere or universe. In contrast with the political freedom, this is sometimes seen as inner freedom, freedom as self-actualization.
- Religious fundamentalist see freedom as essentially an inner or spiritual quality. Freedom means conformity to reveal the will of god, spiritual fulfilment being associated with submission to religious authority. Heywood, Andrew. (2004) Political Ideologies: An Introduction, 4th ed. New York: Macmillan

How liberty, sovereignty and law are related to each other?

- Liberty does not mean the complete absence of laws. Liberty exist only in a state in order. The state makes law and the sovereign state operates through these laws. There exist a close relationship between liberty, sovereignty and law. The anarchist and syndicalist wanted to abolish the states. They are of the opinion that if state is more powerful than individual liberty will also be curtailed.

### **Individualist views**

- They regarded the control of the state as harmful to the individual and therefore supported the confinement of the authority of the state. Though this doctrine resulted in dangerous consequences in England. It is now universally accepted that laws are the protectors of liberty. Liberty ceases to exist in the absence of law.

### **How does law protect liberty?**

- i. Provides congenial atmosphere for the smooth running of civilized life in society. Law punish criminal and defends the rights of the individuals.
- ii. Law guarantee the enjoyment of individual rights and duties and protect them. The state punishes the individual who causes harm to others and hinders path of others.
- iii. Constitution is custodian of liberty and it confines the authority of the state and protects the fundamental right of the people.

How liberty is safeguarded?

#### **i. Democracy**

- Liberty is safer in democracy than in any other form of government. Democratic government is the government of the people where as in other forms of government like monarchy and dictatorship all power are centralized in the hand of one person or a group of person. Opposite parties are given due respects in democracy and criticism of government is accepted and tolerated in democracy.

#### **ii. Constitutions**

- Authority of the state dwells in the constitution of the respective nation.
- Let us read the Preamble of our Constitution very carefully and understand the meaning of each of its key words.
- The Preamble of Constitution reads like a poem on democracy. It contains the philosophy on which the entire Constitution has been built. It provides a standard to examine and evaluate any law and action of government, to find out whether it is good or bad. It is the soul of the Indian Constitution.

#### **iii. Fundamental rights**

- Fundamental rights confine the authority of the state. Fundamental rights assure us that the state cannot interfere in the matters of personal life.

#### iv. Decentralization of powers

- Decentralization of power is required for the safeguard of liberty. Power should be divided into central, provincial and local government and such decentralization leads to efficient administration.

#### Independent judiciary

Safeguard of Liberty depends upon the independence of judiciary. It should be free from the control of the executive. In the communist countries or in the countries which have dictatorship, fundamental rights are given to the people but judiciary is not free from the influence of the executive. In such countries, the safeguard and security of fundamental rights, liberty and constitution is not possible.

#### v. Economic security

- Economic security Economic security is a condition to liberty. "Where there are rich and poor, educated and uneducated, we always find a relation of master and servant". - Laski

Poverty is not an accident. Like slavery and apartheid, it is man-made and can be removed by the actions of human beings.

**Nelson Mandela**

#### vii. Rule of law

- Rule of law is established in England, USA and India Rule of law mean that there should not be any distinction of caste and creed colour and race. In the eyes of law all are equal and all are liable to be punished if they commit crime.
- The rule of law was further popularised in the 19th century by British jurist A. V. Dicey. The concept, if not the phrase, was familiar to ancient philosophers such as Aristotle, who wrote "Law should govern".

#### viii. Political education and eternal vigilance

- Permanent safeguard of liberty is possible. Educated are acutely aware of their rights and duties. Eternal vigilance is the price of liberty and in its absence one can act according to his will whenever the government crosses the barrier of its authority and interference in the personal life of the people, may rise in revolt against the government.
- "It is the proud spirit of the citizens, less than the letter of the law, that is the most real safeguard" - Harold J. Lask

**Sovereign:** People have supreme right to make decisions on internal as well as external matters. No external matters. No external power can dictate the government of India.

**Republic:** The head of the state is an elected person and not a hereditary position.

**Justice:** Citizens cannot be discriminated on the grounds of caste, religion and gender. Social inequalities have to be reduced. Government should work for the welfare of all, especially of the disadvantaged groups.

**Liberty:** There are no unreasonable restrictions on the citizens in what they think, how they wish to

express their thoughts and the way they wish to follow up their thoughts in action.

**Socialist:** Wealth is generated socially and should be shared equally by society. Government should regulate the ownership of land and industry to reduce social- economic inequalities.

**Secular:** Citizens have complete freedom to follow and religion. But there is no official religion. Government treats all religious beliefs and practices with equal respect.

**Democratic:** A form of government where people enjoy equal political rights, elect their rulers and hold them accountable. The government is run according to some basic rules.

**Equality:** All are equal before the law. The traditional social inequalities have to be ended. The government should ensure equal opportunity of all.

**Fraternity:** All of us should behave as if were member of the same family. No one should treat a fellow citizen as interior.

**We, he people of India:** The constitution has been drawn up and enacted by the people through their representatives, and not handed down to them by a king or any outside powers.

**Sovereignty:** The supreme power which cannot be distorted and divided. The per-Independent India was ruled over by British empire and India didn't posses sovereignty a country is ruled over by other nation, sovereignty resides with the ruling one and not the ruled. In the globalized era sovereignty is under threat, since the global exchange is unavoidable.

**Preamble:** Like preface of any book preamble is a gist or glimpses of any constitution in the world. If you want to understand about the basic structure of a political system, preamble is an apt one to read. Our Indian constitution's preamble states, India is democratic, republic and sovereign.

**Universal Suffrage:** Voting rights to all the people invariable of gender, caste, color, religion, property and other divisive factors. India introduced adult suffrage immediately after the freedom. The superpowers like USA,UK have not implemented the suffrage to all the people after their freedom.

**Statutes:** A written law passed by the legislative body of a country. It is also added in the parliamentary laws after having had appropriate discussion.

**Justice:** Justice was the main concept discussed by many Greek philosophers. Justice is the main phenomenon which has to be maintained regardless of all kinds of discriminations.

**Fiscal:** Monetary oriented. Government of all types always used to concentrate in fiscal policy.

**State of Nature:** The stage of antiquity in which there was no organized form of government and society.

**Anarchy:** A complete chaos or the stage of confusion. Particularly in the modern era Iraq and Afghanistan haven't possess concrete government structure since they are under American occupation.

**City-state:** Small states in which people are considered as powerful in decision-making. It exists in Greece 2300 years back.

**Vasudaivakudumbagam:**One world one family. It is a global idea which interlinks the entire nation-states into on family in which there will not be any distinctions.

**Inalienable:**That one which cannot be separated.

**Ordinances:**Special orders issued by the president on adhoc occasions.

**De-jure:** On accordance with law.

**De-facto:**Factually,one who rules really and concretely.

**11<sup>th</sup>vol**  
**UNIT - 4 Basic Concepts of Political Science Part-II**

## **LAW**

### **Introduction**

- Law is the prescription of rules and regulations sanctioned by the sovereignty for the state. Law as, Bodin said, is the command of the sovereign. Similarly Aristotle has rightly pointed out that if there is no law even man will behave like a beast. In order to preserve society and protect the progressive nation, law has become an integral part of the system world over. The enormous power of law could not be a complete solution to maintain an order in the society due to the limitations it is framed with. Law is a tyrant for criminal and a guardian for its citizen.
- There is always an intense debate that happens on, why the law is lenient in some part of the world and so powerful in another part of the world. The question of leniency and powerful the law is, ascertained by its functions especially the punishment it involves. For example, law in a democratic country is much different and concerned than the law in a totalitarian state. And more, how the law unfurls freedom for its citizens matters a lot while executing and exercising it. Ignorance of law is not an excuse anywhere in the world. Hence it is pertinent to introduce the concept of law to the young minds to understand it as the basic rules and regulations as sanctioned by our constitution.

### **Meaning of Law**

- The term 'Law' was derived from an old Teutonic root 'lag' "which means something which lies fixed or evenly. Without law life may witness utter chaos and confusion and in fact it is law that regulates life. The word law is used to denote 'uniform'. There are two kinds of laws. They are: physical and human law. Physical law regulates nature where as human law regulates human life. The term law in political science is used to mean body of rules to guide human action. The function of state is done through government and the government in turn interprets the will of the state through law.

### **Views on Law**

- "Law is the command of the sovereign" according to John Austin
- "Law is the collection of rules which the state recognizes and applies in the administration of Justice" said Salmond
- According to Krabbe "Law is the expression of the judgments of value which we human beings make by virtue of our disposition and nature"
- "Law is that portion of the established thought and habit which has gained distinct and formal recognition in the shape of uniform rules backed by the authority and power of the government." Said Woodrow Wilson
- "A law is of general rule of external human action enforced by a sovereign political authority." Said Holland

### **What is the purpose of Law?**

- According to MacIver "A law does not become a law until and unless it is backed by the state. The purpose of law is to establish sure foundations in the certitude of which men can rebuild the many mansions of society." The term 'Law' is considered as a body of rules to govern human action and as well to regulate human life by the discipline Political Science. 'It is not the issuing of law that makes the state, it is the force of the state that makes law" believe Hocking.

## What are the purposes of Law?

- Protect basic human rights
- Promote fairness
- Help resolve conflicts
- Promote justice
- Promote order and stability
- Promote desirable social and economic behaviour
- Represent the will of the majority (on some issues)
- Protecting the rights of minorities

## Are you aware of the classification of Laws?

### i. Private laws

The relationship of citizens and the regulation of relations among one another are determined by private laws.

### ii. Public laws

The laws that determine the relation of citizens to the state are public laws. Public law perceives state as an arbiter as well as one of the parties interested in it.

### iii. Constitutional laws

The common law differs from statutory law because it is mainly based on precedent. Statutory law is a more formal body of the legal system that consists of written legislation. This legislation will mainly be based on rules and regulation either mandating or prohibiting certain behaviours of the general public. Common law, on the other hand, will allow judges to decide cases based on the ruling of prior cases with similar circumstances.

- Constitutional laws are the basic laws according to which the government in a state conducts itself. The laws that define, interpret and regulate the functions of the government are known as constitutional laws. For example, the election of President, the powers and functions of the Supreme Court and method of the appointment of the governor are constitutional affairs. The laws which are not related to the forms and functions of the government and to the fundamental rights but are related to the social and economic affairs of all citizens are known as ordinary laws. For example, the abolition of child marriage and prohibition etc. come under ordinary laws.

### iv. Statute Laws

- Statute laws are the laws which are framed by the Legislative Assembly or by the Parliament. Democratic Government being popular in most of the countries, the laws of those governments are framed mostly by the Parliaments in those countries.

### v. Ordinances

- Ordinances are generally issued by the executive branch of the government as per the law of the state. Ordinances are temporary by nature and are issued by the President in the absence of parliament, especially to face the emergency.

## **vi. Common Laws**

- Common laws are those laws which rest on customs but are enforced by the courts like statute law. Common laws are popular in England.

## **vii. Administrative Laws**

- The office and responsibilities of government servants are interpreted and governed by Administrative law. It is the Administrative law that enable the public officers to separate law and procedure from private individuals. These laws also make an attempt to interpret the privileges of government officials. Administrative laws are not popular in England, U.S.A. and India. They are popular in France and a few countries of Europe. For example, When any dispute arises between a citizen and government servant the administrative court resolves the issue with administrative laws.

## **viii. International Laws**

- The rule that determine the conduct of the civilized states in their relation with other states in international arena is otherwise called International law. There are no such framed laws that govern international relations but backed by public opinion and the rule of UNO as an international body matters for any nation to enjoy its sovereign status. There are also laws such as Sea law, where there are International borders and as well Air law that demands aircraft of other nation to fly with permission of respective nations.

### **Do you want to know the sources of Law?**

#### **i. Customs**

- Customs play an important role in the framing of the laws. Most of the laws that came from customs are recognized by state later. Since ancient period we can notice that the dispute among tribal were resolved by the head of the Tribes using their customs and traditions. Customs became laws when tribes extended into the formation of state. State cannot actually ignore the customs of the country. The common law of England for example sprang mainly from customs.
- For example Bull-Taming sport culture of Tamils of India resulted into the creation of Jallikattu Law in 2017. (Read the box for more information about Jallikattu Law of 2017)Read the text and write six questions, one for each of the Question word: What, where, when, which, how and why.

#### **ii. Religion**

- The religion practiced by Primitive communities played a decisive role in evolving the laws of the state later. Religion was a basis of law for most of the nation. The origin of Hindu law can be traced in the code of Manu. The origin of Mohammedian law can be traced in Shariat law. Divine law is a law revealed through man from God. God is the ultimate source of divine law. For Christians Ten Commandments were the first law given by the Lord Almighty to his people and was considered as the basis of law.

“Indeed the early law of Rome was little more than a body of technical religious rules, a system of means for obtaining religious rights through the proper carrying out of certain religious formulas”.

- **Woodrow Wilson**

#### **iii. Judicial decisions**

- Gettellmaintains that the ‘state arose not as the creator of law but as the interpreter and enforcer of custom’. The function of the Judiciary is to interpret and declare the law. While discharging its function the judiciary

creates new laws. The laws later gets recognized by the state. Judicial decisions thus became an another source of law. Some time the verdict of High Court and Supreme Court are treated as laws.

#### iv. Equity

- When laws are ambiguous and do not fit in, the principles of equity are applied and cases are decided according to common sense and fairness.

“Equity is body of rules existing by the side of the original civil law, founded on distinct principles and claiming incidentally to superior sanctity inherent in those principles.”

- Sir Henry Maine

#### Equity

- The name given “Equity” is the set of legal principles in countries following the English common law tradition, which supplement strict rules of law where their application would operate harshly, so as to achieve what is sometimes referred to as “natural justice”
- It also means “fairness”
- Equity has been described as “a gloss (meaning a supplement) on the common law, filling in the grapes and making the English legal system more complete
- In English Law, equity means that body of rules originally enforced only by the court of chancery.

#### v. Scientific commentaries

- Another source of law are scientific commentaries. when the commentary appears it is understood only as an argument, later on its authority is recognized as more authoritative than the Judicial decision.

He opinion of learned writes on law have often been accepted as correct law: in England, for instance the opinions of coke and Blackstone in America of story and ken, in India of Vijnaneswara and Apararka”

- A. Appadurai

#### vi. Legislature

- Most of the laws in the modern times are framed by legislature and it is one of the most important source of law. Indian constitution is a classic example where the best provisions of other constitutions are borrowed and made it available for the best of our nation

“The state is founded on the minds of its citizens, who are moral agents... a bad people means a bad state and a bad laws.”

- Gilchrist

#### Sources of the Indian Constitution

1. **Government of India Act 1935:** The federal scheme. Office of the Governor. Role of federal judiciary. Emergency provisions
2. **UK Constitution:** Law making procedures, Parliamentary Government, Rule of Law, Single citizenship and Bicameral Legislature.
3. **US Constitution:** Fundamental Rights, Independent judiciary, Judicial Review, Impeachment of the President, Procedure for the removal of the judges of the Supreme Court, High Courts and Role of Vice President.

#### How law is related to state and morality?

- Law and morality are complimentary to each other. Ethics reveals its citizens the code of conduct. Similarly the laws framed by state also aim to achieve the same goal. The sole aim of the state lies in the promotion of the welfare of the people. As there is a close affinity between law and morality, there also exist a good relationship between law and state.

He best state is that which is nearest in virtue to the individual. If any part of the body politic – suffers, the whole body suffers”.

- **Plato**

- A bad state will have bad citizens and a good state will have good citizens. So it is the sole function of the state to keep a good standard of morality. Government of India is trying its best to eliminate the evil of untouchability. It has framed laws against untouchability. Though there is law against social ills it is understood that it is rather a sin to adopt the policy of discrimination on the grounds of caste and creed, colour and race, clans and tribes, groups and classes. The government is taking measures to prohibit the drinking of wine and also prohibits child marriages. Generally democracy does not have any such law as opposed to morality. Wilson maintains that the aim of the law of a state is to develop morality in the state. Hence the sovereign law-making authority pays due attention to the code of the intimacy between law and morality.

“We regard the state as the condition or morality. The state and law continually affect both public opinion and actions; in its turn law reflects public opinion and thus acts as the index or moral progress”

- **Maclver**

### **Distinction between Law and Morality:**

- Laws are enforced by the state, if not obeyed to the commands of law, he is likely to be punished by the state.
- The severe punishment one can be awarded to a person for not observing the scruples of morality is the social boycott.
- Morality is concerned with both internal and external affairs of man whereas law is concerned only with the external affairs of man. Hence, law punishes only those persons who violate laws by their external actions.
- Law punishes a person only when he commits a theft or dacoity or murder or any other physical crime.
- Law cannot punish a person for telling a lie or for abusing some one.
- Telling lies, condemning someone and being ungrateful and many other actions of man are sins but they are not crimes. Machiavelli maintained that even the immoral practices are legal, if they are applied for the benefit of the state.

### **What is Moral law?**

- A law framed with a purpose of eliminating evils such as drinking of wine, gambling, theft, dacoity and murder are moral laws. The laws which are based on morality remain permanent

### **How Law and Public opinion are related to each other?**

- The power of democracy lies in the participation of people in the democratic exercise of electing their representatives. People are not directly involved in the framing of laws, yet they could elect their representatives to legislature. People elect their representatives to execute the will of the electorate. The elected body are just expected to represent the will of the public. Here we can understand the close affinity of law and public opinion.

- In democracy laws are framed only based on the support of public opinion. People carry out peaceful demonstrations to express their opinion or resentment. Common welfare of the people and social progress are the primary considerations of public opinion.

The Modern state appeals to motility, to religion, and to natural law as the ideological foundation of its existence. At the same time it is prepared to infringe any are all of these in the interest of self-preservation.

- J.M.Coetzee

#### Quotable Quote

O turn all moral obligations, legal obligations would be to destroy morality. There is thus a legal conscience, and they do not always coincide”.

- Maclver

Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow as social progress.

- Martin Luther King, Jr

## CITIZENSHIP

### Introduction

- In political theory, citizenship refers not only to a legal status as a member of a country but also a normative ideal which means the ruled are full and equal participants in the political process. Democracy and citizenship go hand in hand. Democracy focuses on political parties, electoral systems, rule of law, etc., while citizenship focuses on the attributes of individual citizens. Citizens have certain rights that differ from one country to another. Today, we are following a modern state and citizenship connotes a status which is defined as a set of rights and duties of the people.
- Are you a natural citizen? or a naturalised citizen of your country? What are the differences between the two? Natural citizens are the citizens by virtue of their birth but naturalised citizens are the ones who acquire citizenship. Aristotle defined citizenship with reference to the birth place, family lineage and culture. Stoics viewed citizenship as a cosmopolitan ideal. Confucius emphasized it as the restoration of commonwealth, where everyone worked for harmony and welfare. In India too, there persisted the concept of “VasudevaKutumbakam”.

### Citizenship and the City-state:

- Citizenship was an important theme in the ancient Greek and Roman Republics but they disappeared from the feudal systems. This was later revived as a desirable aspect of civic humanism during the Renaissance. Citizenship was considered only as participation of duties during the ancient Athens. Citizenship was considered as a pivotal importance to Aristotle as he perceives ideal state is possible only in a law-based state where citizens are law abiding. He states that an individual is a political animal who finds fulfilment only within the polis and hence desiring for political posts is natural. He says that citizenship is a criterion wherein the rule must be applicable to all irrespective of whether they are residents, aliens or even slaves from other countries. A citizen is one who enjoys the right to share in the deliberative and judicial offices and is able to exercise his political rights effectively under the constitutional system.

### Marshall's Analysis

- Marshall, a liberal-social democrat links citizenship to social class in the context of capitalism. According to Marshall, citizenship has three essential divisions: civil, political and social. Every individual requires a right for freedom and that is what is in as civil component. This is also an important ingredient of rule of

law. As a citizen we have the right to participate in political decision-making process. This is reflected in the political division. No citizen can be deprived of the prevailing

## **Aristotle**

- defines citizenship as "he who has the power to take part in the deliberative or judicial administration of any state." Greeks enjoyed the privilege of being governed by democracy; their government was made up of commoners, and they were allowed freedom of speech to a large extent through public speaking rights. Standard of living and they have all the rights to enjoy the fruits of this. Hence, Marshall stresses upon the social services.

## **Citizenship and Education**

In this, we shall study about the influence of education towards citizenship, according to various philosophers. Aristotle considers three qualities to be necessary for a man universally. They are:

- ❖ Loyalty to the constitution
  - ❖ High degree of capacity to one's duties and
  - ❖ Quality of goodness and justice.
- A democratic nation upholds political and economic equality for which identification between a good man and good citizen are always necessary. Plato considers education is a cure to corruption and political instability. Hence, he speaks for effective and responsible form of education. Aristotle, Hume and Rousseau, point out that the citizens will need knowledge of the attitudes and the expectations of their fellow citizens. J.S. Mill and Tocqueville on the other hand stress upon the need of political knowledge and in order to participate and conduct the affairs of the local government, voluntary association or jury service, education is very much necessary.

## **Citizenship in India**

- India is a secular, democratic and nation state. Why do you think Independence Movement began? The main reason was to bind together people of different religions, regions and cultures. Though there were differences with the Muslim League during the Partition of the Country, yet this strengthened the Indian National Leaders to maintain the secular and inclusive character of the Indian Nation state.

In USA, dual citizenship system prevails where a citizen is both the citizen of the country (USA) and the respective state. IN India single citizenship system prevails where a citizen is only the citizen of the country (India).

The Maintenance and welfare of Parents and Senior Citizens Act was passed in 2007 by to provide maintenance and support to elderly parents and senior citizens.

What the Act states

- The Act established the Maintenance Tribunal to provide speedy and effective relief to elderly person.
- Maintenance, according to the Act, pertains to "provision for food, clothing, residence and medical attendance and treatment".
- The only condition for claiming maintenance under this Act is that the persons must be unable to maintain themselves from their own earnings and property.
- The Act mandates that the maximum maintenance paid will be 10,000/- per month. The maintenance amount is determined by the needs of the claimant and the aim is provide maintenance for the person to lead a normal life.
- Parents or senior citizens can avail the services of the State government appointed maintenance officer to represent their interests during proceedings before the Maintenance Tribunal. Lawyers are not allowed to present cases before the Tribunal according to the Act.
- Any person who is responsible for the protection and care of a senior citizen and intentionally

abandons the senior citizen completely is liable to pay a fine of 5000/- or be imprisoned for three months or both.

## Global citizenship and National citizenship

- National citizenship assumes that our state can provide us with protection and rights we need to live. However, states today are to tackle a lot of problems and hence individual rights are guaranteed to protect the safety of the people. Global citizenship on the other hand, deals with the importance of citizenship across the national boundaries. Here, one may need the cooperative action by the people and the governments of many states.

Therefore, citizenship for all can resolve many socio- economic inequalities. Moreover, global citizenship reminds us that we live in a world where the states are interconnected with each other and strengthening the links is most important.

## RIGHTS AND DUTIES

### Introduction

- The language of rights has formed part of our moral, legal and political vocabulary for many centuries. Rights are so common in our world that we might suppose that they are woven into a fabric of human rights. The significance of rights in the modern era is not limited to their entrenchment in the constitutions and their announcement in international declarations. If all human beings possess rights merely in virtue of being human, then all humans possess rights merely in virtue of being human, then all humans possess a certain equality of moral standing which cuts across differences of class, caste or race or religion.

### Do you know about rights?

- **Rights** are important conditions of social life without which no person can generally realise his best self. It is only when people get and enjoy rights that they can develop their personalities and contribute their best service to the society. They are the common claims of the people which every culture's society recognizes as essential claims for their development and which are therefore enforced by the state.

"Rights are powers necessary for the fulfilment of man's vocation as a moral being..."

- T.H. Green

- **Isaiah Berlin** defines rights in terms of positive liberties and negative freedoms. A positive right is an entitlement to: A right to free expression, for instance, entitles one to voice opinions publicly. A negative right is a freedom from; Freedom of person is a right to be free of bodily interference.

### Features

- Rights are the important rational and moral claims of the people for the societal development.
- They are available to all the people irrespective of caste, creed, race or gender bias.
- Rights and duties are interrelated to each other. "No duties, no rights." "If I have rights it is my duty to respect the rights of others in the society".
- Rights are justiciable.
- Rights are protected and enforced by the laws of the state. It is the duty of the state to protect the rights of the people.

### Let us differentiate Rights and Responsibilities

- Rights and responsibilities are inseparable. When someone is borne with a lot of responsibilities, they are automatically bestowed upon with enough rights. Rights actually enable an individual to perform their responsibilities in the different roles we play on a day to day basis.

What are your responsibilities?

- ❖ To safeguard the unity and integrity of India.
- ❖ To protect the public property.
- ❖ To conserve and protect the natural resources of the country like wildlife, lakes, forests and rivers.
- ❖ To maintain the spirit of brotherhood and create harmony among all irrespective of caste, creed, colour and economic status.
- ❖ To preserve the rich Indian culture and heritage.
- ❖ To maintain the spirit of brotherhood and create harmony.
- ❖ To respect the National Anthem and National Flag.

Are you aware of the different types of Rights?

#### **i. Natural Rights**

- a. These rights are parts of human nature and reason. Political theory explains that an individual has certain basic rights and the government cannot deny these rights. In classical political philosophy, "natural right" denotes to the objective rightness of the right things, whether the virtue of a soul the correctness of an action, or the excellence of a regime.

#### **ii. Moral Rights**

- a. Moral rights include rules of good conduct, courtesy and moral behaviour. Moral Rights include rules of good conduct, courtesy and of moral behaviour and stand for moral perfection of the people.

#### **iii. Legal Rights**

- Legal rights are equally available to all the citizens and they follow without any discrimination. Legal rights are those which are accepted and enforced by the state. Legal rights are of three types:
  - ❖ **Civil Rights:** These are the rights which provide opportunity to each person to lead a civilized social life and that which are protected by the state. Right to life, liberty and equality are civil rights.
  - ❖ **Political Rights:** These are the rights by virtue of which the people get a share in the political process. These rights include the right to vote, right to get elected, right to hold public office, etc.
  - ❖ **Economic Rights:** These are the rights which provide the economic security to the people. The people are empowered to make proper use of their civil and political rights. Right to work, right to adequate security, right to social security. Legal rights are what the law says there are, insofar as the law is enforced. They gain importance through legislation or decree by a legally authorized authority.

#### **iv. Contractual Rights**

- These rights originate from the practice of promise - keeping. They apply to particular individuals to whom contractual promises have been made. Thenumerous examples of contractual rights include rights to purchase a product or service, right to sell a product or service.

#### **v. Human Rights**

- Human Rights are the rights of highest order. They are morally important and are possessed in virtue of the universal moral status of human beings. They are protected and supported by international and national laws and treaties.

**Have you heard of Bill of Rights and Fundamental Rights?**

- The Bill of Rights, in the United States, was adopted as a single unit on December 15, 1791, and they constitute a collection of mutually reinforcing guarantees of individual rights and limitations on federal and state governments. The Bill of Rights, in the United States, was adopted as a single unit on December 15, 1791, and they constitute a collection of mutually reinforcing guarantees of individual rights and limitations on federal and state governments.
- The Bill of Rights derives from the Magna Carta (1215), the English Bill of Rights (1689), the colonial struggle against king and Parliament. The United States Bill of Rights plays a central role in American law and government, and remains a fundamental symbol of the freedoms and culture of the nation.

James Madison Proposed the Bill of Rights. Bill of Rights was influenced by George Masori's 1776 Virginia Declaration of Rights & 1689 English Bill of Rights.

- **James Madison**

### **Fundamental Rights:**

- India won independence from the British Imperial-colonial rule in 1947. India emerged as democratic, secular country that had high emphasis on Rights.
- On August 29, 1947, the Constituent Assembly set up a drafting committee under the chairmanship of Dr. B.R. Ambedkar. The total number of amendments that were made was approximately 7635, out of which nearly 2473 were actually moved. The 12th session of the Assembly held on January 24, 1950 elected Rajendra Prasad as the first President of the Indian Union. The legal and political luminaries of the Assembly affixed their signatures on the official copies of the Indian Constitution.
- Part-III of the Indian Constitution contains Fundamental Rights that is the critical foundation of the Democratic ethos of the Indian Constitution. The Indian Constitution in its text and scope is the most detailed and the most elaborate in the world. Every minute aspect of the fundamental rights is enumerated in the Constitution which is also one of the important aspects for it to be voluminous. The various facets of the Fundamental Rights are elaborated below:

### **Right to Equality**

It took the constituent Assembly 2 years 11 months and 20 days to frame the constitution.

- Right to Equality guarantees equality before law to all the people irrespective of their caste, creed, gender and race, etc. It also emphasizes on the prevention of discrimination to visit any public places. This permits anyone to visit temples, restaurants, hotels and places of public entertainment. It also guarantees equality of opportunity to employment to citizens in Union or states. Right to equality forbids any form of untouchability and considers this as a serious offence.
- Right to Freedom Equality and freedom or liberties are the two kinds of rights necessary for democracy. This article assures freedom of speech and expression, freedom to assemble peacefully and without arms, freedom to form associations and to move freely throughout India. Do you know that this Article also provides you the freedom to practise any profession of your choice? Yes, you can. You can set up a clinic, a pharmacy or even a supermarket.
- Right to Life and Personal Liberty No citizen can be denied of his personal liberty. This means no person can be detained without informing the grounds of his arrest. An arrested person has also the liberty to consult and be defended by a lawyer of his choice. Besides this, he is not to be kept under custody beyond 24 hours and must be produced before the Magistrate. Preventive Detention Preventive Detention is considered as a check on the actions of the miscreants which is actually the dire need of the hour. If the State feels that a person can be a threat to law and order as well as to peace and security of the nation, it can arrest or detain that person.

- **Right against Exploitation** There are millions and millions in our country who are exploited and used. They are the underprivileged and the deprived, in the society. In the today's scenario, human trafficking has become a serious exploitation of human beings. Human trafficking is buying and selling of human beings and treating them as slaves. Apart from human trafficking, child labour is another problem being faced where children are put into forced labour without payment.
- This is the reason why the Constitution has provided with the Right against exploitation, wherein trafficking in human beings and beggary are forms of forced labour. It also prohibits the children below the age of 14 years from employment in any factory or mine or any kind of hazardous labour.

### **Right to Freedom of Religion**

- In India, all the people have the right to choose their own religion and faith. None can stop them from practising their religion as well as propagating it. These rights include the social as well as the personal aspects of the religion which are enjoyed by every citizen in the country.
- Right to freedom of religion guarantees to all persons freedom of conscience and authorises them to profess, practice and propagate any religion subject to the prescribed limitations of public order, morality and health. Article 26 allows establishing and maintaining institutions related to religious affairs and charitable purposes also. You can own a movable or an immovable property and administer the property in accordance with law.

### **Cultural and Educational Rights**

- There are certain non-political rights of religious, cultural and linguistic minorities, groups or sections of people. Constitution guarantees these rights for them.
- No citizen is denied the admission to the State or the State aided educational institutions owing to caste, creed, gender, etc. The citizens have their right to get educated in any schools or colleges of their choice. If in case the institutions are found to practise discrimination, the government will not extend aid to such institutions. Moreover, the State should not dictate the pattern of education to these institutions too and must allow them to decide in order to preserve our culture.

### **Right to Constitutional Remedies**

- Constitutional Remedies provides the rights to the citizens to move the Supreme Court or the High Court to protect their rights. Article 32 provides the remedies to the citizens at the Supreme Court while Article 226 by the High Court. The courts can issue writs or orders in the nature of Habeas Corpus, Mandamus, Certiorari, Quo Warranto and Prohibition or Injunction. Therefore, fundamental rights are critical and instrumental in protecting the rights and liberties of the individuals in the country. By doing so, they establish the democratic way of living through these cardinal principles of equality and justice.
- Fundamental Rights therefore constitute the cornerstone of our national liberty, which are cherished and attained after trials and tribulations.

Be aware of the new rights

### **Right to Information**

- Do you have any queries to the Government? You can very well ask them about how they work and who are the members who aid in their working. Wondering how? Yes, Right to Information Act of 2005 provides you this with this mandate of posing queries to the working of the Government. This is to empower the citizens and initiate transparency and accountability. An informed citizen is kept more vigil on the instruments governing the functions of the government thereby making them accountable.

## **Right to Privacy**

- People of India will surely not surrender the most precious aspects of human persona, like, life, liberty and freedom. The citizen will surely not surrender all these rights to the mercy of the state. Right to privacy is moreover an integral part of human dignity. "The right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution"

## **Rights of Transgender**

- Who are transgender? Have you seen them? Yes, transgender people are individuals of any age or sex and their appearance and characteristics are different from how men and women are supposed to be. They exist in every culture, race and class, ages back. Today they are addressed as the third gender. The Supreme Court has indeed directed the Union and the State Governments to grant legal recognition of their gender identity. Moreover, the fundamental rights must be available. They are also entitled with the provision of public health and sanitation and socio-economic rights.

## **Directive Principles of State Policy**

- Part-IV of the Indian Constitution is Directive Principles of State Policy. It constitutes the most comprehensive political, economic and social programme for the welfare state. They have set up the blueprint for a humanitarian socialistic perspective. The Directive Principles are a set of rules enforced upon the State to direct policies towards securing adequate means of livelihood for men and women equally. It also enforces equal pay for equal work for both men and women. These principles ensure a decent standard of living and full enjoyment of leisure and social and cultural opportunities. The incorporation of Gandhian Principles under the Directive Principles of State Policy directs in promoting cottage industries on an individual or cooperative basis in the rural areas. These principles also endeavour in controlling the consumption of intoxicants.
- Liberal Democratic Principles of the Directive Principles helps in securing a uniform civil code throughout the country. It also seeks to provide free and compulsory education to all children between the age group of 6 and 14 years. It also ensures that no child is subjected to any physical punishment or mental harassment.
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## **Political Obligation**

- Do you feel or expect that the Government must be transparent and accountable to the citizens of the nation? If yes, then how are you reciprocating back to the Government? This is what Political Obligation is. It is related to moral affair. Every individual has to perform certain duties such as payment of taxes, participate in voting, perform judicial and military functions, but for what? It is in order to maintain the political institutions of the country.
- Political obligation binds a person to the performance of duties as mentioned in the Constitution. An individual has to follow the rules and regulations in the society for his own welfare and the society's welfare. When the State is responsible towards the citizen, the citizen must also reciprocate to the Government. The proper functioning of the State depends upon the proper functioning of the systems of the government.

- The word 'political' actually deals with policy and the government's administration. The framework of the political system is framed and then the limitations of the power are identified.
- T.H. Green states political obligation as, "it is intended to include the obligation of the subject towards the sovereign, the obligation of the citizen toward the state, and the obligation of the individual to each other as enforces by the political superior."

### **Political Obligation and Political Authority**

- When the state has a political authority, it has the right to compel the non-compliers. For example if anything within the State's authority to levy the taxes, then the State has all the rights to compel the non-compliers to pay the taxes. However, even if the State does not enforce its authority, still it is the moral duty of the citizens to comply with the laws.
- Hence, every human being is subject to political obligation owing to the omnipresence of the modern nation state. Political obligation otherwise involves three major aspects:
  - The identifiable authority to which political obligation is rendered: If a person has an obligation to do or refrain from doing, he has to be directed by a person who has the authority or the power to direct or instruct. However, a person's political obligation has a certain link to the citizenship of the state. A foreigner will not have political rights but will have legal obligation and protection.
  - To what extent political obligation can be rendered: The State can enforce laws and expect minimum obligation. This means that the people cannot be selective about the laws but have to obey the laws. Examples to quote can be voting, military duty, etc. These are the basic duties of the citizens which have to be compulsorily implied without being selective.
  - The basis of Political Obligation: Political obligations have gained momentum only after the sixteenth century. Earlier, the people considered Political obligation as the will of God. But, modern political theory differs in its explanation. This theory says that no person is forced to do a work but they voluntarily assume their own duties as their valid obligations.
  - Do you know why the people assume in such a way? The reasons are self-interest and realisation of the state's basic duties. The State is providing the people with physical safety and security. People are aware that securing justice or maximizing happiness cannot happen without the political authority. When these are provided by the state, naturally the people are responsible for political obligations.

### **Features of Political Obligation**

- ❖ There prevails a source of political spirit and social service
- ❖ Honesty and integrity are the essential aspects when it comes to the performance of public duty.
- ❖ There must prevail political legitimacy and effectiveness
- ❖ The citizens also have the responsibility of guarding their guardians
- Let us think over the kinds of Political Obligations Political Obligations are of four kinds. What are they?

**Moral Obligation:** Are you hospitable to the guests who come to your house? Do you help the poor? Will you not take care of your parents in their old age? These are your moral obligations. They do not legally bind the community and the individuals and if you do not behave within the moral obligations, you can also not be punished. However, this is your ethics and moral principle innate in you.

**Legal Obligation:** Our nation is a welfare state where the Government focuses on providing us with the infrastructural facilities. Roads, health centres, hospitals, education, etc are few of the examples of concern.

**Positive Obligation:** There are certain rules made by the state which cannot be disobeyed and hence they are considered as the positive obligation. Can you think of some examples related to positive obligations? Yes, paying tax and serving the defence are some of the examples under positive obligation.

**Negative Obligation:** This is the direct opposite of positive obligation. Here, an individual is not permissible to do what the government prevents him from doing so.

- Now, think of some examples under negative obligation. Have you seen some people get drunk and behave in a very disorderly manner? Some drink and drive, some of them cause a lot of problems to the family after being drunk. In the same way, commission of crime is also a negative obligation. Hope, you understood what negative obligations are?

### **The Constitution and important obligations**

- The Constitution is considered as a rule book of the state and it expects the citizens to adhere to the rules. If the Constitution has to work successfully, then people's cooperation is also a must. "Law is a means to an end and never an end to itself". There is a concept called the steam roller legislature. In case a law does not serve good then it has to be changed. There are situations where some laws are framed by the Government which are harmful and yet they get a support, which is called the Steam roller legislature. It is the duty of the citizen to resist such laws too. Hence, the concept of political obligation not only informs people to obey the rules and regulations of the authority of power but also informs to resist if the laws are found not to be good for the society.
- Theories of Political Obligation All of us have some theories, values in life. We practise whatever is right and do not follow misguiding principles. In the same way, theories are applicable for political obligations too. There are different types of theories of political obligation:

#### **i. The Divine theory**

- In the olden days, people thought that the God created the state and the king was his representative. But this theory could be popular only during the ancient and middle ages but not during the modern era.

#### **ii. The Consent Theory**

- This theory proposes that the authority of the state is based on the people's consent. Hobbes, Locke and Rousseau justified this theory on the grounds that the authority of power was dependent on the people's consent. But, later it could not be accepted because it treated state as an artificial organisation.

#### **iii. The Prescriptive Theory**

- This theory states that the respect to the political authority is based on the principle of customary rights. It is a fact that political institutions are continuous from the past, this idea has been supported by Edmund Burke. But over a period of time, it lost its effect due to its overemphasis on the respect for the well-established practices.

#### **iv. The Idealistic Theory**

- This theory regards man and the state as two entities. "Man" is regarded as a political and rational creature while "state" is considered as a self-sufficing community. This idealistic theory propounds that when the individual receives his rights from the state, he can have no rights that can conflict with the state. However, this theory proved to be quite abstract and which could not be understood by man.

## v. The Marxian Theory

- The Marxian theory is actually different from the other theories. It has been classified into three stages:

**Pre- revolutionary stage:** This stage explains political non-obligation

**Revolutionary Stage:** It is an eventual change from political non-obligation stage to a stage of total political obligation.

**Post- revolutionary stage:** This stage is a complete transition from total political obligation to social development.

- The Marxian theory of politics explains the state as an instrument of power in the hands of the proletariat. Towards the success of the revolution to consolidate the socialist order, it may lead to what is called as 'withering away' of the state. However, this theory was also considered to be illogical since it made man subservient to the state.

### Why should we obey the State? Is it necessary?

- Though the theories mention about the political obligation, yet some seem to be abstract while some are illogical too. But, have you ever thought why should we obey the state? Is it because you fear or you have a sense of patriotism? Shall we see, what are the reasons that make an individual to obey the state?

**i. Fear of Punishment:** Do you fear being punished by your teacher with an imposition if you go to school with an incomplete homework? Does your father obey the traffic signals properly fearing being penalised? Yes, fear is always there if we do not perform our tasks properly. In the same way, individuals perform their functions fearing punishments. In other ways, it is actually the coercive authority of the state that compels a man to conform to the system of regulations.

**ii. Patriotism:** Why do we stand up for our National Anthem? It is because of patriotism. We love our nation. Hence, to keep our surroundings as well as to keep the streets and roads garbage free is also our duty. So, the members of the state are conscious about the state they live as without that they cannot live as civilized human beings. The members develop a binding towards the state.

**iii. Fear of disorder and anarchy:** Do you like your house to be run in a disorganised manner? Imagine you have breakfast in the afternoon everyday and the clothes are strewn here and there. Would you like if your place is unclean? We don't. It is a general principle that human beings always wish for peace and order. They not only obey the laws but also look upon the ones who do not obey.

**iv. Habits and traditions:** We are all brought about to follow good habits like being courteous, honest, discipline and obedient. This is what our traditional values instilled. Hence, in a nation, even the citizens wish to establish good traditions, and obedience to the state, that which becomes a habit.

- Therefore, let us understand that political obligations are necessary for the citizen to maintain a good system nationwide. Every individual hence has to abide by the laws for a good reciprocation from the state as well.

### Property

- Property is considered as a natural right which is necessary for human dignity, freedom and dignity of life. Property refers to the legal relations between the persons with respect to specific things which may be material or abstract. Abstract can be the copyrights of a book or a film, etc. Property does not only refer to the private property. Private property is one of the various forms of the property. The notion of private property relies upon the following features:

- i. Do you own a house? If so, it is called as your private property where you are the owner and no one can access your property or claim.
- ii. As an owner you can use your property but altering or destroying the same requires the necessary authorised permission.
- iii. The third feature is, if in case you wish to transfer, some forms of transfer may be forbidden or penalized by taxation, like gift tax or capital transfer tax. Other forms of property include the public property, common property or the state property. Property rights grant the owner an exclusive power to decide what will happen to a particular thing or resource. Public properties include transport, railways, etc.

### **Locke and the Utilitarian Justification**

- According to Locke, the Government's main function is to guarantee every citizen the protection of their individual rights and secure conditions to enjoy their properties peacefully. Humans need property which is also the necessary means of life. Humans do not plan their lives from moment to moment but rather plan with future material security.
- Security is an important aspect which can provide peace and happiness in the minds of the people. Hence, the utilitarian's state that the system of property rights is necessary if the individuals is to achieve a sense of happiness. If at all the governments want to promote the happiness of its people, productivity must be encouraged by protecting individual's property rights. No government should take away the property from the people who are expected to possess and enjoy.

### **Twentieth Century Developments**

- Most of the developed and developing nations practised social welfare policies after World War II. The main components of these policies entailed taxation on property, transfer of basic industries, and basic public amenities like health and education to state control.

### **Feminist Perspectives**

- With the advent of women empowerment in the 20th century, women too claim equal status. Feminist scholars state that an important condition for the subjugation of women has been owing to denial of access of women to resources to income, such as land. This is owing to the prevailing patterns of male ownership and control of such resources. Owing to this, status of women has been one of the dependence on men. This dependent status has actually led to their rights to own and claim property.
- The Indian Constitution does not recognize property right as a fundamental right. In the year 1977, the 44th amendment eliminated the right to acquire, hold and dispose of property as a fundamental right. However, Article 300 (A) was inserted in another part of the Constitution. This was to affirm that no person shall be deprived of his property save by authority of law. Hence, this has become a statutory right now.
- Hence, in a civilized society, the scope for coercion and forcible acquisitions needs to be minimal. Unless circumstances are compelling, no forcible acquiring of property must be initiated. The state should neither act as brokers nor as agents of big businesses but should be in according stronger property rights to the farmers too.

## UNIT - 5 DEMOCRACY

### Definition and types of Democracy

The term 'Democracy' is derived from the Greek word as demo means people and cracy is referred as rule. The concept of democracy in its Greek term comes from "demos and "kratos" meaning "people" and "rule". Thus the term democracy is Rule by People.

Democracy is one of the most important and well-debated topics in the world since the beginning of the Twentieth Century and it has increased importance in the Twenty-first century. Democracy has been defined in different terms and usage by many philosophers, rulers and scholars from time to time according to the changes taking place in socio-political and economic institutions that were there. Democracy encompasses the powerful concepts of Rights; Freedom defined in Liberty, Equality and Fraternity all religions.

The concept and practice of Democracy in the Modern period evolved in Britain, although it's ancient concept and practice was in Ancient Greece. Democracy is based on the type of the social system of the country or nation. The social system determines the type and working of democracy. Democracy is important for creating Liberty and Equality that are adopted to bring equality in the unequal society based on political and institutional mechanisms. Democracy has become the most popular form of government and universally regarded as a meaningful political concept in the world in the present period.

#### Democracy defined by Philosophers

"Democracy would, it seems, a delightful form of government, anarchic and mostly, assigning a kind of equality indiscriminately to equals and unequal's alike"

- Socrates

"Freedom in democracy is the glory of the state, and therefore, in a democracy is the glory of the state, and therefore, in a democracy only will the freedom of nature design to dwell.

- Plato

"The foundation of democratic constitution is liberty. People constantly make this statement implying that only in this constitution is there any share in liberty at all".

- Aristotle

The spread of Democracy in began in the world in different countries from the beginning of the Twentieth-century.

As a concept and a system of government, Democracy is an instrument of expression of free speech.

### Characteristics of Democracy

- a) Democracy is a set of principles and practices that protect human freedom.
- b) Democracy rests upon the principles of majority rule, along with individual and minority rights.
- c) Democracies as a system guard against all-powerful central governments and it decentralizes government to regional and local levels. The right of the people to demand the Government they elected and the duty of the Government to be accessible and responsive to their needs and demands is the main function.
- d) One of the primary functions of Democracies is to protect such basic Human Rights i) Equality before Law, ii) Equal Protection before Law iii) Freedom of Speech, iv) Freedom of Religion; vii) Right to organize and participate fully in the political, economic, and cultural life of society.
- e) Democracies conduct regular free and fair elections open to all citizens.
- f) Democracy subjects governments to the Rule of Law and it ensures that all citizens receive equal protection under the law and that their rights are protected by the Legal-constitutional system.
- g) Democracies are diverse political systems, reflecting each nation's unique political, social, and cultural life.
- h) Democracy ensures the citizens to participate in the political system and it protects their rights and freedoms.
- i) Democratic societies are committed to the values of tolerance, cooperation, and consensus.

- j) In the words of Mahatma Gandhi, "intolerance is itself a form of violence and an obstacle to the growth of a true democratic spirit."
- k) Democracy is a system of government in which power and civic responsibility are exercised by all citizens, directly or through their freely elected representatives.

Democracy underlines the Principle of Rule by the people. It ensures a form of government in which all the citizens of a nation determine public policy, the laws, and the actions of their state together either in a Direct Democracy or by Representative Democracy. Democracy ensures that all citizens have an equal opportunity to express their opinion. Democracy is generally defined as "government by the people; that form of government in which the sovereign power resides in the people as a whole, and is exercised either directly by them or by officers elected by them."

### Types of Democracy

Democracy by its function has different scope and importance.

- i) Political Democracy
- ii) Social Democracy
- iii) Industrial Democracy
- iv) Economic Democracy
- v) Totalitarian Democracy
- vi) Radical Democracy
- vii) Plebiscitary Democracy

#### **i. Political Democracy**

Political democracy features the popular participation of citizens in government by which citizens elect their representatives to the Legislature of the state. The elected representatives are accountable to the citizens who elected them. As a political system of government, Democracy works either as a function by the direct involvement of the citizens in making laws and the elected legislators would introduce it in the Legislature. This is known as the process of Popular Initiative. Similarly, when the legislators elected by the people frame legislation, it is approved by a popular vote that is based on popular acceptance of the laws. This is known as Popular Referendum.

The second type of Democracy is the Representative system of Democracy in which the elected representatives of the people (representative democracy) are elected for a term of office who determines public policy on behalf of the people. Political Democracy by Representative system of democracy is the dominant form of Democracy all over the world, whereas the Direct Democracy is practiced in the Federal Republic of Switzerland.

#### **ii. Social Democracy**

Social Democracy is a combination of social, economic and political ideas that supports economic and social policies. It promotes social equality and social justice giving strength to economy and representative and participatory democracy. Social Democracy is based on the principle of Social equality in all aspects of gender, status, beliefs, values and customs. Alexis De` Tocqueville the eminent French thinker praised the American political system as one of the true democracies as it did not believe and encourage feudalism. Social Democracy believes strongly in Equality of opportunity and equality in freedom as the basis of human rights and life in a Democracy. Social Democracy enabled the individual through hard work and effort to succeed and excel.

Social Democracy believed in the progress of equality as progress of liberty and the progress of liberty as the greatest progress of Democracy in a state.

### **iii. Industrial Democracy**

Industrial democracy is defined as the means to promote democratic principles in industry and labour by the provision and protection of Labour Rights and Responsibilities in the workplace. Industrial democracy encourages the participation of labour in decision making along with the management. Industrial democracy promotes dignity and decency of labour and paves way for better efficiency, harmony and unity of purposes of the management and labour.

Industrial democracy enables the workers participate actively in the process of building both community and individual interests for the collective good of the society and state. Industrial democracy empowers workers as partners in the industry calling for their joint efforts to build community interests and welfare. Industrial democracy paves for the development and growth of the country through better productivity and greater harmony

### **iv. Economic Democracy**

Economic democracy is defined as the process of creating democratic conditions of economic productivity, minimising the rich-poor gap and socio-economic differences, promoting affordable economic development and the ideal of creating greater equality among various classes.

Economic democracy believes in “workplace democracy” and “employee ownership” that is intended to promote equality and democratic redistribution of wealth.

Economic democracy believes in the ability of the social system to integrate and society and economy for the betterment of human economic freedom and dignity. Economic democracy believes in social welfare and development as priority.

Economic democracy is based on the importance of economic rights and social equality.

### **v. Totalitarian Democracy**

Totalitarian Democracy is known as populist democracy or mass democracy in which Citizens after electing the representatives have no voice in decision-making, but the elected representatives decide for the entire country. Totalitarian Democracy elevates the ruler, party and the elected legislators over the voting citizens and captures power through democratic means but runs as dictatorship. The political ideology of the ruler, party and the legislators becomes dominant over people interests. Totalitarian democracy in the name of people’s rights would use internal terror against certain sections of people and also speech restrictions to keep the population under its complete control. Totalitarian democracy would have complete control of the economy of the state and would use it to control the population.

### **vi. Radical Democracy**

Radical Democracy was proposed by M.N.Roy a leading Indian political thinker who believed in “real rule” of the people for the term of office to which the legislators are elected. Radical democracy supports the idea of direct accountability of the legislators and executive to the people during the term of office. Radical Democracy believed in the humanism of the people who are the real masters of political authority and power and not the elected legislators.

Radical Democracy believed in the “power of the people” in local communities known as local republics who would join in the creation of the state and government. The local republics would finally exercise authority in the national and state levels. Radical democracy brings into Democracy the real sense of people’s participation, accountability of the elected and the power of the people to change the government.

## **vii. Plebiscitary Democracy**

Plebiscitary Democracy is defined as the process of a direct voting by the people of a candidate, or party or a public issue or the adoption of a new constitution of a state or to determine the association of the province with the state known as national self-determination. The voters have the choice to accept or reject the choice.

Plebiscitary democracy gives the citizens the right and power to collect a sizeable number of signatures on a petition to draft a law or a public policy programme and put the proposal or draft law to vote by the citizen population. Plebiscitary democracy can by a collection of signatures could result in the recall of the elected representative because of failure to represent the real interests of the people.

### **Theories of Democracy**

A theory is defined as an explanation of a concept in its historical account and different stages of its development. A theory could be tested in different countries and different cultures to examine its importance and application. A theory is based on several facts that are logically connected and examined. Democracy is a theory that has various applications in different historical periods, different civilizations and cultures.

The Ancient theory of Democracy emerged in Ancient Greece that saw the rise of several city-states (polis) which believed and applied the procedure of Direct election, Debating of public policies and Decision by the people. Greek Civilization, Culture and Language spread widely throughout Europe in the ancient historical period. And it also saw the spread of democracy as a “form” and “system” of government initially in Europe and later into North and South America.

As the Greek polis increased in size the nation of democracy by elected representatives gained importance and relevance. Representative democracy later emerged as the dominant form and system of government in the European Middle Ages, the Age of Enlightenment. The mass popular demand for Democracy was made in the American (1775-1783) and French Revolutions (1789-1799).

Democracy has now emerged as a “universal” form of government widely accepted by several countries with various people groups, cultures and languages. It has developed in each country according to their local customs, values and ideas thus strengthening the process of democracy.

There are various Theories of Democracy defined in terms of scope and impact:

#### **Classical Democracy:**

Emerged as a direct form of democracy in Ancient Greece. Athens was the first city to introduce such a democracy. Direct democracy in Athens emerged in between 800-500 BCE (Before Common Era). In Athenian direct democracy, the citizens of the city-state are all as members of the assembly, who participated directly in the decision making and the process of legislation. Given the limited population they were able to gather in the city square and were able to deliberate. All citizens were free to express their different opinions, debate, and vote in a system directly and this was called as Classical Democracy.

As population increased, the idea of representation in government was proposed. It resulted in the elected representatives participating in the governing process. Gradually it created institutions like the Assembly of the Demos, the Council, and the People’s Court as the three important pillars of democracy. Classical democracy for its success should have two preconditions: a) The community must be small enough for citizens to be proficient in attending debates and voting on issues; b) the economy of the state should be sufficient for enabling the citizens to engage in politics. The principles of classical democracy are mentioned below:

- a) The chief political ideals were equality among all people, liberty and respect for law and justice.
- b) Equality before law and equal treatment of law enabled justice to prevail in almost all the spheres of society. Political life was free and open. The main subject of classical democracy was the participation of

all peoples in the processes of state. Classical democracy was to bring equality among citizens in respect of rights and privileges.

### **Protective Democracy:**

As Classical Democracy grew it began to take shape into protective democracy in Athens which was by the emphasis on different aspects of classical democracy. In this viewpoint, democracy has been regarded as a means at the disposal of individuals which they can use to safeguard their rights and liberties. Protective democracy as a Rights-based democracy emerged in the late seventeenth and early eighteenth centuries placing it as an instrument of protecting human rights and liberties. The English thinker John Locke (1631-1704) was regarded as the great advocate of protective democracy. Locke argued that the citizen's freedom and right to vote was based on the existence of natural rights characterized by Life, Liberty and Property.

Protective Democracy was proposed by English thinkers Jeremy Bentham (1748-1832) James Mill 1773-1836) and John Stuart Mill(1806-1873) of the Utilitarian School of Democracy and Rights. Utilitarianism was powerfully advocated in favour of protective democracy. The theme of utilitarianism was to safeguard rights, liberty and opportunity as they were the basic principles of democracy. Safeguarding the rights was the safeguard of democracy.

Jeremy Bentham, James Mill and John Stuart Mill emphasized that democracy alone could safeguard all individual rights and interests through the mandate of the people who could be protected and advanced. John Locke, James Madison, Jeremy Bentham and James Mills-supported the Rights based protective democracy as an aspect of liberal democracy. The following are the basic features of protective democracy:

- Protective democracy believes in popular sovereignty.
- Both the popular sovereignty and representative form of government are legitimate.
- It is the primary duty of the state to protect the rights and liberties of citizens.
- The authority is accountable to the People and in order to establish it elections are held on regular basis.
- Separation of the Legislature, Executive and Judiciary are the most important means of protecting the rights, liberties and the distribution of privileges.
- The introduction of rights-based protective democracy brought in the idea of constitutionalism that governed the ruler and the ruled by the principles laid down in constitution. The Constitution is the sole source of power for all and is the guarantor of rights and liberties. Legal provisions in the constitutions were introduced to protect, individual rights, rights of associations and groups against any violation of rights or encroachment on liberty on behalf of citizens. This brought in a competition among the Legislature, Executive and Judiciary in all spheres for the strengthening of protective democracy. It resulted in a clear distinction between state and civil society.

### **Marxist Theory of Democracy**

The Marxist theory views the democracy in the social context of class analysis during the era of industrial revolution. Society was divided into two classes viz: capitalists or owners of the property are called as 'bourgeois' and the working class is called as 'proletariat'. The Marxist theory of Democracy held the political position to always challenge the dominance of capitalists and against the exploitations of working class. The Marxist theory of democracy did not support electoral rights, but strongly supported economic rights and the creation of 'socialist democracy'.

The Marxist theory of Democracy favoured the collapse of capitalism and calls for the revolutionary transformation of the society. It believes that political power is possible only through the ideals of 'socialism'; and is based on the equal distribution of economic power against the unequal wealth and ownership of production. The Marxists democrats and socialists believe in the removal of class differences and privileges are the necessary step to freedom, equal status and democracy.

The socialists believed that with universal education people can govern themselves. The Marxist theory criticises the falseness of the liberal democracies are thus seen as 'capitalist' or 'bourgeois' democracies which are manipulated and controlled by the entrenched power of ruling class. The Marxist theory emphasises the importance of economic factor as the key factor for the class divisions and ownership and the control of the means of production. However the Marxists democrats in Europe support the strong role of electoral democracy to establish a peaceful, legal and democratic road to socialism.

Democratic Marxists view (a) State as an agency of anti-people crimes and considered the abolition of standing army and instituting a citizen's militia, (b) Implement the election of all officials subjecting them to recall, (c) Totally remove the political attribute of police, (d) Eliminate the monarchy.

### **Elitist Theory of Democracy**

The role of the elites in a democracy is an unavoidable force. Elites of Leaders rule, control key resources and enforce major decision for centuries. In an industrial, agrarian society the ownership of property and control over production were the important factors. Elites from the agrarian and industrial sectors emerge as feudal landlords and owners of industry. They later take a political role to govern the state.

Three important theorists Vilfredo Pareto (1848-1923), Gaetano Mosca(1857-1941) and Robert Michels(1876-1936) are the leading thinkers of elitist democracy. Pareto classified the elites into governing and non-governing elite from the masses. The governing elite are the power elites who are the ruling classes. They derive power from the variety of sources such as education, social status, bureaucratic position, political connections, and wealth.

Pareto described the Elite qualities in two psychological types (a) Foxes - who rule the masses by cunningness and manipulate their consent, (b) Lions - who achieve power through domination, coercion and violence. Elitism developed as a critique of egalitarian idea such as democracy and socialism.

Robert Michels had an alternative view about the democracy that even though the organization tend to be democratic but the small group of dominant figures who can organize and make decision rather than having deliberation with rank and file of the organization and called it as 'iron law of oligarchy'.

Joseph Alois Schumpeter (1883-1950) proposed the concept of democratic elitism. Schumpeter defined that democracy was a good political method to arrive at political, legislative and administrative decisions by placing in certain individuals in power to decide on all matters of the masses as a representative means and the result of successful pursuit of people's vote. Democracy paves way for competitive pursuit means among the elites to achieve their legitimacy and power.

The Elitist theory partly accepts the Marxian view of democracy that large corporations dominate in production and distribution of goods, however it does not agree with Marxian class analysis. The democratic Elitism theory engages with the groups and individuals to meet their ends and facilitates with their disagreements so as to meet the ends of the both.

### **Pluralist Theory of Democracy**

Pluralism is an inclusive concept. It addresses the interests and rights and the representation of the minorities thus forming the core content of liberal democracy. It affirms the separation of power from state and civil society and also economy from the political power. It offers the scope of institutions for the democratic process in the case of Legislature known as Bicameralism and a form of governance namely Federalism to govern the state through various set of representation. Pluralism paves way for participatory democracy that enables diverse group participation, to protect their rights. In this scheme, political power is distributed and shared to many groups in the society representing diverse interests.

Pluralism leads to defend their particular interests through government by creating 'competitive equilibrium' that intends to benefit large sections of the society for the long run.

Pluralism suggests that democracy in the system necessitates the conduct of regular elections that encourages political competition among parties, groups and individuals. The thinkers of Utilitarian school were the great advocates of pluralist democracy

James Madison, John Stuart Mill and Tocqueville predicted that elections expresses the preferences of divergent competitive groups rather than the wishes of many in the majority group. This also provides the bargaining power to the minority groups to assert their rights and share in power.

Pluralist democracy is also termed as Polyarchy, which is a rule by series of minorities within the political framework. Robert Dahl pointed out that the very essence of democracy is realized by Polyarchy that accommodates the presence of divergent groups, association, organizations in large number to enjoy relative autonomy in governmental power and jurisdiction. The preconditions for a functioning of polyarchy are consensus on the rule of procedure, range of policy options and legitimate scope of political activity.

### **5.2.5 Deliberative Theory of Democracy**

Democracy is Deliberative in its scope. It emphasizes on the form of democracy that emphasizes the need for deliberation, discourse and debate that defines the public interest. Deliberation and participation are two critical aspects of democracy. Deliberative democracy and participation are usually strong in the grassroots level. India's Panchayati Raj institutions are usually strong in this process. Grass roots democracy features Panchayati Raj Institutions and civil societies that strengthen the functioning of the government. James Miller defines that deliberative democracy is built on the system of deliberation that features that decisions are reflective of the discussion among the participants. It features the willingness of the people to listen to the views and consider the interests of the others modifying their own opinions accordingly. Public interest and public opinion are the key components of the deliberative democracy. It emphasizes on the consensus built upon the acceptance from the masses rather than the influential individuals.

Deliberative democracy is usually based on a rights-based approach of the current model of the development discourse. It provides for resolution of the scope for conflicts of interest with the democratic institutional mechanism balancing the benefits of the competing groups. Deliberative democracy is different from other forms of democracy by maintaining a person is rational enough to set aside particular interest and opinion to aspire for fairness and common interests of the collective and deliberation was based on equality, equity, and public goods. It values the decisions arrived after open discussion that heard all the points of view the most. Deliberative democracy is 'discursive' in scope. It is a type of democracy in which deliberation is central to decision making.

Deliberative democracy differs from traditional democratic theory in authentic deliberation, not merely confined to voting. It is the primary source of legitimacy for the law making processes. Deliberative democracy is harmonious with both representative democracy and direct democracy. Rawls and Habermas famous theorists of justice and public opinion have observed that political choice, to be legitimate, must be the outcome of deliberation about ends among free, equal, and rational agents. Deliberative democracy recognises "the full and equal membership of all in the sovereign body responsible for authorizing the exercise of that power, and establishes the common reason and will of that body".

Modern and Contemporary Democracy: Modern and contemporary democracies emerged in the late eighteen centuries in Western Europe as a result of industrial revolution, rise of labour and the social changes that emerged. Modern and contemporary democracies feature:

- Written constitution the basic requirements and it must be kept up in everyday life by politicians and authorities;
- Importance of Constitutionally guaranteed basic Human Rights and fundamental rights to every individual of all the social groups' especially religious minorities and other underprivileged.
- The Separation of Powers between the institutions of the state:
- Government (Executive Power), Parliament (Legislative Power) and Courts of Law (Judicative Power)

- Freedom of opinion, speech, press and mass media
- Religious liberty
- General and equal right to vote (one person, one vote) – Universal Adult Suffrage

The “majority rule” is characterized as only important features of democracy, however the process should have free and fair competitive elections. Additionally, the importance of Rights is very important viz: freedom of political expression, freedom of speech, and freedom of the press are indispensable in the representative democracy and the masses are informed through political campaign and the manifestoes of the political parties enable to vote in their personal interests.

Democracies have been practiced by different models of political system ranging from one party rule to multi-party system. In several countries, democracy is based on the legal principle of equal rights to vote. People in Asian and European countries use the term “democracy” as the basic expression meaning for liberal democracy, which has the salient features of political pluralism; equality before the law; civil liberties; human rights; and elements of civil society outside the government. Freedom of speech is the fundamental requirement of modern democracy.

All democratically elected Governments are held responsible by free speech, every decision must have a reason, accountable. The free flow of information allows both people and governments to make the best informed decisions. Democracy has been described or defined broadly as

- a) Political System of Competition for Power
- b) Right to participation in public life
- c) The Rule of Law

### **Types of modern democracy:**

#### Representative Democracy:

A representative democracy is the system of government in which all qualified citizens vote to elect their representatives based on the constituencies divided by the population or eligible voters.

People elect their representatives to power to run the government through political parties according to their views on ideology, principle, policies and programme for their socio-political and economic development. The parties are allowed to have chosen the candidates on their own to attract the masses and winning chances.

During the election they announce to the people about their programmes and policies are known as the ‘party manifesto’. A transforming country like India, every national and regional party used to release their election manifesto to have a direction and trajectory of their future plan of action so as to win the confidence of the masses.

The individuals are allowed to contest elections as independent candidates too, if they do not wish to belong any political party. The role of political parties is vital in a representative democratic system. The members of political parties keep the people informed about important issues by holding public meetings, for either supporting or opposing the policies of the government. Thus, the political parties mobilize the people in knowing their needs and in turn mould the public opinion. The representatives are constitutionally recognized and entitled to execute their duties and responsibilities in the people’s interest, with authority.

Representative Democracy is closely associated with Liberal Democracy which describes the political system which originated in the USA and Western Europe and has subsequently been adopted in numerous Third World countries and may gradually be well established in the former USSR and its former states in Eastern Europe. Liberal Democratic regimes may be classified as either Presidential or Parliamentary systems

and there are also important variations within these broad categories. Representative democracies are based upon numerous interconnected principles:

- The existence of regular, free, fair elections based upon universal suffrage and secret ballots under the supervision of Election Commission as an independent body.
- The existence of competing political parties offering electoral choice.
- The existence of electoral laws supervised by an independent judiciary.
- Freedom of speech and association.
- Freedom to stand as an election candidate.

### **More Than a Symbolic Celebration**

We must step up our common efforts to make the U.N. Declaration of the Right of Indigenous Peoples something more than a mere pledge of intent.

The estimated 370 million indigenous peoples need and deserve more than just symbolic celebrations on August 9, when they commemorate everywhere the International Day devoted to the reaffirmation of the value and resilience of indigenous life and cultures. After centuries of repression, they need comprehensive tools to defend their human rights, their way of life, and their aspirations.

One such tool is the U.N. Declaration on the Rights of Indigenous peoples. It established their right to self-determination and to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully in public life. Crucially, this document underscored indigenous peoples' right to preserve or freely dispose of and trade, their traditional lands and resources. Following negotiations that spanned more than two decades, the Declaration was adopted in September 2007 by the General Assembly with the support of 143 Member States. This support keeps expanding. Significantly, Colombia and Australia – two of the countries that originally did not approve the text have now endorsed the Declaration. These developments are encouraging, but we must continue to strive for universal acceptance of this crucial document.

Such acceptance is key to counter the daily hardship and discrimination that indigenous people endure. It is estimated that at least one in every ten indigenous peoples in the world is facing extreme poverty. These peoples are more likely to receive inadequate health services and poor education – if any at all. Economic development plans often bypass them or do not take into sufficient consideration their particular needs and traditions. Other decision making processes are often equally contemptuous of, or indifferent to, their contribution and customs. As a result, law and policies designed by majorities with the regard to indigenous concerns frequently lead to land disputes and conflicts over natural resources that threaten the way of life and the very survival of indigenous peoples.

We must step up our common efforts to make the Declaration something more than a mere pledge of intent. We must translate its letter and spirit into concrete change – change that can be felt in indigenous peoples daily lives.

In line with the United Nations Declaration of the Rights of Indigenous Peoples and other human rights instruments, States, indigenous peoples, the United Nations system and others concerned must join efforts and reach solutions based on true dialogue, mutual understanding tolerance and respect for human rights.

Courtesy: Navanethen Pillay, U.N. Information Centre, New Delhi

With reference to the U.N. Declaration on the Rights of Indigenous Peoples answer the following questions:

- a) Give three reasons for the importance of Indigenous Rights today.
- b) Write in your own words that the Indigenous rights are inalienable, interdependent and indivisible?

c) Name any four human rights included in the UN Declaration on the Rights of Indigenous Peoples which have been incorporated in the Constitution of India

### **Participatory Democracy:**

Participatory democracy is been promoted to achieve equity reversing the concept of equality. In the recent days participatory democracy is a process that enables and ensures the wider participation of constituents in the direction and operation of political systems. Democracy tends to support more involved forms of citizen participation than traditional representative democracy. A civil society based concept, participatory democracy attempts to create opportunities for all members of a group to make expressive contributions to decision-making, and to increase the range of access to such opportunities. Social relations is base for its "political" operation in that it revolves around a structure of authority increasing and extending the scope of participation and political equality involves democratizing society.

The aim of participatory democracy is to make people interested to take part in the political, legal and economic processes of the state and also to make people more responsible for the decisions made. The important feature of a participatory democracy is that people will have the opportunity to directly participate in the functions and access to the decision making institutions of state and there shall be no provision for delegating power to another body or organ. It is designed to revitalize the democratic participation in the era of economic growth, to redress the inequality among the people. The most important characteristic is the importance of political equality in democratic system a long side basic or fundamental rights, liberties that needs emphasis and to be highlighted.

### **Measuring and evaluating democracy**

Democracy has found to be a right, system, approach, mechanism and the profound channel of expression of consent and dissent. Measuring and evaluating democracy complement each other. As it was strongly expressed by Dr.B.R.Ambedkar, the Drafting Committee Chairman of the Constitution of India, 'In politics we will have equality and in social and economic life we will have inequality. In politics we will have inequality. In politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value.' Democracy can be measured and evaluated in terms of qualitative and quantitative methods. The qualitative analysis will help to understand the dynamics of social change and the quantitative analysis will help to prove the net result of the change to accentuate the democratic process.

The qualitative analysis of democracy can be measured through the political participation in terms of protest, demonstration, campaign, opinion making, freedom of expression and other constitutionally guaranteed rights. The social reflections are adding values to the social changes in terms of social upward mobility occurring within the caste system, religious, gender and cultural perspectives. Democracy has direct relationship with changing economic pattern of development through policies to minimize the inequality. The quantitative part of the democracy is to evaluate through human development index, per capita income and so on. The democracy can be measured and evaluated by the following criteria.

- a) Sovereignty: The degree to which a polity is able to govern itself in its domestic affairs and foreign policies and free from interference of other nations.
- b) Authority: The degree to which central governmental authority is pre-eminent throughout the territory claimed as part of the polity.
- c) Elected government: The extent to which executive functions are carried forward by officials elected through election through secret ballot.
- d) Universal Adult suffrage: The extent to which all the adults have been given the right to exercise vote in elections.
- e) Turnout: The percentage of people's participation in voting during elections.

- f) Regular elections: The extent to which elections are held in regular interval (every 5 years) and on schedule, according to the constitution of India.
- g) Free and Fair elections: The extent to which parties and candidates can gain access to the ballot, and have their votes counted and allocated fairly. Also, the extent to which citizens are able to register to vote without fear and favour.
- h) Access to media and campaign: The extent to which all parties/candidates are granted equal access to the media and to campaign, proportional to their support in the electorate.
- i) Ensuring rule of law: The extent to which the executive follows the law, as defined by the constitution and as interpreted by the judiciary.
- j) Legislative power: The extent to which the legislature controls the executive with parliamentary systems
- k) Role of Opposition parties: The extent to which the opposition parties function in a parliamentary democracy to control the excess of ruling party when it moves out of the constitutional framework.
- l) Independent Judiciary: The extent to which the highest judicial bodies are independent of the executive and other outside influences.
- m) Judicial review: The extent to which the highest judicial bodies are able to review acts of legislation and other governmental actions in the light of constitutional provisions, and the extent to which such decisions are respected by other bodies.
- n) Party strength: The extent to which parties are institutionalized and decentralized its power, functions and inclusiveness.
- o) Party ideology: The extent to which parties have well-defined, consistent, and coherent ideologies.
- p) Party system: The number of parties gaining seats in the legislature.
- q) Freedom of Press: The extent to which major media outlets are independent, free to air their diverse political expert views, and able to reach the citizen.
- r) Civil society independence: The extent to which civil society is independent of the state and able to voice opinions critical of political leaders.
- s) Civil liberty: The extent to which citizens enjoy all the fundamental and human rights enshrined in the constitution.
- t) Property rights: The extent to which property rights are protected.
- u) Religious freedom: The extent to which freedom of religion is guaranteed to maintain religious harmony and secular content of government policies and programs.
- v) Equal access to resources: The extent to which resources are redistributed to achieve economic equilibrium through income, education, and health which would make greater impact of participating in politics.
- w) Equal access to natural and common property: The extent to natural and common resources to ensure their livelihood, environment and social emancipation.
- x) Gender equality: The extent to which women achieve equal representation with indiscriminate dignity in the legislature, social institutions and other high positions within government.
- y) Political equality to achieve socio-economic status for underprivileged: The extent to which underprivileged ethnic groups defined as caste, tribe, race, religious minority, or other ascriptive characteristics are granted constitutional rights and remedies to come up to positions of power within the government, as well as the extent to which such groups actually gain representation in the legislature and other high positions within government according to their political participation and social position.

### **Achievements of Indian Democracy**

The founding fathers of India and its Constitution had built strong democratic foundations in the Indian State and the Constitution thus making India a great country. The democratic constitutional foundations have strengthened the Constitution in every aspect of socio- political and economic changes. The Preamble of the Constitution laid down clear road map with Fundamental Rights and Duties, Directive Principles; Parliamentary System and Amendment Procedures; Judicial Review and Basic Structure doctrine.

### **Political front**

- During the first general election in the 1951 India had 54 political parties and now it has grown up to 464 in the 2014 general election as an evident of deepening of the democratic process.
- In the first General election 1951, 173 million citizens were given right to vote; of these, 44.87 percent exercised their franchise. In the 16th general election in 2014, the size of the electorate had increased to 814 million the voting percentage had gone up to 66.4 and of these, 67.9 percent were men and 65.6 percent women. The number of contestants was increased to 8,251.
- Since 2004, votes are recorded through (EVMs) electronic voting machines. These are manufactured in India and their accuracy is ensured and secrecy has been fully tested.
- Our electoral system known as FPTP or First-Past-The-Post system, is a single- member district, simple-plurality system in which voters cast a single ballot to choose a single representative to the lower house of parliament or the State legislative assembly, the candidate with largest number of votes, even if only a plurality, getting elected to represent the constituency.
- Since 1989, the citizens were given a chance to elect their representatives at the age of 18, this is another feather in the crown of democracy.
- India is the world's the largest democracy proved success in accommodation of group and regional demands in a complex, quasi-federal, polity.
- The 73rd and 74th amendment of the constitution has given the reservation for SC/STs, women in the Local self- governing bodies like panchayats, municipalities and corporations as members, councillors and mayors.
- India's democratic set up has been vibrant and able to keep the military out of political power. It also shows prudence on the part of military generals and defence personnel earning respect from the executive.

**Social Front:** The democratic process has brought about a shift of political power from the middle and higher castes and classes of urban society to backward classes who are now the politically most influential ones in the country. They have won reservations for themselves in legislatures and government services as were accorded to the Scheduled Castes and Scheduled Tribes after independence through Constitutional provisions.

India's institutions like the free press and an independent judiciary have ensured that India remains a society based on rule of law.

The life expectancy at birth has almost doubled from 36 years in 1951 to 66 years in 2011 due to the availability of better health facilities and the health programmes consistently implemented for the well- being of the people to get away from the epidemics, endemics, communicable and non-communicable diseases.

Similarly, diseases like smallpox and polio have been eradicated. In education, the number of universities and colleges has gone up from a minuscule 27 universities and 578 colleges in 1950-51 to an estimated 712 universities and 36,671 colleges in 2014. Similarly, literacy rates have almost quadrupled from 18.3 percent of the population in 1951 to 73 percent in 2011.

Democracy is good. I say this because other systems are worse. So we are forced to accept democracy. It has good points and also bad. But merely saying that democracy will solve all problems is utterly wrong. Problems are solved by intelligence and hard work.

Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity of the principles of life.

**Economic Front:** These include strategic affairs and security, politico-legal democratic governance as well as society and economy. □□ India has been able to emerge as a regional power in Asia and super power in south Asia backed by its economic, military and nuclear capabilities.

It meant centralized planning till 2017 and a very big public sector for industries catering employment and science and technology education for the youth in the country, but soon there were inefficiencies and

labour issues it resulted in a move towards a more open liberalized and market driven model of the economy starting in the 1991 reforms called as Structural Adjustment Programme. Post this, the economy has seen greater private and foreign participation found the base for the emergence of professional new middle class. The technological innovations applied in transforming the service sector particularly Education, Health and transportation along with rural and urban infrastructure lead to digital India and reforms in banking sectors has brought a great social transformation in reality.

- India's Gross National Income (GNI) at constant prices has increased more than 35 times from 2.92 lakh crore in 1950-51 to 105.28 lakh crore 2014- 15. Similarly, the per capital income at current prices has risen from a poultry 274. In 1950-51 to a decent 88,533 in 2014-15.
- Food grain production grew from 50.8 million tonnes in 1950-51 to an estimated 264.77 million tonnes in 2014-15 that indicates more than a five- fold increase and the fact that India is food secure for the time being. It was made possible with rapid advances in agricultural technology.

**Challenges to Indian Democracy** The challenges that are faced by Indian democracy ranges from individual to society as a whole the problems of Illiteracy which resulted in poor implementation of universalization of education, Poverty, corruption, Casteism, Communalism, religious fundamentalism, Sustainable development, gender discrimination, violence against women, political violence, regional disparity in development, inadequate Judicial and administrative reforms, civil society participation, civil-military relationship, criminalization of politics and growing economic offences. The challenges now and for the future include ensuring greater transparency, accountability and independence in the broad framework of checks and balances on which India's democratic framework rests.

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## UNIT - 6 FORMS OF GOVERNMENT

### Introduction

The Government is the main agency of the state. It comprises several members belonging to political and administrative wings. It serves as the instrument for delegation and execution of the state policies for the welfare of the people. It formulates expresses and realises the will of the state. It exercises certain legislative, executive and judicial powers based on the constitution and the laws. There are three organs in government, namely - Legislature, Executive and Judiciary. These organs carry out the activities of the state. Governments are classified under Unitary, Federal, Parliamentary and Presidential forms.

### Approaches to the study of Government

Studying governments from different approaches help us to understand government from its evolution to its performance in the contemporary times. The approaches to study the Government are

#### 1. Comparative-Historical Approach

This approach studied the western political institutions from ancient to modern times, this approach is descriptive in nature, Aristotle, Montesque and Locke adopted this approach to study and analyse governments in those days.

For instance before writing his monumental work politics Aristotle studied 158 constitutions. Montesquieu studied the working of the British constitution and came to the conclusion that the stability of British constitution was due to the adherence to the principle of separation of powers.

#### 2. Legal-Institutional Approach

Scholars like Bentham, Austin and Dicey adopted this approach, This approach focuses on formal legal structure of political institutions. They helped to develop certain theories which explain the relationship and interconnection between government and Law. Bentham is the distinguished legal reformer in England Likewise Austin provided a legal base to sovereignty which is indivisible, inalienable and absolute. A.V.Dicey judged the government on the basis of law and its applicability to different branches of government.

#### 3. Political Economy Approach

This approach deals with economic aspects of the government which gives economic interpretation of politics also deals with role of market, mode of production and delivering goods to the society. This approach is classified into liberal political economy and the Marxist political economy approach.

#### 4. Political Sociology Approach

This approach derived its ideas from sociology and anthropology also known as systems approach. Political sociology asserts that government or political system is a sub system of a larger social system. This approach examines the interaction between the larger and the sub systems.

Early Montesque proposed a three-fold division of Government namely Republican, Monarchical and Despotism. Republican Government: "People possess the sovereign Power".

**Monarchical Government:** "Rule by one single person and governed by fixed and established laws".

**Despotic government:** "Rule by one single person but there is no fixed rule for governance, everything conducted by his will. According to Montesque the survival of the government depends on "persistence in given society of that particular spirit which is characteristic of the form".

## Meaning, Definition and Nature of Government

Government refers to the executive functions of the state. It denotes a body having authority to make and enforce laws applicable to the civil, corporate, religious, academic or other groups.

The term Government is derived from an old French word "governor", derived from Latin word "gubernare" which means to direct, rule, guide, govern.

Aristotle's Classification of Governments Aristotle identified a combination of two criteria to classify the constitution that he analysed.

**Criteria One:** Number of People having Power - One, Few, Many; Thus he distinguished between Monarchy, Aristocracy and Polity **Criteria Two:** To whose interest the Government works for - Working in General Interest, Working in Personal Interest. The respective perverted forms of the three types are Tyranny, Oligarchy and Democracy

## Unitary Form of Government

A unitary system of government, or unitary state, is a sovereign state governed as a single entity. The central government is supreme, and the administrative divisions exercise only powers that the central government has delegated to them.

## England, France, Japan, Sri Lanka are examples of Unitary Form of governments.

In a Unitary form of government all authority and power vested in a single centre whereas in a federal form of government authority and power distributed between centre and the constituent units. Even in a Unitary form of Government there might be a lot of decentralization of authority but we cannot claim it as a federal system.

### Definition:

Some leading political thinkers defined unitary form of government as follows:

**A.V.DICEY:** "Habitual exercise of supreme legislative authority is by one central power"

**GARNER:** "Where the whole power of government is conferred by the constitution upon a single central organ"

**C.F.STRONG:** "Two important qualities of the Unitary Government".

They are:-

The supremacy of the central government;

The absence of the subsidiary sovereign bodies.

The distinction between subsidiary law-making bodies and subsidiary sovereign bodies is the distinction between the local authorities in a unitary state and constituent units in a federal state.

Where: A constitution, Unitary and highly centralised on paper, may be almost federal in practice; A federal constitution may be, in practice, Unitary, as indeed are the so-called federal constitutions of Mexico, Venezuela, Brazil and Argentina".

## Merits of Unitary Form of Government

- a. Suitable for small countries.
- b. There is no conflict of authority and responsibility.
- c. A unitary government will make prompt decisions and take speedy action.
- d. A unitary government is less expensive.

- e. Amendments to the constitution are easy.
- f. There is unity, uniformity of law, policy and administration.

### **De-Merits of Unitary Form Government**

- a. It is not suitable for big countries.
- b. The central government will have to tackle so many complex problems that lead to administrative delay.
- c. The central government will not concentrate on local problems, local interest and initiative.
- d. The concentration of powers may pave way for the despotism of the central government.

### **Unitary Features of Indian Constitution**

#### **i. Strong Centre**

The division of powers is in favour of the Centre and highly inequitable from the federal angle. Firstly, the Union List contains more subjects than the State List. Secondly, the more important subjects have been included in the Union List. Thirdly, the Centre has overriding authority over the Concurrent List. Finally, the residuary powers have also been left with the Centre, while in the US, they are vested in the states. Thus, the Constitution has made the Centre very strong.

#### **ii. Central Government's control over state territory**

Unlike in other federations, the states in India have no right to territorial integrity. The Parliament can by unilateral action change the area, boundaries or name of any state.

#### **iii. Single Constitution**

Usually, in a federation, the states have the right to frame their own Constitution separate from that of the Centre. In India, on the contrary, no such power is given to the states. The Constitution of India embodies not only the Constitution of the Centre but also those of the states. Both the Centre and the states must operate within this single-frame. The only exception in this regard is the case of Jammu and Kashmir which has its own (state) Constitution.

#### **iv. Flexibility of the Constitution**

The bulk of the Constitution can be amended by the unilateral action of the Parliament, either by simple majority or by special majority. Further, the power to initiate an amendment to the Constitution lies only with the Centre. In India states don't have the right to propose amendment unlike in U.S.A

#### **v. Unequal representation of states**

In a federation states are given with equal representation with regard to upper house, but in India states are not given with equal representation with regard to Rajya Sabha.

#### **vi. Emergency Provisions**

During an emergency, the Central government becomes all powerful and the states go into the total control of the Centre. It converts the federal structure into a unitary one without a formal amendment of the Constitution. This kind of transformation is not found in any other federation.

#### **vii. Single Citizenship**

India adopted the system of single citizenship. There is only Indian Citizenship and no separate state citizenship. All citizens irrespective of the state in which they are born or reside enjoy the same rights all over

the country. The other federal states like US, Switzerland and Australia have dual citizenship, that is, national citizenship as well as state citizenship.

#### **viii. Single Integrated Judiciary**

It means that all the courts of India are in a hierarchical order from the lower courts to the Supreme Court of India. Courts in India have Original and Appellate Jurisdiction.

#### **ix. All India Services**

It has the features of All India Services or Central Services, and the State Civil Services. The Central and All India services promotes uniform administrative system and process throughout India.

#### **Federal Form of Government**

The classification of governments into unitary and federal is based on the nature of relations between the national government and the regional governments. A federal government is one in which powers are divided between the national government and the regional governments by the Constitution itself and both operate in their respective jurisdictions independently. US, Switzerland, Australia, Canada, Russia, Brazil, Argentina have the federal form of government. In a federal model, the national government is known as the Federal government or the Central government or the Union government and the regional government is known as the state government or the provincial government.

#### **Federal Features Of Indian Constitution**

##### **a. Dual Government**

The Indian Constitution establishes a dual polity consisting the Union at the Centre and the states at the periphery. Each is endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution.

##### **b. Written Constitution**

The articles of the Constitution are written and cannot be easily changed without due parliamentary approval.

##### **c. Division of Powers**

The Constitution divided the powers between the Centre and the states in terms of the Union List, State List and Concurrent List in the Seventh Schedule.

##### **d. Supremacy of the Constitution**

The Constitution is the supreme law of the land. The laws are enacted by the Centre and the states must conform to its provisions.

##### **e. Rigid Constitution**

Amendment of the Constitution is by a procedure of 2/3rd majority in each of the house and laws cannot be easily changed by any ruling party.

##### **f. Independent Judiciary**

The Judiciary is separated from the Executive and Legislature. The Judiciary gave its national and state level jurisdictions, exercises Original, Appellate and Judicial Review functions. It functions independently of the Executive and Legislature.

## **g. Bicameralism**

It provides for a two-house legislature that has an Upper chamber and Lower chamber. With the Lower house having powers of enacting financial legislation.

### **Merits of Federal Form Government**

- a. Reconciliation of local autonomy with national unity.
- b. Division power between centre and states leads to administrative efficiency.
- c. It gives rise to big states.
- d. Distribution powers checks the despotism of central government.
- e. More suitable for bigger countries.
- f. It is good for economic and cultural progress.
- g. De-Merits Of Federal Form Government.
- h. Federal government is weaker when compared to the unitary government.
- i. Federal government is more expensive.
- j. Provincial tendencies are very common.
- k. lack of uniformity in Administration.
- l. Threat to national unity.
- m. Distribution powers between centre and states lead to conflict.
- n. Double Citizenship.
- o. Rigid constitution cannot be amended easily for the changing needs.
- p. The state governments sometimes place hindrances in the foreign policy.

<b>S.NO</b>	<b>Unitary Form of Government</b>	<b>Federal Form of Government</b>
1	Only one Level of Government or Subunits	Two Levels of Government
2	Mostly Single Citizenship	Dual Citizenship
3	Sub Units cannot operate Independently	Federal Units are answerable to Central Government
4	No Division of Power	Division of Power
5	Centralisation of Power	Decentralisation of Power

### **Parliamentary form of government**

Modern democratic governments are classified into parliamentary and presidential on the basis of nature of relations between the executive and the legislative organs of the government. The parliamentary system of government is the one in which the executive is responsible to the legislature for its policies and acts. The presidential system of government, on the other hand, is one in which the executive is not responsible to the legislature for its policies and acts, and is constitutionally independent of the legislature in respect of its term of office.

The parliamentary government is also known as cabinet government irresponsible government or Westminster model of government and is prevalent in Britain, Japan, Canada, India among others.

Ivor Jennings called the parliamentary system as 'cabinet system' because the cabinet is the nucleus of power in a parliamentary system. The parliamentary government is also known as 'responsible government' as the cabinet (the real executive) is accountable to the Parliament and stays in office so long as it enjoys the latter's confidence.

It is described as 'Westminster model of government' after the location of the British Parliament, where the parliamentary system originated. In the past, the British constitutional and political experts described the Prime Minister as 'primus inter pares' (first among equals) in relation to the cabinet. In the recent period, the

Prime Minister's power, influence and position have increased significantly vis-a-vis the cabinet. He has come to play a 'dominant' role in the British politico-administrative system.

### Features of parliamentary form of government

**Nominal and Real Executives:** The President is the nominal executive (de jure executive or titular executive) while the Prime Minister is the real executive (de facto executive). Thus, the President is head of the State, while the Prime Minister is head of the government.

**Majority Party Rule:** The political party which secures majority seats in the Lok Sabha forms the government. The leader of that party is appointed as the Prime Minister by the President; other ministers are appointed by the President on the advice of the prime minister. However, when no single party gets the majority, a coalition of parties may be invited by the President to form the government.

**Collective Responsibility:** This is the bedrock principle of parliamentary government. The ministers are collectively responsible to the Parliament.

**Double Membership:** The ministers are members of both the legislature and the executive.

**Leadership of the Prime Minister:** The Prime Minister plays the leadership role in this system of government. He is the leader of council of ministers, leader of the Parliament and leader of the party in power. In these capacities, he plays a significant and highly crucial role in the functioning of the government.

### Merits of the parliamentary form of government

**Harmony between Legislature and Executive:** The greatest advantage of the parliamentary system is that it ensures harmonious relationship and cooperation between the legislative and executive organs of the government. The executive is a part of the legislature and both are inter dependent at work. As a result, there is less scope for disputes and conflicts between the two organs.

**Responsible Government:** In the parliamentary system establishes a responsible government. The ministers are responsible to the Parliament for all their acts of omission and commission. The Parliament exercises control over the ministers through various devices like question hour, discussions, adjournment motion, no confidence motion, etc.

**Prevents Despotism:** Under this system, the executive authority is vested in a group of individuals (council of ministers) and not in a single person. This dispersal of authority checks the dictatorial tendencies of the executive. Moreover, the executive is responsible to the Parliament and can be removed by a no-confidence motion.

**Wide Representation:** In a parliamentary system, it is possible to provide representation to all sections and regions in the government. The prime ministers while selecting his minister scan take this factor into consideration.

### Demerits of the parliamentary form of government

**Unstable Government:** The parliamentary system does not provide a stable government. There is no guarantee that a government can survive its tenure. The ministers depend on the majority legislators for their continuity and survival in office. A no-confidence motion or political defection or evils of multiparty coalition can make the government unstable.

**No Continuity of Policies:** The parliamentary system is not conducive for the formulation and implementation of long-term policies. This is due to the uncertainty of the tenure of the government. A change in the ruling party is usually followed by changes in the policies of the government.

**Dictatorship of the Cabinet:** When the ruling party enjoys absolute majority in the Parliament, the cabinet becomes autocratic and exercises nearly unlimited powers.

Harold J Laski says that the parliamentary system gives the executive an opportunity for tyranny.

Ramsay Muir, the former British Prime Minister, also complained of the 'dictatorship of the cabinet'.

**Against Separation of Powers:** In the parliamentary system, the legislature and the executive are together and inseparable. The cabinet acts as the leader of legislature as well as the executive. Hence, the whole system of government goes against the letter and spirit of the theory of separation of powers.

Raju Ramachandran, senior advocate at the Supreme Court of India.

This debate is academic. A switchover to the presidential system is not possible under our present constitutional scheme because of the 'basic structure' doctrine propounded by the Supreme Court in 1973 which has been accepted by the political class without reservation, except for an abortive attempt during the Emergency by Indira Gandhi's government to have it overturned. The Constituent Assembly had made an informed choice after considering both the British model and the American model and after Dr. B.R. Ambedkar had drawn up a balance sheet of their merits and demerits. To alter the informed choice made by the Constituent Assembly would violate the 'basic structure' of the Constitution. I must clarify that I have been a critic of the 'basic structure' doctrine.

### **Abuse of power worries**

A presidential system centralizes power in one individual unlike the parliamentary system, where the Prime Minister is the first among equals. The surrender to the authority of one individual, as in the presidential system, is dangerous for democracy. The overcentralization of power in one individual is something we have to guard against. Those who argue in favour of a presidential system often state that the safeguards and checks are in place: that a powerful President can be stalled by a powerful legislature. But if the legislature is dominated by the same party to which the President belongs, a charismatic President or a "strong President" may prevent any move from the legislature. On the other hand, if the legislature is dominated by a party opposed to the President's party and decides to checkmate him, it could lead to a stalemate in governance because both the President and the legislature would have democratic legitimacy.

A diverse country like India cannot function without consensus-building. This "winner takes it all" approach, which is a necessary consequence of the presidential system, is likely to lead to a situation where the views of an individual can ride roughshod over the interests of different segments.

### **What about the States?**

The other argument, that it is easier to bring talent to governance in a presidential system, is specious. You can get 'outside' talent in a parliamentary system too. Right from C.D. Deshmukh, T.A. Pai, Manmohan Singh, M.G.K. Menon and Raja Ramanna talent has been coming into the parliamentary system with the added safeguard of democratic accountability, because the 'outsiders' have to get elected after assuming office. On the other hand, bringing 'outside' talent in a presidential system without people being democratically elected would deter people from giving independent advice to the chief executive because they owe their appointment to him/her.

Those who speak in favour of a presidential system have only the Centre in mind. They have not thought of the logical consequence, which is that we will have to move simultaneously to a "gubernatorial" form in the States. A switch at the Centre will also require a change in the States. Are we ready for that? Changing to a presidential system is the best way of ensuring a democracy that works.

Our parliamentary system is a perversity only the British could have devised: to vote for a legislature in order to form the executive. It has created a unique breed of legislator, largely unqualified to legislate, who has sought election only in order to wield executive power. There is no genuine separation of powers: the legislature cannot truly hold the executive accountable since the government wields the majority in the House. The parliamentary system does not permit the existence of a legislature distinct from the executive, applying its collective mind freely to the nation's laws.

For 25 years till 2014, our system has also produced coalition governments which have been obliged to focus more on politics than on policy or performance. It has forced governments to concentrate less on governing than on staying in office, and obliged them to cater to the lowest common denominator of their coalitions, since withdrawal of support can bring governments down. The parliamentary system has distorted the voting preferences of an electorate that knows which individuals it wants but not necessarily which parties or policies.

### **Failures in the system**

India's many challenges require political arrangements that permit decisive action, whereas ours increasingly promote drift and indecision. We must have a system of government whose leaders can focus on governance rather than on staying in power.

A system of directly elected chief executives at all levels - panchayat chiefs, town mayors, Chief Ministers (or Governors) and a national President elected for a fixed term of office, invulnerable to the whims of the legislature, and with clearly defined authority in their respective domains - would permit India to deal more efficiently with its critical economic and social challenges.

Cabinet posts would not be limited to those who are electable rather than those who are able. At the end of a fixed period of time – say the same five years we currently accord to our Lok Sabha the public would be able to judge the individual on performance in improving the lives of Indians, rather than on political skill at keeping a government in office.

The fear that an elected President could become a Caesar is ill-founded since the President's power would be balanced by directly elected chief executives in the States. In any case, the Emergency demonstrated that even a parliamentary system can be distorted to permit autocratic rule. Dictatorship is not the result of a particular type of governmental system.

### **Direct accountability**

Indeed, the President would have to work with Parliament to get his budget through or to pass specific Bills. India's fragmented polity, with dozens of political parties in the fray, makes a U.S.-style two-party gridlock in Parliament impossible. An Indian presidency, instead of facing a monolithic opposition, would have the opportunity to build issue-based coalitions on different issues, mobilising different temporary alliances of different smaller parties from one policy to the next - the opposite of the dictatorial steamroller some fear a presidential system could produce.

Any politician with aspirations to rule India as President will have to win the support of people beyond his or her home turf; he or she will have to reach out to different groups, interests, and minorities. And since the directly elected President will not have coalition partners to blame for his or her inaction, a presidential term will have to be justified in terms of results, and accountability will be direct and personal.

Democracy, as I have long argued, is vital for India's survival: we are right to be proud of it. But few Indians are proud of the kind of politics our democracy has inflicted upon us. With the needs and challenges of one-sixth of humanity before our leaders, we must have a democracy that delivers progress to our people. Changing to a presidential system is the best way of ensuring a democracy that works. It is time for a change.

**Upendra Baxi**, legal scholar and the former vice-chancellor of Delhi University

I think the debate has a life cycle of its own. It has been brought up and discussed whenever there has been a super-majority government. From Jawaharlal Nehru to Indira Gandhi to the present, the presidential system has been debated extensively around two aspects: is it desirable, and second, is it feasible?

To tackle the second aspect first, unless the Supreme Court changes its mind, any such amendment would violate the 'basic structure' of the Constitution as was decided with, and since, the KesavnandaBharthi case. There is no way to get around this unless the Supreme Court now takes a wholly different view.

### **Different models**

On the desirability aspect, which presidential system are we talking about when we pit the American presidential system against the Westminster model? In the American system, the President appoints his officers; they have limited tenure and their offices are confirmed by the Senate (Upper House). Then, we have the Latin American model, where some Constitutions give Presidents a term often amounting to a life tenure like in Cuba. There are plenty of models to choose from and there are arguments against each. So, which system is being argued for when the votaries of change seek a shift to the presidential system?

Our Rajya Sabha cannot be compared to the U.S. Senate where each state has its own Constitution and has the power to change it. The relationship between the states and the federal government is extraordinary; as is the status of their courts and the manner of appointment of judges. I do not think people have thought about it. Merely stating that a change to the presidential system is needed does not mean much. The Indian debate currently is not focussed on the kind of presidential system envisaged. What is the term we are seeking for the President? Should he/ she be re-elected? If so, for how many terms? Then, who decides the change?

Parliament? All this requires a massive amendment to the 'basic structure' of the Constitution. The Supreme Court has spelt its view on the 'basic structure' of the Constitution.

Giving an opinion is one thing. A judgment is a more carefully considered conclusion. Those who support the presidential system should do their homework when they argue against the parliamentary system. There is also the matter of separation of powers. In the U.S., the President, who is also the Supreme Commander, has the power to veto the Congress. Does India need this? The manner of removing the U.S. President through impeachment is a very complex process. There is also the possibility of aggregating more powers to the President.

One could argue that the parliamentary system too runs a similar risk. I do not think it has been thought over. It is not on the table yet.

### **Reform the process**

On the other hand, there are ideas going around about reforming the electoral processes to make democracy more robust. From limiting expenditure of political parties and deciding the ceiling on the expenditure, to holding simultaneous elections, declaring the results for a combination of booths instead of constituencies – I think it is advisable to debate this and ensure that the gaping loopholes in the electoral processes are speedily plugged.

The present parliamentary system has been tried and tested for nearly 70 years. Rather than change the system, why not reform thoroughly and cleanse the electoral processes?

### **Why the framers of the Indian Constitution adopted for the Parliamentary Form of Government**

1. Familiarity with the System
2. Preference to More Responsibility
3. Need to Avoid Legislative – Executive Conflicts
4. Nature of Indian Society, India is one of the most heterogeneous States and most complex plural

societies in the world. Hence, the Constitution-makers adopted the parliamentary system as it offers greater scope for giving representation to various sections, interests and regions in the government. This promotes a national spirit among the people and builds a united India.

### Presidential Form of Government

The Presidential Form of Government is also known as non-responsible or non-parliamentary or fixed executive system of government basically built on the principle of separation of power, and is prevalent in USA, Brazil, Russia, Sri Lanka among others.

### Features of Presidential Form of Government

The American President is both the head of the State and the head of government. As the head of State, he occupies a ceremonial position. As the head of government, he leads the executive organ of government.

The President is elected by an electoral college for a fixed tenure of four years. He cannot be removed by the Congress except by impeachment for a grave unconstitutional act.

The President governs with the help of a cabinet or a smaller body called 'Kitchen Cabinet'. It is only an advisory body and consists of non-elected departmental secretaries. They are selected and appointed by him, are responsible only to him, and can be removed by him any time.

The President and his secretaries are not responsible to the Congress for their acts. They neither possess membership in the Congress nor attend its sessions.

The President cannot dissolve the House of Representatives – the lower house of the Congress.

The doctrine of separation of powers is the basis of the American presidential system. The legislative, executive and judicial powers of the government are separated and vested in the three independent organs of the government.

### Difference between Parliamentary Form of Government and Presidential Form of Government

S.No	Presidential Form of Government	Parliamentary Form of Government
1	President is directly elected by the People	Prime Minister is the leader of majority Party Central
2	President is Supreme	Legislature is supreme
3	Separation of Powers	Absence of Separation Powers Centralization
4	Independent branches	Independent branches with Overlapping functions
5	President - head of the State	President - head of the State
6	President - head of the Government	Prime Minister - head of the Government
	Separation of Powers	Centralization
	Independent branches	Independent branches with Overlapping functions
	Individual Leadership	Collective leadership
	President is not accountable to Congress	Collective and Individual Responsibility

“World Bank - World Development Report 1997 : The State In A Changing World”.

The report is devoted to the role and effectiveness of the state: what it should do, how it should do it, and how it can improve in a rapidly changing world. Governments with both centrally-planned and mixed economies are shrinking their market role because of failed state interventions.

This report takes an opposite stance: that state's role in the institutional environment underlying the economy, that is, its ability to enforce a rule of law to underpin transactions, is vital to making government contribute more effectively to development. It argues against reducing government to a minimalist state, explaining that development requires an effective state that plays a facilitator role in encouraging and complementing the activities of private businesses and individuals.

The report presents a state reform framework strategy: First, focus the state's activities to match its capabilities; and second, look for ways to improve the state's capability by re-invigorating public institutions. According to this report, five fundamental tasks are core of every government's mission, without which sustainable, shared and poverty reducing development is impossible.

#### **They are...**

Establishing a foundation of law

Maintaining macroeconomic stability

Investing in basic social services and infrastructure

Protecting the vulnerable

Protecting the environment

#### **The Concept of Governance from Government to Governance**

Good governance is an indeterminate term used in the international development literature to describe how public institutions conduct public affairs and manage public resources. Governance is “the process of decision-making and the process by which decisions are implemented”.

“Government” and “governance” are synonyms, both denoting the exercise of authority in an organization, institution or state. Government and governance became distinguished along the following dimensions:

What activities are encompassed in the act of governing?

What actors are involved in governance?

What processes have made this redefinition necessary?

What criteria are used to evaluate good governance?

What capacities should be developed to achieve it?

Governance is the exercise of political, economic and administrative authority to manage a nation's affairs ...Governance embraces all of the methods - good and bad- that societies use to distribute power and manage public sources and problems  
(UNDP, 1997):

Governance is the manner in which power is exercised in the management of a country's social and economic resources for development (ADB, 2000)

The movement from government to governance is not merely a task of creating new institutions but also that of refurbishing old ones. The state has to be strengthened to play a new role. It is also for the civil society to accept that democracy is not going to polls every five years but being vigilant and monitoring institutional performance and holding them accountable throughout these years.

#### **Partnership with civil society**

In the shift of government to governance the role of civil society has been very significant. There have been two kinds of strands in this role,

a. Social Movements

b. Non-Governmental Organizations

Social Movements which works for the cause of poor and marginalized do influence the governments to be responsive to their needs through changes in institutions, laws and procedures.

NGO's have taken up diverse roles that also involve implementation of government programmes.

Social movements and NGO's occupied new spaces in the political process and delivering public services.

### **Characteristics of good governance**

#### **Participation**

All men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their interests.

Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.

#### **Rule of Law**

Legal frameworks should be fair and enforced impartially, particularly the laws on human rights.

#### **Transparency**

Transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.

#### **Responsiveness**

Institutions and processes try to serve all stakeholders.

#### **Consensus orientation**

Good governance mediates differing interests to reach a broad consensus on what is in the best interests of the group and, where possible, on policies and procedures.

### **GOOD GOVERNMENT**

#### **Equity**

All men and women have opportunities to improve or maintain their well-being.

#### **Effectiveness and efficiency**

Processes and institutions produce results that meet needs while making the best use of resources.

#### **Accountability**

Decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external to an organization.

#### **Strategic Vision**

Leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.

### **6.8 How to evaluate the performance of a government?**

It is difficult to evaluate the performance of a government with unifactor analysis; the actual assessment can be done only after considering various aspects of governance, namely Socio, Cultural, Political, Economic, and Environmental factors. To evaluate the performance of a government the following factors can be considered.

#### **Socio Cultural factors**

- Gender Parity Index

- Religious Freedom
- Equality Based on caste
- Protection of religious and Linguistic Minority Rights
- Gender Budgeting

#### **Political factors**

- Effective functioning of Democracy
- Free and fair elections
- Corruption free Politics and Administration
- Transparency in Administration Independent Press
- Independent Judiciary
- Human Rights

#### **Economic factors**

- Human Development Index (HDI)
- Gross Domestic Product (GDP)
- Purchasing Power Parity (PPP)
- Growth Vs Development
- Equal Distribution of Wealth

#### **Environmental factors**

- Sustainable Development Goals
- National Action Plan for Climate change(NAPC)
- Green Budget
- Disaster management

#### **Gross National Happiness (GNH):**

Gross National Happiness is a developing philosophy as well as an “index” which is used to measure the collective happiness in any specific nation. The Concept was first mentioned in the constitution of Bhutan, which was enacted on 18 July 2008.

The term “gross national happiness” was coined by the fourth king of Bhutan, JigmeSingyeWangchuck, in the 1970s. The GNH's central tenants are: “Sustainable and equitable socio-economic development; environmental conservation; preservation and promotion of culture; and good governance”. GNH is distinguishable by for example valuing collective happiness as the goal of governance, and by emphasizing harmony with nature and traditional values.

#### **Bicameral Legislature**

A legislature that comprises two parts or chambers. The USA Congress is a bicameral legislature; its two chambers are the House of Representatives and the Senate. Compare with unicameral legislature.

#### **Capitalism**

An economic system in which the means of production and distribution are mainly in private ownership for private gain at the expense of the non-owners. Mechanisms include free markets and freedom of contract.

#### **Checks and Balances**

A principle of a system of government whereby each branch of the government can check the actions of the others. As originally conceived, this was true of the government of the USA.

#### **Concurrent Powers**

Powers held jointly by the national and state governments.

**Confederal System**

A league of independent states, each having essentially sovereign powers. The central government created by such a league has only limited powers over the states.

**Confederation**

A voluntary association of states; usually limits central authority to foreign affairs and is less permanent than a federation. A political system where states or regional governments retain ultimate authority, except for powers expressly delegated to a central government.

**Constitution**

The fundamental law of a nation. Defines the power of the government; specifies offices and their authority.

**Consent of the People**

Governments and laws are legitimate implicitly from the consent of those governed.

**Democratic Republic**

A republic in which the representatives elected by the people make and enforce laws and policies.

**Devolution.**

Transfer of powers from the national or central government to state or local government. This happened in the United Kingdom in the late twentieth century.

**Direct Democracy**

A system of government where political decisions are made by the people directly, rather than by their elected representatives.

**Dominant Culture**

Values, customs, and language of the group(s) that control politics and government in a society.

**Federal System**

A system of government where power is divided between a central government and regional, or sub divisional, governments. Each of those levels has a domain where its policies are dominant. And each has political or constitutional guarantee of authority.

**Federalism**

A political system in which authority is shared between a central government and a state or regional government.

**Federation**

An association of states; usually more permanent than a confederation. A political system where states or regional governments retain ultimate authority, except for powers expressly delegated to a central government.

**Legislature**

That part of government primarily responsible for making laws.

**Legitimacy**

Acceptance by the citizens of the right and power of a government or ruler to exercise authority.

**Liberal Democracy**

Democratic government that provides for the protection of individual human rights, in order to prevent a majority from oppressing a minority.

**Liberalism**

Advocacy of positive government action to improve the welfare of individuals, support for civil rights, and tolerance for political and social change.

**Limited Government**

A government whose powers are limited, particularly by institutional checks.

**Parliamentary System**

Representative democracy where political power is vested in an elected legislature. Used in most European countries.

**Presidential System**

Representative democracy where political power is vested in separately elected and appointed branches of national government. This system is used in the USA.

**Representative Democracy**

A form of government in which representatives are elected by the people to make and enforce laws and policies. Political decisions are made by the officials elected by the people. [Some such democracies retain a monarchy in a ceremonial role.]

**Republic**

A form of government in which sovereignty rests with the people (or a portion of the people), as opposed to a king or monarch or dictator. This form of Representative Democracy was created by the framers of the US constitution.

**Separation of Powers**

The division of governmental functions and powers among different branches of government, so that the various self-interests of each group would moderate those of the others.

**Theocracy. [From Greek theos = god and krateein = to rule.]**

Rule by a god, which in practice means rule by a priesthood. No separation of church and state. Compare with aristocracy.

**Totalitarian**

A regime of command by the government and obedience by the citizens. The regime controls all aspects of political and social life (as in George Orwell's 1984). In contrast with an authoritarian state, all social and economic institutions are under government control.

**Unicameral Legislature**

A legislature that comprises a single part or chamber. In the USA (early 21st century) only the state of Nebraska has a unicameral legislature. Compare with bicameral legislature.

**Unitary System**

A centralized governmental system where local or regional governments exercise only the powers that the central government gives them.

**Universal Suffrage.**

[From Latin suffragium = voting tablet, vote.] The right and privilege of all adults to vote for their representatives.

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## Unit 7 Political Thought

### Topic

Life and Times - Plato's Works - Plato's Thought: Ideal State - Idea of Justice - Concept of Education - Views on Democracy - Classification of Constitutions - Bringing up of Children - Plato's Dialectical Method - Assessment - Activities - Questions

### Life and Times

This introductory chapter - Provides insights into the meaning of Politics and the manner in which it affects the lives of people. Plato was born in 427/428 BCE. He belonged to an aristocratic family in Athens a Greek City State. Plato's real name was 'Aristocles'. Some historical sources say his wrestling coach Ariston of Argos dubbed him 'Platon' meaning

'Broad' on account of his large build. He was a disciple of Socrates who was one of the foremost philosophers of Greece. During his time there was great chaos in the political life of Athens which was a Greek City State. This resulted in the Athenian government condemning Socrates to death because of his teachings. This greatly affected Plato's views on politics especially in Athens.

In about 387 BCE Plato founded his 'Academy'. The name 'Academy' comes from the name of a famous Athenian hero called 'Akademos'. Here Plato taught Political Philosophy which contained politics, ethics, mathematics and sociology.

### Plato's Works

The three most important works of Plato are 'The Republic' (386 BCE), 'The Statesman' (360 BCE) and 'The Laws' (347 BCE). Apart from these works, he has written a number of other smaller books.

### Plato's Thought

The important ideas of Plato are found in his three major works and can be summarised as follows:

#### Ideal State

In Political Science, the most important concept around which the subject is built is 'The State'. According to him in an Ideal State (i.e., the most suitable State for a human being to live in according to Plato) should be made up of three classes namely Ruling Class, Military Class and Economic Class. He gives details of how this is possible in his subsequent ideas of Justice and Education.

#### Idea of Justice

He believed that justice resided both in one single human being as well as the State. He said every human being is endowed with three qualities though in different proportions. He said these qualities are Reason, which resides in a person's head, Spirit which resides in a person's heart and Appetite which resides in a person's stomach. He said these are the three parts of the human soul. Firstly, he said true justice is that, these three parts should do their rightful business in order to make a human being whole. Secondly, these three parts existing in every individual, should be faithfully reflected in the State which is a collective of human beings as a whole through the formation of the three classes namely, Ruling Class, Military Class and Economic Class by which his Ideal State is formed.

#### Concept of Education

Plato designs an education system based on various stages suited to the age of the students from childhood to adulthood. He also devises methods of eliminations as higher stages of education is reached by human beings depending on the proportion of the three parts of their souls namely reason, spirit and appetite. Persons who are found suited to fulfil economic duties of the State are separated from the ones suited for Ruling and Military services. In the second process of elimination the persons suited for ruling are given special training to become what Plato calls 'Philosopher Kings' to rule his 'Ideal State'.

## Views on Democracy

In his work 'The Republic' Plato had practically condemned Democracy. He had developed the idea that all were not fit to rule and that only the philosophers who had been specially trained for the purpose should rule. He said this because it was Athenian Democracy which condemned his teacher Socrates to death.

## Classification of Constitution

Plato's idea of a constitution is much different from the modern understanding of this term. By constitution he meant a particular way of life the people of a society have designed for their wellbeing. This included social customs, traditions, practices and also politics and government to oversee all these. Plato discussed about constitutions as they existed in many parts of the world during his time and as they ought to be. He classified constitutions as Aristocracy, Timocracy, Oligarchy, Democracy and Tyranny. He also said that there is a tendency of Aristocracy to degenerate into Timocracy, Timocracy into Oligarchy, Oligarchy into Democracy and Democracy into Tyranny.

## Bringing up of Children

According to Plato, children were national possession and as such it was obligatory on the part of the State to bring them up according to their attitudes.

## Plato's ideas as Theory

**Plato** used this method in his book 'The Republic'. He writes this book as if he is asking questions as a student and **Socrates** is answering as his teacher. 'Dialectics' is a question and answer type of method where the student has a vague idea about something and throws questions to the teacher about it and the teacher's answers are again questioned. By this the teacher facilitates the student to formulate and reformulate his idea in order to arrive at the best possible understanding of the idea.

## Plato's dialectical Method

**Plato** used this method in his book 'The Republic'. He writes this book as if he is asking questions as a student and **Socrates** is answering as his teacher. Unlike 'Didactics' i.e. a teacher authoritatively teaches a subject because the teacher knows it and the students don't, 'Dialectics' is a question and answer type of method where the student has a vague idea about something and throws questions to the teacher about it and the teacher's answers are again questioned. By this the teacher facilitates the student to formulate and reformulate his idea in order to arrive at the best possible understanding of the idea.

## Assessment

**Plato**, though by no means the first philosopher, undoubtedly is one of the earliest to leave us a significant body of work. He spent most of his time asking and providing answers to questions that have always troubled people. Even centuries after his death, if we think of politics and the problems of living together, the issues that confront us again and again very often involve the sorts of questions that **Plato's** Republic can help us think about in a more focused and sophisticated way. Hence, **Plato** is considered the most influential political philosopher of all times.

## Aristotle(384 - 322 BCE)

### Topic

Life And Times - **Aristotle's** Works - State As a Natural Institution - Functions of The State - Theory of Citizenship - Classification of States-Views on Slavery Views on Family - Views on Property - AristotleanLiesure - Views on Revolution Assessment - Activities - Questions

## Life and Times

William Ebenstien says" In the history of political philosophy no one has surpassed **Aristotle** in encyclopaedic interest and accomplishment".

**Aristotle** was **Plato's** student at his 'Academy'. After **Plato's** death, **Aristotle** found his own school called 'The Lyceum' in 335 BCE. It is here that Alexander studied under **Aristotle**. The teaching and research program included every branch of knowledge. **Aristotle** was born in Stagira in 384 BCE. Unlike **Plato**, **Aristotle** came from an upper middle class family. His father Nicomachus was the personal physician to king Amyntas of Macedon.

'**Aristotle**' whose name means 'the best purpose' stood true to his name when he proposed the 'Best Practicable State' as opposed to **Plato's** 'Ideal State'. According to **Aristotle**, "the State exists for an end and this end is the supreme good of man in both moral and intellectual life".

### **Aristotle's Works**

He wrote many books on subjects ranging from Greek literature to Zoology. But his most famous work is called 'Politics' from which modern Political Science has grown. Thus he is called as the 'father of Political Science'. Though the exact date of its publication is not known, it is a voluminous work consisting of 8 books and having more than 1000 pages.

Unlike **Plato's** agreement with his teacher **Socrates**, **Aristotle** did not agree on many things his teacher **Plato** had to say.

The whole is more than the Sum of its parts - **Aristotle**

### Aristotle's Thought

Almost all his political ideas are known through his book 'Politics'.

### **State as a Natural Institution**

According to him authority of the State is moral and the State is natural. Since the family could not satisfy the ever increasing needs of the people, they had to come out of their limited circle and thought of creating the State. The families combined together to make the State and made it a perfect association. **Aristotle** believes that the State is an individual writ large because the individual can think of perfection only in a State.

### **Functions of the State**

According to **Aristotle** the foremost function of the State is to promote good life and create essential conditions for mental, moral and physical development of the people. The State should also function in such a way that good habits of individuals are converted into good actions and promote good, happy and honorable life.

**Aristotle** :What do you want?

**Man** :Good Life.

**Aristotle** :Then be part of the State. **Manv** :How?

**Aristotl0e** :By becoming a CITIZEN.

### **Theory of Citizenship**

**Aristotle** did not believe that mere residence or enjoyment of legal rights or birth should confer the right of citizenship on a person. He said, "It is the function which entitles a person to become citizen". A person should participate in the popular assembly which was vested with the authority of exercising sovereign powers. A citizen should be able to partake in decision making process of the government.

### **Classification of States**

He classifies States on quantitative as well as qualitative basis:

## **Views on Family**

**Aristotle** believes that the family is a natural institution and in fact it existed prior to the State. It is natural as individuals become members from their very birth. It is the starting point of moral life and the nucleus of the State.

According to **Aristotle**, if sovereignty resides in one person it is Monarchy. It degenerates into Tyranny. Thus the people wrest the State from the tyrant and give it to a few rulers and thus Aristocracy comes into being. Then it perverts into Oligarchy, people again revolt and transfer power to many rulers by which the State becomes a Polity. When this degenerates, it becomes a Democracy because these rulers no longer have sight of the common good for which the State came into being. This again gives rise to Monarchy.

## **Views on Slavery**

According to **Aristotle**, the slave is the first of the animate property of a Master, i.e., the slave is first among all living property of the household of which the master is the head. He says those who are not virtuous are slaves. The slave is an instrument of action and not that of production because as soon as he starts performing productive functions, he loses his character as a slave and becomes virtuous.

## **Views on Property**

**Aristotle** supported the possession of private property which is essential for good and normal life. However, he prescribed limits to private property. He also objected to the abolition of private property.

## **Aristotlean Leisure**

The reason **Aristotle** says the citizens of a State must have property as well as slaves is because the citizens must have leisure, so that the citizen may spend useful time in thinking and deliberating on furthering the good life of all through the State.

## **Views on Revolution**

**Aristotle** is of the opinion that revolutions occur firstly due to constitutional changes. This change could be large or small. For e.g.: change from Monarchy to Tyranny could set off a revolution by the people. Secondly he says revolutions could occur due to loss of purpose of the State though there may not be any change in the State's constitution.

## **Aristotle's Six Forms of Government**

Thus, **Aristotle** is still considered one of the greatest thinkers in politics, psychology and ethics. His intellectual range was vast covering most of the sciences and many of the arts. His works have laid the foundation of centuries of philosophy. Even after the intellectual revolution of the Renaissance, the Reformation and the Enlightenment, Aristotelian concepts remain embedded in world philosophy. Therefore, he is undoubtedly one of the most influential philosophers of all time.

## **St. Thomas Aquinas (1224/1225-1274)**

### **Topics**

Life And Times - Aquinas' Works - **Aquinas'** Thought: Summa Contra Gentiles - Summa Theologica - on Kingship - Assessment - Activities - Questions

### **Life And Times**

In Western Europe the thirteenth Century was regarded as the golden age of western medieval philosophy. Catholicism emerged as the universal religion in Western Europe. Eventually **Aristotle's** Politics, re-emerged during the thirteenth century. Sharp differences arose between **Aristotle's** secular views and Augustine's religious ideas on sin, the Fall, and political society which were accepted by the church and as a binding doctrine. However, some philosophers faced the challenge of how to accommodate their theological views and a set of secular political assumptions, which finally resulted in the reconciliation of two different ways of understanding the world. They finally succeeded by terming politics and political theorizing as a trivial pursuit vis-a-vis people's higher calling of getting right with God. **St. Thomas**

Aquinas was the greatest among these Christian theologians who architected this major philosophical triumph.

**St. Thomas** Aquinas (1224 or 1225-1274) was born in the family castle of Roccasecca, north of Naples. His father was Landulf of Aquino, who headed a minor branch of an important land owning family and his mother was Theodora Rossi belonging to Neapolitan Carracciolo family.

### **Aquinas' Works**

In the nineteenth century, Pope Luis XIII declared that the philosophical system which Aquinas founded to be official Catholic theology, which made reading his works not only important for Catholics but also for those who sought a more than surface understanding of that branch of Christianity. Aquinas works included commentaries that stem from his theological design. Some of his important works include, (i) Summa Contra Gentiles (1264), (iii) Summa Theologica (1274) and (iv) On Kingship.

### **Aquinas' Thought**

#### **Summa Contra Gentiles**

It has often been said that Aquinas wrote the Summa Contra Gentiles (SCG) as a manual or text book designed to be used by the Dominican missionaries working in Spain where Islam was then a force to be reckoned with by Christians. The SCG is evidently an apologetic work, since it defends a series of Christian beliefs that were under criticisms or that could come under potential criticisms.

#### **Summa Theologica**

In his Summa Theologica, Aquinas establishes the existence of four levels of law which had an underlying unity which is reason. What differentiates one form of law from the other is the level of reason involved. The highest and most comprehensive among them is eternal law which is reason that is operative in the universe as a whole. It is the natural and the ethical order which God had established. The next is divine law which is a special category of eternal law which is the revealed word of God in the Scripture. The next level of law, Aquinas identifies as the natural law. The idea of natural law goes back to the stoics and refers to moral law that is discovered by reason alone. It assumes that man has the capacity to reason and arrive at certain

ethical conclusion that would be binding on them whether it is specified in the law or not. For example, we do not need to have a criminal code to understand that murder is wrong and behave accordingly. The uniqueness of Aquinas' theory of natural law is that it establishes a link between the natural and the supernatural - between nature and spirit. This is because, says Aquinas, that right and wrong are determined by God's eternal law and hence natural law is nothing else than the rational creature's participation in the eternal law. Human's moral reasoning is in short the extension of the spiritual principle that transcends nature. Finally, human law is the application of human reason to the precepts of natural law in specific earthly conditions.

#### **On Kingship**

The political theory of Aquinas closely parallels **Aristotle's**. His writings 'On Kingship' can be considered as the most methodical political work. Aquinas largely follows the pattern of arguments that were adopted by **Aristotle** in his 'Politics'. He argues that the State is natural because it is natural for man to be a social and political animal, and to live in a group. Consequently he emphasizes that political activity is necessary and good. Aquinas further like **Aristotle**, roots people's political nature in their capacity to reason and to speak. Subsequently he emphasizes that it is through reasoned action in the political sphere that humans achieve virtue and there for happiness and fulfilment. Like **Aristotle**, he believes that the state is a moral community where the moral good of its members are considered as its objective. Thus, he argues that the state should be based on justice and the best should rule for the good of the public which should be under the constraints of law. Such an argument leads us directly to the problem of classifying constitutions and yet again Aquinas follows the principles of **Aristotle** by using both qualitative and quantitative methods. He classifies constitution by the number of those who rule and the quality of their rule.

Law is nothing other than a certain ordinance of reason for the common good, promulgated by the person who has the care of the community.

## Assessment

**St. Thomas** Aquinas who is regarded as one of the great figures of medieval thought founded a tradition which came to be known as Thomism. The basis of his political theory can be found in his commentary on **Aristotle's** Politics in de regimine principum (on the Rule of Sovereigns) while he was at the papal court in Italy (1259-68). Following **Aristotle** he held that the state is a natural and not a conventional institution and it is a perfect society (communities perfecta). He argued that it is natural and not conventional because human beings were social animals. They needed to form a society to survive, prosper and for their cultural development. Gregarious animals do this by instinct but humans on the other hand do it by reason.

All power according to Aquinas comes from God since it involves the power of life and death which in the Church's doctrine is a prerogative of God. It is at this juncture that Aquinas deviates from **Aristotle** but returns when he turns to the question of the sovereign which is natural. It is natural in that without a governing body capable of making decisions that would be binding, it would result in anarchy and people would destroy each other. The sovereign or government in the view of Aquinas is the representative of those governed.

The state therefore, is not in any way dependent on the church. Aquinas argued that each had a separate role and an end. However, in Aquinas' view the Church is not subordinate to the state, whereas the state on the other hand must take into consideration of the Church since its end is higher than that of the state and is the ultimate end of the citizen. Aquinas likens the relationship of the church to the state to that of the soul and the body. Each has a separate role to play but ultimately the soul's purpose is loftier. Find out the other Christian political thinkers and discuss about them. Explore more about the University of Naples

## Niccolo Machiavelli(1469-1527)

### Topic

Life and Times - Works-Political Ideas: **Machiavelli's** Views on Human Nature - Separation Between Politics and Morality - **Machiavelli's** Methods - **Machiavelli's** Statecraft - Assessment - Activities - Questions

### Life and Times

**Machiavelli** was born in Florence, the center of Italian culture where influence of Italian culture where influence of the European Renaissance was the strongest among all areas as the third child of attorney Bernardo di **Niccolo Machiavelli** and his wife Bartolomea di Stefano Nelli. His writings reveal that he received an excellent humanist education that was informed by the Renaissance values. He entered the service of the Republican Government in 1494, the year of expulsion of the Medici. From 1498 to 1512 he was Secretary to the Chancellery an important post which was concerned with diplomatic, military and administrative affairs. In 1512, consequent upon the restoration of the Medici, **Machiavelli** lost his office and underwent a brief imprisonment after which he embarked on a literary career. **Machiavelli** wrote his famous monograph The Prince in 1513 which is addressed to Lorenzo de' Medici. Simultaneously he started writing another important work- the Discourses on the First Ten Books of Titus Livius (in short, the Discourses on Livy) which was completed in 1517. However, both of these works were published posthumously in 1531. **Machiavelli** also produced some minor literary works but his reputation as a political thinker rests on these two books.

### Machiavelli on Human Nature

**Machiavelli's** theory of Government is determined by his conception of the study of human nature. Like **Hobbes**, he is very pessimistic about human nature and believes that men by nature are purely selfish and they, in their lives, are always motivated by selfish desires. At one place in 'The Prince' he says, "Men are ungrateful, fickle, deceitful, cowardly and avaricious." He suggests that a monarch should aim to be feared by the people than be loved. For **Machiavelli**, love implies a bond of obligation which men, being essentially selfish, break on every occasion where their own interest demands it, while fear, for the same reason, holds them indefinitely. He feels that men judge things by appearances and so the ruler should take advantage of

this fact and act. For him men are weak and ignorant and are essentially vicious and become good only by necessity. He cautions the ruler never to trust his councilors but to use his own judgment.

**Machiavelli** holds the view that men have endless desires and one of the most important desire is the love for private property. He makes materialistic individualism as the explanation of love of independence and self-government. In the Discourses also he gives a pessimistic view of human nature. He maintains materialistic gain as the fundamental consideration of humans. He says that this motive of the people make them desire for republic and dislike monarchy. Under Republican government there are more chances for people to get material gain. This is not possible in a monarchy because the Prince takes all the gains and profits himself. An independent nation is preferred because a free nation enables the multiplication of wealth for the masses.

### **Separation between Politics and Morality**

In Greek political thought, ethics was viewed as the foundation of politics. But **Machiavelli** made a striking departure from this classical ideal. He believed that politics is governed by its own independent standards; hence it cannot be bound by the conventional ethical standards. He insisted on separation between politics and ethics. According to him the ruler should be honest, righteous and true to his word, but in reality nobody can have all these qualities and these qualities will not enable a ruler to rule over vicious people. So the Prince should focus on the preservation of the State without being bound by moral obligations. **Machiavelli** does not contend that 'ends justify the means' but he claims that a ruler's success will be judged by popular verdict, and that he will be excused for using dubious means if he is successful in the end. If political expediency requires the Prince to set aside traditional morality, he should go ahead in the interest of successful politics.

"Let a Prince set about the task of conquering and maintaining his State: his methods will always be judged honorable and he will be universally praised"

### **Niccolo Machiavelli on separation of politics from religion**

**Machiavelli** breaks away from the tradition maintained by **Plato, Aristotle, St. Thomas Aquinas** and others who believed in the ethical purpose of the State. He separates politics from both religion and morality and gives an autonomous status to politics. According to Machiavelli, it is not a practical policy for the prince to follow the principles of religion and ethics in his statecraft.

### **Machiavelli (The Prince) Machiavelli's Method**

According to **Machiavelli**, the right method to study political Science was historical. He says that human desires and passions remain the same always and when the incidents of life are comparable, humanity will tend to find the same remedies and repeat the same conduct. He therefore regarded that the study of the past was very useful to understand the present and would also make it easy to make predictions for the future. He placed the study of politics on historical and realistic foundation and relied on empirical method particularly in the study of political behaviour. He has been described as a pioneer of behaviouralism. He followed this method almost in all contexts both in the Prince and Discourses. He conceived of politics as an instrument of acquisition, preservation and expansion of power which could be accomplished by harnessing the faculties of the people as they exist in the real world.

**Machiavelli's** method has been called inductive or scientific on the ground that he drew conclusions from practical or historical experiences of human nature that does not change under different political regimes. His originality lies in focussing on man's behavioural patterns instead of certain morals for the analysis of politics. However critics have pointed out that **Machiavelli's** method was only superficially scientific and historical. He did not follow inductive method of proceeding from the 'particular to general'. Nor is his method deductive, which is the method of proceeding from the 'general to the particular'. According to them **Machiavelli** never touches upon the central problems of political philosophy, such as the justification of the existence of the State, grounds and limits of political obligation etc., He never looks beyond the necessities of practical politics although his vision was broad.

"Single ruler is necessary to found and reform states; republican governments are better at sustaining them once established"

### **Machiavelli (Discourses on Livy)**

George H. Sabine has rightly observed that there is no inconsistency between **Machiavelli's** two leading books *The Prince* and *The Discourses on Livy*. Both deal with the same subject-The causes of the rise and decline of States and the means of making them permanent. *The Prince* deals with monarchies or absolute governments and the *Discourses* mainly with the expansion of the Roman republic.

### **Machiavelli's Statecraft**

**Machiavelli's** enunciation of statecraft is his most notable as well as controversial contribution. It is notable because it provides unique guidelines, it is controversial because it allows the ruler to use certain immoral practices for successful governance. While **Machiavelli** advised the ruler to set aside moral bindings in order to achieve his end, he did not think that conventional morality was totally irrelevant to politics. He enunciates a double standard of morals, one for the ruler and another for his servants and citizens. The ruler's moral implies his undivided commitment to strengthen the state and enhancing his power in order to maintain law and order within the state and to ensure effective defence from foreign invaders. His performance will be judged by his success in fulfilling his responsibility. But his servants and citizens are not allowed to depart from the conventional morality, otherwise the purpose of the state itself will be defeated.

**Machiavelli** \wants the Prince to act so carefully that he is held in high esteem among the people. The Prince must be conscious of the prevalence of 'universal egoism'. Government is found to provide the people with security from internal offenders as well as external enemies. A wise ruler will frame his policy with a view to creating an atmosphere of security of life, property and honour of the people. He advises the Prince to provide for security of women in the state. People will be loyal to their ruler when they are sure that their life, property and women are safe in the state.

### **Assessment**

**Machiavelli** did not intend to undermine the foundations of morality in society. As a sincere patriot, he was particularly anxious to build a strong nation-state in Italy which was then fragmented into five parts: Florence, Venice, Naples, Milan and the territory of the Roman Catholic Church. He wanted his country to win a respectable place among other nation-states of Europe. He was also worried about the then prevailing moral corruption among Italians. Though he preferred a republic, he advocated monarchy for the then existing condition of Italy.

### **Thomas Hobbes (1588 - 1679)**

**Topic:** Life And Times - Central Ideas: Human Nature - State of Nature - Social Contract - Sovereignty - Assessment - Activities - Questions

### **Life and Times**

**Thomas Hobbes** the sixteenth century English Philosopher who lived during the scientific revolution was the first to attempt a modern theory of society. He based his views on moral relativism with a highly pessimistic view of the state of nature - a war of all against all. **Thomas Hobbes** was born prematurely in Malmesbury on 5 April 1588, when his mother was told that the Spanish Armada was spotted off the coast of England. **Hobbes** grew in the house of his well-to-do uncle after his father abandoned his family. **Hobbes** began his schooling early and entered the Magdalencollege in Oxford. Upon his graduation at the age of nineteen he became connected with the Cavendish family where he served as a tutor to William Cavendish. Although **Hobbes** showed little interest on the elements of philosophy, he began to study the classics with earnest after he went on a tour with William Cavendish in the European continent. He developed an interest in the movement of history and on the fates of nations and empires. In the year 1629, he translated Thucydides' History of the Peloponnesian War and published it.

“Fear and I were born twins”

- **Hobbes**

Among **Hobbes'** many works, De Cive and the Leviathan were the most important. **Hobbes'** Leviathan which is his most mature and exciting work attempts to demonstrate that the Galilean physics provides a model of human psychology which on turn lays the foundation for modern politics. His conception of human nature, the state of nature, the social contract and his ideas on sovereignty have captured the interest of all who read his political philosophy. In the following sections an attempt to understand these important works of **Hobbes** will be examined.

### Human Nature

At most times, the Leviathan of **Hobbes** is taken as the starting point and begins with a coherent theory of 'Man', as a pre requisite to an understanding of politics. Very often political scientists use the term '**Hobbesian**' which probably could denote a very pessimistic view of man as essentially, anti-social, selfish, brutish and power lusting. If we agree with **Hobbes'** assumptions that man existed before there was any society or state, then, man would be concerned with doing only what will satisfy his need and wishes.

I put for a general inclination of all mankind, a perpetual and restless desire of power after power that ceaseth only in death.

Hobbes

In **Hobbes'** words human beings are driven by their passions and use their intellectual capacity simply as a means to determine what will bring them the greatest pleasure or the least pain. **Hobbes** further adds that the object of man's desire is not to enjoy only once, and for one instant only, but to assure forever the way of his future desire. **Hobbes** is careful to also state that different people desire different forms of pleasure but there is one desire which is common in man - Power. Given that all are pleasure seekers, it must logically follow that all are power seekers. **Hobbes** thus

regards human nature as utterly self-interested and self-regarding. Hence innately anti-social.

### State of Nature

**Hobbes** in his theory of the state of nature provides a corollary method of understanding human behaviour. In the state of nature **Hobbes** argues, that it a condition of absolute liberty and equality. Absolute liberty since there would be no laws to constrain individuals and thus would have a right to everything; absolute equality because human beings have roughly equivalent physical and intellectual capabilities. **Hobbes** argues that in such a condition where everyone has a right to everything and all have equal capabilities in exercising their rights, all are subject to attacks from all. The state of nature is thus a state of war where survival remains the ultimate motive for human beings to acquire power. Thus in the state of nature everyone lives in constant fear of everyone else. It is thus by nature that human beings are by nature antisocial power seekers.

### Social Contract

**Hobbes'** view of human nature has a profound impact on his political theory. Knowing the true nature of human beings, **Hobbes** puts forward a scientific theory of politics - the 'Social Contract'. The fundamental idea of the social contract is quite simple: The state is the result of a contract between human beings in which the scope and extent of the powers of the government are to be determined by an analysis of the terms of the contract. The state is created by mutual agreement or the consent of its members. As a result government is legitimate if it corresponds to what people have consented to.

"To do unto others before they do unto you"  
- **Hobbes**

This is a very modern notion of the modern secular state which is contrary to medieval thought where the secular government exists by divine sanction. Such an idea was still employed by the Royalists who argued that the monarch ruled by divine right. The consent- contract flatly rejected this idea and on the contrary claimed that the government is legitimate only to the extent that people have consented to. The importance of **Hobbes** theory of social contract is that he believes that it is strictly a logical and scientific analysis of the state. He argues that human beings would consent only to that which rationally accords to their needs and desires.

### Sovereignty

**Hobbes'**s conception of the sovereign sovereignty can be summed up in the relationship between the individual and the sovereign. The relationship between the individual and the sovereign was one that was between the absolute absence of power and the absolute unity of power. **Hobbes** is consistent in his argument in the commonwealth the removal of all bases of power from the individual on the one hand and the concentration of it with the sovereign was essential. In other words, **Hobbes** supported the creation of an absolute sovereign which would lack no power to enforce law and order

against any possibility of man's irrationality.. The key to his political thinking is found in the absolute necessity to create an absolute authority. The sovereign could be one man or an assembly of men, although he preferred the sovereignty of one man.

### Assessment

The importance of **Hobbes** lies not only on his political philosophy but also on his contributions towards the development of an anti-Aristotelian and thoroughly materialist conception of politics. It is in his work that the beginnings of understanding politics from a non-teleological point of view emerged. His political philosophy served as the basis for other political philosophers such as **John Locke**, **Jean-Jacques Rousseau**, Immanuel Kant, who followed the tradition of examining politics from a modern scientific approach.

### John Locke (1632-1704)

#### Topic

Life And Times - Works of **Locke** - Central Ideas: Conception of Human Nature - State of Nature - Social Contract - Assessment - Activities - Questions

#### Life and Times

**John Locke**, the father of philosophical liberalism, was born on 29 August, 1632 at Wrington, Somersetshire, United Kingdom. He spent his childhood at Pensford, near Bristol. His acquaintance with William, the Prince of Orange, and his ascendancy to the English throne after the Glorious Revolution of 1688, brought **Locke** back to London. **Locke** was made the Commissioner for Appeals by William III in 1689. The unfavourable political climate induced him to resign again and led to his settlement at Essex. He ended his public life with his last assignment as the Commissioner on the Board of Tea.

#### Works of Locke

His important works are 'Letter Concerning Toleration' (1689), an 'Essay Concerning Human Understanding' (1690), 'Two Treatises on Civil Government' (1690), 'A Second Letter on Toleration' (1692), 'A Third Letter on Toleration' (1692), 'A Fourth on Toleration' (1693) and 'Some Thoughts Concerning Education' (1693).

#### Central Ideas

**Locke's** central ideas can be discussed as follows:

#### Conception of Human Nature

**Locke's** comprehension of the human nature is reflected in his "Essay on Human Understanding". Unlike **Hobbes**, **Locke** does not subscribe to a pessimistic view of human nature. He identifies reason as the factor which shapes a rational human being. He also acknowledges reason as the foundation of individual and social life. Humans were social, rational, decent, mentally stable and capable of self-rule.

**Lockean** view also upholds the natural state of equality for individuals. To him, humans are entitled to natural liberty. It is qualified as an inherent privilege to be free from any superior element but to be subversive towards the “dictate of the nature”. He also reaches a consensus on the fact that individuals are prone to some degrees of discrepancies in terms of intelligence, strength and their skills. Nevertheless, his reliance on similarities among individuals were outweighing the differences. **Locke** is also particular in reflecting the utilitarian trait of humans. Following the line of Bentham, **Locke** says, humans seek to strike a balance of pleasure over pain. It is this notion of pleasure or utility which forms the basis of his covenant.

### State of Nature

The **Lockean** contemplation on the state of nature can be found in his “Second Treatise”. In contrast to the **Hobbesian** state of nature, **Locke** postulates a peaceful condition by virtue of the social instinct of humans. As dictated by the canons of natural law, his state of nature is based on perfect freedom. Moreover, the phase is also characterised by equality defined in terms of reciprocal power and jurisdiction. In his own words, “state of nature is a state of peace, goodwill, mutual assistance and preservation”. In short, **Locke** underscores the optimistic nature of human beings.

Natural law is considered to be the source of both rights and duties. Humans derive their rights from the domain of natural law and it expects them to respect the ordained rights on a mutual basis for safeguarding the same. **Locke** goes to the extent of denoting natural law as the moral law enacted by God, which is sensible through reason. It would not be wrong to refer his state of nature as “an anarchist's paradise”.

Finally, **Locke** identifies the three fundamental demerits which threatened the balance of state of nature. Firstly, the absence of a legal framework. Secondly, the lack of a “known and impartial judge”. Thirdly, the requirement of an executive agency for the enforcement of decisions. Hence, the phenomenon of state was the means of liberation from this malady. Besides, it is worthwhile to keep in mind that the **Lockean** state of nature is inconsistent with facts. It rests on a fictional premise unsupported by any historical justification.

### Social Contract

Social contract is configured as an instrument of admission to the civil society. The **Lockean** view proposes two contracts. The first one establishes the civil society and the second one calls for the constitution of government. He also recognises consent as the bedrock of the contract. To him, no individual can be admitted into this commonwealth without his/her own consent. **Locke** speaks of two kinds of consent: 1) formal or active consent, which is irrevocable in nature and 2) implied or tacit consent, which sanctions the departure of the stakeholders from the ‘trust’ and initiate a new order. **Locke** prefers the former as far as his version of contract is concerned, making it clear that there is no return to the state of nature. Another striking attribute of the **Locke's** contract is that individuals do not surrender their rights which they enjoyed in the state of nature. Submission of the rights would defeat the purpose of the contract itself as the state is being raised as the

guarantor and protector of rights. Therefore, the contract is synonymous to a “charter of liberty” than a license for subjugation. The **Locke** an vision on social pact also authorizes the option for revolution against a tyrannous system of governance. This measure is included in order to reaffirm the role of the state as the guardian of the natural rights of individuals. Furthermore, **Locke** leaves the decision on revolution to the legislature with a focus on the principle of majoritarianism and consent.

On the question of the nature of authority, he outlines the notion of limited-sovereignty. Absolute sovereignty is against his construct of civil society. **Locke** was also not hesitant to offer an alternative blueprint on the separation of powers. According to him, the powers of the government were separated among three organs. Firstly, the legislature, which he refers as the “supreme power of the commonwealth”. Secondly, the executive, which also includes the judicial powers. Thirdly, the federative, which implies the power of external relations of a state. **Locke** was also tolerant towards the idea of a single-ruler which sanctions the concentration of all powers in one hand, provided that it is an outcome of the consent of the majority.

“Government has no other end, but the preservation of property”.

**-John Locke**

### Assessment

**John Locke**, by virtue of his scientific temper and rationality, finds a significant place in the Western Political Thought. Being an individualist by conviction, he believed that humans are the makers of their own destiny. His works were a great source of impetus and inspiration for thinkers like **Voltaire**, **Diderot** and **Rousseau**, and even for the French Revolution. According to **Parrington**, **Locke's** Two Treatises on Government “became the textbook of American Revolution”. In the words of **Prof. Laski**, “**Hobbes** worked with an impossible psychology and sought no more than the prescription against disorder. **Burke** wrote rather a textbook for the cautious administrator than a guide for the liberal statesman. But **Locke** saw that the main problem of the state is the conquest of freedom and it was for its definition in terms of individual good that he above all strove”.

## Jean - Jacques Rousseau (1712 - 1778CE)

### Topic

Life and times- Central Ideas: State of Nature - Social Contract - General Will - Assessment Activities - Question

### Life and Time

Jean - Jacques Rousseau, one of the most prominent philosophers in the modern political discourse, was born on 28 July, 1712 in Geneva, Hailing from a broken family, Rousseau was devoid of the opportunity to enjoy the privilege of a nurtured childhood. After disengaging from a couple of apprenticeships, he fled from Geneva and found joy in wanderlust. With the help a young widow named Madame de Warens, Rousseau was

introduced to formal education in a monastery based in Turin and a seminary in Annecy. The eventual aversion towards the style of pedagogy in those institutions induced him to abandon the same. Out of the repeated failures, she was forced to send him to Lyons in 1730. After a year of wandering, he re-joined her in 1731 and lived under her bounty till 1740. Influenced by her intellectual halo and her invaluable assistance, he joined as a teacher in the family of Monsieur de Malby. Nonetheless, he left the assignment and resorted to his journey as an aimless soul.

### **His second trip to France in 1744 brought significant changes in his life.**

Despite his unsuccessful experiments in various fields like opera, theatre, poetry and so forth, **Rousseau** sustained his determination and positive spirit. The year 1749 was a turning point in his life. The Academy of Dijon announced the prize for the best essay on "Has the progress of sciences and arts contributed to corrupt or purify morals?" **Rousseau** writes in his Confessions, "Instantly I saw another universe, and I became another man". The work he submitted had received the first prize in 1750 and it was published under the title - "A Discourse on the Moral Effects of the Arts and Sciences".

On his return to Geneva in 1754, **Rousseau**, a Catholic by himself, accepted Calvinistic denomination and reacquired the citizenship. After his travel to Paris, he spent 8 years of his life at Montmorency as a ward of Madame d'Epinau. **Rousseau** composed his most important works - The New Heloise (1761), Emile (1762) and the Social Contract (1762) - during this phase. Condemnation was the response received for his books which led to his further resettlements in various places. **Rousseau's** demise on 2 July, 1778, was received with a shock and was seen as a great loss to philosophy.

### **Central Ideas**

**Rousseau** occupies a critical position in the realm of political philosophy. He is predominantly known for his contribution towards the "theory of social contract". As a social contractualist by conviction, **Rousseau** sought to unearth the origin of state as an expression of the "general will". He attributed the origin of state as a consequence of two phases - "state of nature" and "social contract".

### **State of Nature**

Unlike **Hobbes**, **Rousseau's** proposition of state of nature was an epitome of perfect liberty, perfect equality and perfect innocence. He also identifies it with a more peaceful, pleasant and idyllic environment. The man in his state of nature lived in solitude characterized by a care-free living with no desires. Despite the inconsistency in terms of a settled life, and inarticulate speech, the life was shaped by contentment, independence, self-sufficiency and prosperity. Absence of wickedness paved the way for idyllic happiness. As he says, "supreme bliss" was the norm of the time.

In due course, the status quo was threatened by changes in terms of sophistication of human life. He acknowledged a number of factors ranging from the divergences in climate, season and soil to organized profession and private property as responsible for challenging the sustenance of the state of nature. In the view of **Rousseau**, human

progress and rational advancement accompanied by the revolution in the conduct of life and human thought brought a new layer of evils in its wagon. He identifies the origin of inequality with this shower of changes that shook the fabric of the state of nature. The concept of private ownership created a new cleavage at the social sphere - rich and poor. In his words, "the first man who after enclosing a piece of land said to himself 'this is mine' and found people simply to believe him, was the real founder of civil society".

The period was made to witness a chain of wars, murders and rifts between the rich and poor. This new order sanctioned evils at a universal scale that were unfound in the savage state. An unavoidable culmination of these turn of events was the rise of inequality and a strata of masters and slaves. **Rousseau** opines that there are two premises on which a savage acts. Firstly, a human is driven by the need of self-preservation and out of the interest of his/her own welfare. Secondly, the fear of death. He finds the genesis of rationality and reason in this emotional consciousness. **Rousseau** is of the view of that the humans by nature are incapable of thinking. Civil society is viewed as antithetical to nature and it is apparently an outcome of the march of human reason. He insists on the slogan of "returning to nature". His demand for the retrospection to the nature does not tantamount to a prescription for the collapse of the newly woven social fabric, but the rule of nature. Such a call necessarily unveils **Rousseau's** revelation that it is the philosophy and reason that allured the human life to entropy.

### Social Contract

The idyllic character of the state of nature was short-lived. The emerging template of human complexities defined by economic advancement and social evolution facilitated only havoc. Humans were left with no alternative, but to constitute the civil state. It was materialized with the provision of social contract. In the sixth chapter of the 'Social Contract' **Rousseau** says, "I assume that men have reached at a point where primitive conditions can no longer subsist and the human race would perish unless it changed its mode of existence". The state of nature is thriving on an individual's pursuit of self-interest until a point wherein he/she realises that his/her self-preserving prowess against the insecurity posed by others is not strong enough. Hence, the utility of social contract is to encompass the prospects of security deriving from the collective association of individuals with the element of liberty which was possessed until their entry into the contract. The next dilemma that grappled the individuals was the question of force with respect to preservation. To him, men are incapable of creating any new forces but only redirect and guide that already exist. Therefore, a concerted approach is what recommended by him in this direction.

"Man is born free, and everywhere he is in chains. One man thinks himself the master of others, but remains more of a slave than they are"

- Rousseau

He also discards any form of authority bereft of consent as volatile. In his own words, "Authority of man over man can have no rational basis, save agreement and

consent". **Rousseau's** equation for the civil state can be summed as follows: "Each of us puts his person and all his power under the supreme direction of the general will and in one corporate capacity, we receive each number as an indivisible part of the whole". Hence, the state thus formed is a moral body with a life and will of its own distinct from its members. The government is expected to be an agent of general will. **Rousseau** holds that state is not just an amalgamation of individuals, but a new body with an inherent identity, personality and life of its own. Above all, the state possesses a will of its own, what he terms as *volente general* or general will. Any separate or particular will shall be deemed to be subordinate to it.

The instinct-driven life of the state of nature is replaced by a life of justice and morality in the new civil state. Individuals lose their natural liberty and unlimited right to everything and in return they receive civil liberty and property rights.

He condemns the liberty of the state of nature as a falsity as it is nothing but an enslavement of uncontrollable appetites. On the contrary, the moral liberty offered by the civil society make them the masters of themselves. In his own words, "obedience to a law which prescribe to our selves is liberty". Unlike **Hobbes** and **Locke**, **Rousseau** professes a total surrender of the individual to the sovereign community in pursuit of attaining equality. His idea of individual delegation of all the rights to the body-politic fosters reconciliation between liberty and authority.

**Rousseau** was particular about the inalienable, indivisible, absolute and perpetual nature of sovereignty. To him, general will was the sovereign. The assignment of administrative powers to certain people do not make them the sovereign, but merely subordinate agents. Any attempt on part of the community to transfer all or a segment of its sovereignty to one of the agents shall result in the descending of the body-politic. Sovereign was a party in **Rousseau's** contract. Furthermore, what he underscored was the notion of popular sovereignty.

### General Will

General will or the community is identical to the state. People submit their powers and personality under the command of the general will. The individuals wills are outweighed by the general will. Besides, sovereignty rests in the body-politic as a whole and it coincides with nothing, but the general will. Given the residence of general will in the community, it imposes the paramountcy and sovereignty of the people, i.e. popular sovereignty. He emphasises the transferability of power. The general will is not equivalent to the will of all since the former considers the common interest whereas the latter attaches private interest into its fold. There are two premises that determine the general will. First, it seeks general good, which refers to the objective of will. Secondly, it must come from all and apply to all, which proposes its origin. General will lacks representative character as the representative bodies have the tendency to develop particular interest of their own without paying heed to the concerns of the community. Ethical values and right consciousness do not coincide with the will of all. General will is invariably the

manifestation of inner will and the product of conscience. Moreover, it is recognised as right, altruistic, universal and based on common good.

### Assessment

Opinions are manifold about **Rousseau's** personality and works. G. D. H Cole opined about his 'Social Contract' to be "still far by the best of all text-books of political philosophy". Lord Morley took up different turn in expressing the status of **Rousseau** in the philosophical discourse by saying, "Would it not have been better for the world if **Rousseau** had never been born?" He tries to say that the awful experiences of the French Revolution could be prevented if **Rousseau** had not lived as the latter's ideas were fundamental throughout the movement.

His philosophy also traces a socialistic background. Capitalism received "ill-treatment" in the hands of **Rousseau**. He also favored the nationalization of education and opposed the notion of private property. Besides, his discourse accommodates absolutism and authoritarianism as well. Under the pretext of general will, he is virtually favouring the "tyranny of majority". Despite all these, **Rousseau** deserves an irreplaceable position among the modern political philosophers. Try to understand the meaning of popular sovereignty. Read about the emergence and impact of the institution of property in the society.

### John Stuart Mill(1806 - 1873)

#### Topic

Life And Works - Central Ideas; on Liberty - Considerations on Representative Government - Assessment - Activities - Questions.

#### Life and Works

John Stuart **Mill** was born on 20 May 1806 in Bentonville, a northern suburb of London to Harriet Barrow and James **Mill**, a Scotsman who was educated at Edinburgh University. The development of John Stuart **Mill** as a social and political thinker can be divided into three specific periods. The first period represents the training that he received from his childhood under both his father, James **Mill** and Jeremy Bentham. The second period marks his recovery from his mental crisis which started in his early twenties, with the termination and dissolution of the philosophic radicals as a distinct party towards the end of the 1830s. It was at this period that **Mill** refashioned his thinking under a variety of intellectual and emotional influences. The final period which extends to over thirty years of his career, marks the time in which he published his major works that included, A System of Logic, Principles of Political Economy, On Liberty and Considerations on Representative Government.

#### On Liberty

On Liberty (1859) brought **Mill** enduring fame, and predicted that among all his works, this was destined to survive the longest and is has. The transformation of society from aristocratic to democratic forms of organization brought with it both advantages and disadvantages. It meant rule by social masses that would be more powerful, uniform and

omnipresent than the rulers of previous eras. **Mill** held that, the dominance of the majority carried with it more risks than from a monarch that had the capacity to place restrictions over the freedoms of individuals, which could be legislatively enacted. Informal mechanisms of social pressure and expectation could in democratic societies could be all-controlling. **Mill** expressed that such powers could have the capacity of stifling conformism in thought, character and action. It was in this context that *On Liberty* was written. The aim of this work is written in the first chapter which asserts one simple principle. This principle states that “the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection” (*Liberty*: XVIII 223). Thus, the practical philosophy of this argument by **Mill** is primarily utilitarian.

In his ‘*On Liberty*’ **Mill** puts forward different strategies to argue for freedom of thought and discussion, character, and action. Freedom of thought and discussion are discussed in chapter two of *On Liberty*, where arguments against the control of expression are explained. Chapter three of *On Liberty*, puts forward argument in favour of freedom of Character (individuality) where such arguments are two pronged. On the one hand **Mill** argues for freedom of space for individuals which individuals should have to develop their own character while on the other, he maintains that it is best for society too. “Human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing” (*Liberty*, XVIII: 263). **Mill** was of the opinion that mass society is self-repressive in nature which would lead to the sapping of human energy and potential. The Victorian society he claimed was governed by an ethos of propriety based on Christian self-denial while in contrast **Mill** encourages the Greek model of selfdevelopment. It is important for society to create conditions where individuals can develop their own ways of living. This will enable variety and diversity of character and culture which will become the engine of productive tension that will drive a nation forward. **Mill**'s insistence throughout *On Liberty*, sought to preserve the individual's freedom against the possibility of legislative or state coercion and also from the deceptive forms of social coercion.

### **Considerations on Representative Government**

In 1861 **Mill**'s *Considerations on Representative Government* was published which contains his views on politics. **Mill** was a convinced democrat, however, this work reveals his disappointment, doubts, and difficulties about self-government. His view is paradoxical in nature where he views that the majority ought to rule but minority rule was probably right. He argued that majority has power but the minority has wisdom. **Mill** in this work expresses the dangers posed by the tyranny of the majority and undertook to provide the criterion for good government. He concluded that ideally the best form of government was one that was representative where the sovereignty is vested in the entire aggregate of the community, every citizen who not only have the right to at least occasionally be called on to take an actual part in the government by the personal discharge of certain public function, local or general.

## Assessment

John Stuart **Mill** occupies a very important place in the history of political thought which was widespread in the nineteenth century. His works emphasized the importance of human nature for the proper study and understanding of the state. He developed his own philosophy of franchise. **Mill** states that casting one's vote is as necessary for the political animal as is the air that he or she breathes. No other political thinker has been as emphatic as **Mill** in the conception of voting. The influences that utilitarianism had on **Mill** also were important in the formulation of his ideas on the principle of economy and that of representative government where the freedom of the individual to develop his capabilities should be never interfered with. On each of these subjects **Mill** was often provocative that no student of the discipline can afford to ignore.

Utilitarianism: Greatest happiness of the greatest numbers.

Even though J.S. Mill has been brought under the guidance of utilitarian thinkers like James Mill and Jeremy Bentham, he gave a different notion of utilitarianism.

## Karl Marx

### Topic

Introduction - Works of Marx: Communist Manifesto - Das Kapital - Central Ideas: Dialectical Materialism - Theory of Surplus Value - Class Struggle And Revolution - Dictatorship of The Proletariat - Withering away of The State - Assessment - Questions

### Introduction

Karl Marx is one of the few people who changed the way we see the world. For Marx, any theory should not only support in understanding the world around, but be a step towards transforming the world. His works - Communist Manifesto, Materialistic Conception of History and Das Capital, are a culmination of various economic ideas, channelled towards the single goal of self- emancipation of working class. It is important to know that, Marxism draws many elements from earlier thinkers like Hegel, Comte de Saint-Simon, J. C.de Sismondi, David Ricardo, Charles Fourier, and Louis Blanc.

Second half of the 18th century and 19<sup>th</sup> century witnessed the growth of Socialism in Europe. This period was also known as dual revolution era, wherein politically France witnessed the Revolution of 1789, which overthrew absolute monarchy and republic was proclaimed with liberty, equality and fraternity declared the right of every Frenchman. Second important revolution during this period that had a long lasting impact on Europe was the Industrial Revolution. These two events had a major impact on **Marx's** work.

### Works of Marx

#### The Communist Manifesto

The history of all hitherto existing society is the history of class struggle. The Communist Manifesto (1848) is a collaborative work of **Karl Marx** and Friedrich Engels. It was a product of the social, economic and political turmoil that characterized Europe

before 1850. This essay explains the social change through revolution. The Communist Manifesto goes on to argue that the nature of that class struggle varies according to the nature of production. Hence in feudal societies, where the main form of production was agriculture, the class struggle was between those who owned the land and those who worked on it. In a modern industry, the struggle is between the bourgeoisie (factory or business owners) and the proletariat (workers in the factory). In reality the society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other - bourgeoisie and proletariat. It is in this premise that **Marx** and Engels vouch that “the history of all hitherto existing society is the history of class struggle”.

In conclusion the Communist Manifesto simply places two ideas side by side; “to raise the proletariat to the position of the ruling class” and “to win the battle of democracy”. **Marx** in this work also emphasizes that the communist should aim to replace private property with public control of all properties. **Marx** and Engels may not have changed the world, but they certainly changed the way we interpret it. The historical significance of the Communist Manifesto is that virtually all socialist parties, from the Communist Party of China to the Trotskyite sect, owe a lesser or greater debt to the ideas expressed in its pages.

### **Das Capital**

**Marx's** masterpiece, *Das Capital*, the “Bible of the working class,” as it was officially described was published in 1867 in Berlin. Only the first volume was completed and published in **Marx's** lifetime. The second and third volumes, unfinished by **Marx**, were edited by Engels and published in 1885 and 1894. The first volume deals with the process of production of capital; the second volume deals with the process of circulation of capital; the third volume deals with the totality of the process of capitalist production.

### **Dialectical Materialism**

Dialectical Materialism is a philosophical approach to reality derived from the teachings of **Karl Marx** and Friedrich Engels. In theory dialectical materialism provides both a general world view and a specific method for the investigation of scientific problems. **Marx** and Engels look at every basic sections of society as materials and change in society takes place only through “the struggle of opposites”. Materialism principally dealt with social world. The material world has always been in constant motion, contradictions and change. **Marx** believes that friction caused by constant motion in the society leads to contradictions within the society, which eventually leads to change in the society. Dialectical Materialism relates to the process of change in the society.

### **Marx's Work**

Critique of Hegel Philosophy of Right. The Holy Family Theses on Feuerbach The German Ideology The Communist Manifesto Critique of the Gotha Program *Das Capital*

### **Theory of Surplus Value**

Theory of Surplus Value, comes from the *Das Capital*. **Karl Marx** opines that human labour was the source of economic value, hence the term ‘surplus value’ denotes

the difference between labour and labour power. The Capitalists gets surplus value for the extra labour that has been put in by the labourer. Surplus value is produced no matter how long the working day is: even if the factory only ran for an hour the capitalist would still extract his quota of surplus labour and therefore surplus value. The capitalist pays his workers less than the value their labour, and in most occasions usually only enough to maintain the worker at a subsistence level.

## **Class Struggle and Revolution**

Class consciousness and struggle are related to the social relations of production. **Marx** does not look at class as a factor of ideology, but as a person who holds particular social status. The term class relates to ownership based on property, for example bourgeoisie (person who owns means of production and also the landowners) and proletariat (one who sells labour for wages).

**Marx's** work on the "Class Struggle of France", in the years 1848 - 1850 assesses the arguments on the class struggle and the need for revolution. **Marx** bases his idea of class conflict from the French Revolution of 1848. During this revolution both bourgeoisie and proletariat fought together against the aristocracy and succeeded in the proclamation of republic. Having come to power with the support of the proletariat during the February revolution, the bourgeoisie used the election process to claim legitimacy of their rule. The bourgeoisie class instead of emancipating the working class of all bondages increasingly alienated them.

The bourgeoisie on coming to power started controlling the state and the army, and crushed the proletariat showing that the former meant civil war in reality. **Marx** emphasises that the class struggle leads to revolution, dictatorship of the proletariat and the abolition of private production resulting in socialism.

## **Dictatorship of the Proletariat**

Dictatorship of the Proletariat is a phrase used by **Karl Marx** to refer to the assumption of state power by the working class. For **Marx**, it is a transitional period of permanent revolution between the overthrow of bourgeois political rule and a classless society. Of all **Marx's** contribution to political thought, probably the "dictatorship of the proletariat" has had the most profound implication for actual governance.

When the first group of the workers class (proletariat) assert themselves over the traditional ruling class (bourgeoisie) capitalist forms of production is abolished and the socialist forms of production takes the lead. Establishment of socialist forms of production results in the disappearance of class groups within the society eventually bringing about Dictatorship of the Proletariat.

## **Withering Away of the State**

With the break-up of Society into classes, and consequently into oppressed and oppressing groups, state becomes an instrument of exploitation. The class conflict becomes even more intensive and leading to the dictatorship of proletariat. Signs of victory of the proletariat can be seen with the capture of the government. "The proletariat will take control of the State and converts the means of production into State production. Taking control of the state and production, the proletariats, destroy all class differences and class antagonisms, and finally resulting in the 'Withering Away of the State'.

## Assessment

In 1852, **Marx** summarized his contributions into three major sections:

- a. Classes (proletariat and bourgeoisie) are not a permanent features of a society
- b. Class struggle leads to 'dictatorship of the proletariat', resulting in workers taking control of production
- c. 'Dictatorship of the proletariat' would lead to classless society and with the differences vanishing from the society, the state eventually withers away.

Has the world become stateless as envisaged by **Marx**? The reality proves other way. Nevertheless, the impact that Marxism had on humanity can only be compared to the influence religion had on mankind. Nearly half of the world population was influenced by Marxist ideology. While, **Marx** himself would have not followed everything he wrote, his writings did influence leaders like Lenin, Stalin, Mao and others who used Marxist theories in order to bring about change in countries like Russia, China, Cuba, Vietnam, etc. In the present era most of the erstwhile communist countries have become democratic in nature. However, the society continues to witness class differences and it is increasing every year. Hence, so long there are capitalists and exploitation in the society, **Marx's** ideas can never be ignored or forgotten.

<sup>A</sup> Contemporary debates on Marxism focus on relative importance of its basic tenets and identification of some new forms of dominations and conflicts emerging in the present day society. These debates led to the emergency of Neo-Marxism.

**Aristocracy:** A state in which governing power is held by the nobility.

**Behaviourisms:** Advocacy of or adherence to a behavioural approach to social phenomena.

**Bourgeoisie:** The capitalist class who own most of society's wealth and means of production.

**Classless Society:** The ultimate condition of social organization, expected to occur when true communism.

**Dialectic:** An enquiry into metaphysical contradictions and their solutions.

**Dictatorship of the Proletariat:** In Marxism, rule by the proletariat – the economic and social class consisting of industrial workers who derive income solely from their labour – during the transitional phase between the abolition of capitalism and the establishment of communism.

**Enlightenment:** A European intellectual movement of the late 17th and 18th centuries emphasizing reason and individualism rather than tradition.

**General Will:** In political theory, a collectively held will that aims at the common good or common interest.

**Glorious Revolution:** The events of 1688-89 that resulted in the deposition of James II and the accession of his daughter Mary II and her husband, William III, prince of Orange and stadholder of the Netherlands.

**Individualism:** A social theory favouring freedom of action for individuals over collective or state control.

**Majoritarianism:** A form of democracy which upholds the rule of the majority.

**Oligarchy:** A small group of people having control of a country or organization.

**Political Economy:** It is a branch of social science that studies the relationships between individuals and society and between markets and the state.

**Proletariat:** The working-class people regarded collectively.

**Rationality:** The quality of being based on or in accordance with reason or logic.

**Reformation:** A 16<sup>th</sup>-century movement for the reform of abuses in the Roman Church ending in the establishment of the Reformed and Protestant Churches.

**Romanticism:** A movement in the arts and literature which originated in the late 18th century, emphasizing inspiration, subjectivity, and the primacy of the individual.

**State of Nature:** In political theory, the real or hypothetical condition of human beings before or without political association.

**Statecraft:** The skilful management of state affairs; statesmanship.

**Democracy:** A form of government in which possession of property is required in order to hold office.

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## Unit-8 Political Ideologies – Part-I

### Introduction

Ideology refers to a set of inter-related ideas dealing with politics, society and economy. Political ideologies are very important in Political Science and are considered as heart and of the state, relationship between state and society, forms of government, basis of state authority and sphere of state action. Numerous ideologies operate in our subject and we will examine them in the forth coming two chapters.

### Liberalism

Liberalism is the most important ideology of modern political theory. It emerged in the 17th century and continues to be the most widely followed Ideology in the contemporary world. The etymology of the word liberalism is from 'Liber' that means liberty. The supporters of the Spanish Constitution in the 19th century made the word popular by calling themselves as liberals. Now western countries like United States of America, the United Kingdom, Canada, and Germany adhere to the tenets of liberalism in politics and economy.

Liberalism chronologically had experienced three major phases. In the first phase till 1930 it was called as Negative Liberalism. The second phase termed as Positive Liberalism emerged after the Great Economic Depression and lasted up to the 1970s. The third phase, known as Libertarianism, is followed by major countries of the world for the last four decades.

#### A. Negative liberalism

Negative Liberalism is also known by many names like Laissez Faire Liberalism and Classical Liberalism. John Locke in his book 'Two Treaties of Civil Government' propounded the basic political principles of Negative Liberalism that came to be implemented vigorously in the USA.

Thomas Paine, Montesquieu, Jeremy Bentham are the other important proponents of Negative Liberalism. Economically, Adam Smith advocated Negative Liberalism in his book 'An Inquiry into the Nature and Causes of Wealth of Nations'

#### Essence of Negative Liberalism

Negative Liberalism considers man as a rational, capable and master less individual. All human beings are equal and free. Everyone knows their interests and is endowed with the capacity to satisfy their interests. Society is a mere aggregate of freely existing individuals. There is no necessity for State and society to interfere or regulate the life of individuals.

The State is a necessary evil. It is necessary for the protection of law and order without which individuals cannot realise their interests. Nevertheless, the State is an evil as even its mere existence itself endangers the rights and liberties of the individuals.

The State is a negative State as it is prohibited from carrying out developmental activities. The State is called as Laissez Faire State. Laissez Faire has its origin in the French language meaning Leave Alone. The State must leave the individuals alone to pursue their activities. Maintenance of law and order and enforcement of legally made contracts are the only functions assigned to the State by Negative Liberalism

Economically, Negative Liberalism supports free market economy based on demand and supply. It prohibits the State from interfering with the economic activities. The State is akin to a cricket umpire in its powers and functions. The umpire does not play the game but watches whether the players are playing the game in accordance with the laws of the game. Similarly the State should not interfere in the economy as market alone determines its activities.

Negative Liberalism believes in the concept of natural rights. When Mother Nature created man, it endowed him with basic rights that are called Natural Rights. The State should not erode or underminethese natural rights. The Rights to Life, Liberty and Property are indispensable for human existence and development. Therefore, the State should never abolish or erode them. The Right to Property is special to the proponents of Negative Liberalism. It is an unlimited right as all individuals can acquire, enjoy and dispose of property without interference from the State.

## **B. Positive Liberalism**

Negative liberalism metamorphosed into Positive liberalism in the 20th century. Even though Negative Liberalism contributed to the generation of unprecedented wealth in the western countries it had also inflicted enormous pain on common people. Glaring inequalities among people, appearance of slums in the cities and exploitation of the workers exposed the deficiencies of Negative Liberalism. Humanist thinkers like Ruskin protested against the misery of the people.

In this backdrop, Negative Liberalism changed into Positive Liberalism because of two important factors i.e. Democracy and Marxism. Nineteenth century witnessed the gradual spread of democracy whereby the common people came to be provided with voting rights. They demanded fundamental changes in politics. The second factor is the advent and rise of Marxism that appealed to the workers to overthrow the exploitative inequality- laden Negative Liberalism. Subsequently, under pressure from democracy and Marxism, Negative Liberalism changed into Positive Liberalism.

The liberal world experienced a devastating Great Economic Depression from 1928 affecting economies of numerous countries including United States of America. The newly

elected American President Franklin Roosevelt implemented the New Deal Programme for uplifting American economy from the quagmire of depression.

J.M.Keyne, economic advisor to the American President, played a crucial role in the formulation of the programme signifying the advent of Positive Liberalism. A number of thinkers enriched the content of Positive Liberalism of which T.H.Green, Harold Laski, L.T.Hobhouse are important.

Franklin D. Roosevelt was the longest serving President of the United States. He played a splendid role in the development of the country by lifting it out of the Great Economic Depression through his New Deal Program. He inspires millions of people even now. He was a heavily paralyzed polio victim. The inspiring slogan in the 1932 elections was that here comes a man on wheels to set America again on the wheels of progress. He presents the winning spirit of positive personality in the ocean of adversities in life.

Positive Liberalism brought out the new concept of Social Welfare State. This concept projects the State as a positive instrument for the promotion of social welfare. The role of the State is to provide social service to the people. It should construct and maintain hospitals, educational institutions, factories and industries, infrastructural facilities like roads, railway tracks and ports. The State also came to be known as Social Democratic State, a nomenclature that explains the significance of democracy in the constitution of a positive State.

The rights of the people can be modified so that the welfare of society can be promoted. Positive liberalism supports a close relationship between rights and duties and argues for Social Welfare theory of Rights. Similarly, freedom is positive in content. While Negative Liberalism expounded freedom from the State, Positive Liberalism recommends freedom through the State. Freedom does not mean being free from the interference of the State but adhering to the social welfare activities of the State. Freedom through the State and not from the State is their theme.

The economy must be regulated by the State so that alternate, painful appearance of economic boom and depression can be averted. Progressive taxation can be adopted by the State to generate resources required for its social welfare activities. Similarly, the State has power and authority to adhere to economic strategies like bank nationalisation, minimum wages and reservation of industries as public sector to bring in the uplift of all sections of society.

Positive Liberalism was followed in the western democracies for many decades from 1930s. But gradually philosophers and political leaders began to question the utility of a Social Welfare State propagated by Positive Liberalism. They argued that State interference in society and economy had precipitated a plethora of problems like

industrial sickness, economic inefficiency, lessened productivity, corruption, erosion of liberties of people and economic stagnation, therefore should be curtailed.

### C. Libertarianism

The third phase in the history of liberalism is called as contemporary Liberalism or Libertarianism. It emerged in the western world after the end of positive liberalism and gradually spread to most parts of the political universe. The President of the United States Ronald Reagan implemented libertarian ideology in his country from 1981 to 1989.

The first woman Prime Minister of the United Kingdom Margaret Thatcher was the political architect of libertarianism. The last president of Soviet Union Michel Gorbachev introduced the two path- breaking reforms of Perestroika (Restructuring) and Glasnost (openness) that pushed the Soviet Union into the direction of libertarianism.

A number of political scientists have advocated libertarianism. F.A.Hayek, M.Oakeshott, Karl Popper, Milton Friedman, Nozick and Nock are important among the supporters of libertarianism.

Libertarianism is a re-invention and re-application of Classical Liberalism in thesecond half of the 20th century and in the first half of the 21st century. It believes in the worth and importance of individuals. It advocates individual freedom as indispensable for the life of man. It staunchly supports the concept of 'Personal Autonomy' whereby every human being is provided with complete freedom of choice to make decisions in their life as they want. It restricts the domain of the State to maintenance of law and order. Nozick famously coined the slogan 'Minimal State is Inspiring as Well as Right'. He criticised any more functions of the State as unjustified and unwarranted. Another proponent of Libertarianism, Oakeshott commented that the government merely pursues peace.

Karl Popper described Plato as a enemy of open society in his work "Open society and its' enemies".

Albert Jay Nock, a Libertarian even went to the extent of titling his book "Our Enemy the State"

The libertarians argue that the increase in the functions of the State in the name of development and social welfare leads inevitably to emergence of collectivism and resultant concentration of power in the hands of the State leading to the destruction of personal liberties of man.

### End of Ideology

A few political thinkers and political sociologists in the 1950s had brought out the new concept of 'End of Ideology'. Daniel Bell who authored book 'End of Ideology' is the strongest proponent of this concept along with the noted political sociologist Martin Lipset.

They argue that the political and economic search of humankind had reached its final destination with the emergence of Liberal Democratic State or Social Welfare State. The ideal system of human life should be planted and rooted in the soil of welfare State, decentralised power, mixed economy and competitive party system. The western nations have attained these ideal socio-political characteristics. They called for an end to the Liberalism versus Marxism debate and accepted that democracy is not merely a system of government but the good society in operation. They praised democracy as the ideal means of conflict resolution and governance.

But a set of thinkers collectively described as "New Left" rejected the validity of the End of Ideology concept. Though, the thinkers do not advocate any class conflict like Marxism they sought to improvise the tenets of Marxist State. The western societies also witnessed rise of the voice of many thinkers that demanded not the end of ideology but the end of materialism that is implied in the end of ideology concept.

### **End of History**

The American political thinker Francis Fukuyoma wrote the book 'The End of History and the Last Man' in 1992. He argued that history has ended with the end of the Cold War and the victory of liberalism over communism. The history of mankind essentially composed of its ceaseless search for the ideal political, social and economic system. The victory of Liberalism signifies the end of that human search for right ideology and the advent of post-ideological world. The Liberal State and the Libertarian economy represent the culmination of the social economic and political evolution of humanity, therefore human history has ended was the argument of Fukuyoma.

But many political scientists and ideologies disagree with this. The post- modernist thinker Derrida argued that liberal democracy is not the ideal political system that solves the problems of man. He said, "Never have violence, inequality, exclusion, famine, and thus economic oppression affected as many human beings in the history of the earth and of humanity as it happened in the times of liberal democracy."

### **DEBATE**

Can history end as people say today's politics is tomorrow's history?

The American political scientist Samuel Huntington propounded 'The Clash of Civilization' theory as a counter to Fukuyoma's End of History thesis. Huntington argued that end of the Cold War has not resulted in the universal and permanent success of liberal democracy. On the contrary, a new ideological rivalry has emerged between the two major

civilizations of the world, Western Civilization and Islam that will dominate the politics of humankind in the 20th. He contended that other civilizations of the world will be sucked into the civilization clash between Western Civilization and Islam, and therefore history has not ended in the post-Cold War period, rather it has entered a new phase of confrontation.

### **DEBATE**

Dear Pupils, now you know that Liberalism has three varieties of Negative Liberalism, Positive Liberalism and Libertarianism. Divide the class into three groups and name them after these varieties. Conduct a thorough debate as to which one of them is the best.

### **India and libertarianism**

New Economic Reforms were introduced in India in 1991 heralding the era of Liberalization, privatization and globalization. They reflect the ideology of Libertarianism. The State has withdrawn itself from many economic and social activities. 'Minimum Government and Maximum Governance' is the guiding principle of the State. The State has consciously shrunk its sphere of activities encouraging private initiative through measures like disinvestment. Under the impact of libertarianism the planning process was initially changed to the strategy of Indicative Planning and recently the planning Commission itself was replaced by a body called National Commission for Transforming India (NITI Ayog).

### **Communism (Vladimir Lenin)**

Vladimir Lenin was a revolutionary Marxist thinker who organized the October Revolution of 1917 in Russia to implement the ideas of Marxism. He was the architect of the communist country called Union of Soviet Socialist Republics (USSR) that consisted of 15 Republics. Lenin contributed to the theoretical content of Marxism.

Vladimir Lenin died in 1924 and the mortal remains are preserved in Lenin's Tomb in Red Square in Moscow. The embalmed body is regularly bathed in special chemicals and has been on public display. Earlier the government funded the finances needed for preserving the body and after the disintegration of Union of Soviet Socialist Republics preservation of the body is maintained through public donations. There are intermittent calls for burying the coffin next to the resting place of Lenin's mother.

### **Communist party**

Lenin wrote in his work 'What is to be done?' his ideas of the Communist Party. Marx had called for a communist revolution to end capitalism and exploitation and Lenin as his successor developed the instrument of the party to carry out the proletariat

revolution. He said the party should be formed in every industry and factory by a small group of workers who possess knowledge of Revolutionary Marxism. They must possess qualities and abilities like dedication, commitment and hard work. The members of the Communist Party should mobilize the workers ideologically to conduct the revolution. Lenin asserted that the party must be in the vanguard of the proletariat that is the forefront of the Proletariat Revolution.

It was expounded that the Communist Party should be organised on the basis of an innovative concept called Democratic Centralism. As the name indicates there are two features in the organisational structure of the Communist Party, democracy and centralism. Democratically, the lower organs of the party organisation must elect the members of the higher organs of the party. The party units in villages must elect the party units of the district and State units are to be elected by the district units of the party and the central unit will be elected by the State units.

The element of centralism in the Communist Party means that the decisions of the higher unit must be accepted and implemented by the lower units. The State units should accept the decisions of the central unit and district units must obey the decisions of the State unit and the village unit ought to follow the decisions of the district unit.

### **Imperialism**

Imperialism refers to the system where European countries subjugated and exploited the Asian and African countries through military conquest and force. Lenin expounded a new insight linking imperialism and capitalism in his book 'Imperialism: The Highest Stage of Capitalism'. He argued that capitalism had not faced self- destruction as Marx predicted. The capitalist countries exploit the subjugated Asian and African countries and through this looted wealth capitalism sustains itself in their home countries. There should be two revolutionary struggles, one the struggle of Asian-African countries against the imperialist Europe and another revolutionary struggle of working class in the western countries. Once these two struggles become successful, the two inter -linked exploitative forces of capitalism and imperialism will be destroyed and communist society of equality and fraternity will be born internationally.

Joseph Stalin was the general secretary of The Communist Party and Premier of Union of Soviet Socialist Republics in the post-Lenin phase up to 1953. He introduced a major ideological component in Marxism called Socialism in One Country. The seed of the idea was first brought out by another communist theoretician Nikolai Bukharin.

Marxism rejected nationalism and supported universalism. It attacked nationalism as a bourgeois concept and appealed to the workers of the world to unite and fight to establish communism as seen in the last lines of Marx book 'The Communist Manifesto'. The ultimate goal of Karl Marx was the formation of international socialist society through the instrument of world proletariat revolution. Karl Marx said, 'The working men have no

country'. Lenin also continued in the same vein and considered the October Revolution of 1917 in Russia as a springboard to global revolution.

Stalin makes a fundamental change in Marxism through the Socialism in One Country concept. He claimed to have developed his idea from Lenin's statement that socialist revolution can emerge in even one country as detailed in the work 'On the Slogan for a United States of Europe'.

The central theme of this concept is that socialism can be successfully established in Russia alone. Russian socialism is threatened by a capitalist encirclement as the western enemy capitalist countries avowedly endanger the existence of communist USSR. Stalin advocated the consolidation and strengthening of USSR so that it can withstand the capitalist threat postponing the task of organising an international communist revolution to a more appropriate period in the future. This thesis was accepted as the State policy of USSR and also by the Communist International organization.

Leon Trotsky criticized Stalinist socialism and reiterated the concept of permanent revolution advocated by Karl Marx. He called for the export of communist revolution to other countries of the world to achieve international communism and cautioned that otherwise communism within USSR itself will collapse.

### **Mao Zedong**

Mao Zedong was one of the greatest Marxist theoreticians and practitioners in the history of the world. He founded the Communist Party of China and conducted the Communist Revolution in 1949, leading to the establishment of the People's Republic of China.

### **Signification of Marxism**

Mao introduced certain changes in Communism to make it suitable for China. The modification of communism to reflect Chinese realities is described as Signification of Communism.

### **Peasantry-led Revolution**

Karl Marx predicted that Communist Revolution will be seen only in west European countries that are fully industrialised and where workers are numerous and organised. But China in the decade of 1940s was an agricultural and industrially backward country. Karl Marx never considered that the peasants as a class have revolutionary potential as they are conservative and reactionary. Mao organized the peasants of China and succeeded in overthrowing the feudal exploitative State heralding the arrival of communism. Mao's success in China provided a revolutionary model for the other agricultural countries of Asia and Africa.

## **Mass line**

Leninist concept of the Communist party as the vanguard of the revolutionary struggle was modified by Mao to suit Chinese conditions. Mao contended that the masses should not be separated from the revolutionary party in the domains of both policy and struggle. They should be integral to the Communist Party and the guiding principle is 'from the masses to the masses'.

## **People's War and Guerilla War**

Mao believed in the 'revolutionary struggle of the vast majority of people against the exploiting classes and their State structure'. He propagated the idea of People's War. He suggested the intensive mobilization of the millions of peasants as part of the People's War as they are the worst victims of feudalism and imperialism. The ideal strategy of war was to surround the cities by capturing the rural landscape with the help of mobilized peasants.

Mao believed in the unconventional guerilla warfare. As a strategy it had three stages. In the first stage, the Communist cadre will win the people through propaganda. In the second stage, the cadre will ambush and attack the military and vital State installations. In the third stage, the cadre will act as a conventional army fighting the army of the State and capturing cities after inflicting defeat. Mao also taught that any of three stages can be used any time depending on the circumstances.

## **Let Hundred Flowers Bloom**

The Communist Party of China conducted the Hundred Flower Campaign in the second half of 1950s and the chairman Mao said "Let the hundred flowers bloom. Let the hundred schools of thought contend". He considered each thought as a flower and argued that all schools of thought must be allowed to bloom. The clash of thoughts will lead to the defeat and destruction of the rotten and obsolete ideas and better ones will endure competition and become successful. The ancient philosophy of Confucianism underwent this conflict of ideas test many centuries ago and came out successful. Though the State welcomed constructive criticism in the beginning, the campaign got derailed later as contention among ideas threatened the Communist Party of China itself.

The working class and peasantry were provided with key positions in the State. The petty bourgeoisie and national bourgeoisie were accorded with junior partner status. The People's Democratic Dictatorship guaranteed democracy for the general people while simultaneously acting as dictatorship over the enemies of the people especially those who were described as 'running dogs of imperialism'. In ideal Marxism, the workers and bourgeoisie are adversaries but New Democracy treated them as partners.

Maoism continues to be the ruling ideology of the People's Republic of China in the twenty first century in a changed milieu. The paramount leader Deng Xiaoping introduced massive changes in Chinese economy after 1978. Its economy has been infused with liberalization and globalization modifying fundamentally the communist economy of Mao period. But politically, the Communist Party of China continues to exercise monopoly of power.

### Antonio Gramsci

Antonio Gramsci, the famous Italian Marxist, introduced the concept of hegemony to explain the operation of the capitalist State. Hegemony means intellectual and moral leadership. The State manufactures the consent of the people through intellectual and moral leadership. It tries to create a false consciousness among people through propaganda.

Gramsci was one of the most creative modern political thinkers. But he was imprisoned by Fascism in the prime of his life. The judge convicted him on wrong grounds because of the pressure of Fascist government. While in the prison Gramsci wrote his thoughts on any available piece of paper and that was smuggled out of the prison and therefore his writings are titled "Prison Notebooks".

Its ideas are repeatedly driven into the minds of the people. Only when it fails to create the consent of the people, it starts using brutal force to carry out its activities. Gramsci also argues that, to destroy the capitalist State, the revolutionaries should use organic intellectuals and the Communist Party. The organic intellectuals will analyze the strength of the State and elucidate the means of destroying the State. The Communist Party will carry out the revolution and establish the ideal state of communism.

### Conversation

**Teacher :**Dear Students, have you heard about U.S.S.R?

**Student 1 :**Yes sir. I have read in the newspapers many times.

**Teacher :**What does the acronym stand for?

**Student 2 :**Sir, it means Union of Soviet Socialist Republics.

**Teacher :**You are correct. It was a mammoth political entity in the world. It symbolized the ideology of Marxism.

**Student 3 :**Sir, what happened to it? Why don't we hear anything about it nowadays?

**Teacher :**Dear students, it does not exist anymore. It faced internal disintegration in 1991 and disappeared from the face of the world.

**Student 1 :**Sir, how and why did it collapse?

**Teacher :**The communist country collapsed due to many reasons. There was an unsolvable economic crisis. Politically rights were not available to the people. It had to maintain a very expensive military. The cold war between the United States and U.S.S.R was destroying the economic capacity of the country.

**Student 2 :**Sir, if a great country suddenly imploded it must have surely left repercussions on the world. What was the impact of its collapse?

**Teacher :**Yes, my dear student. It left a number of short term and long term repercussions. Positively it made the advent of democracy in Russia. It ended the cold war and eliminated the threat of nuclear war. It also led to the birth of fifteen new, independent nations.

**Student 3 :**Sir, did it leave any negative impact?

**Teacher :**Of course, it left many negative effects too. For example, communism as an ideological alternative of hope for humankind was weakened heavily. It created rivalry between the successor nations. The world came to be dominated by one powerful nation. Russia lost its stature among the nations of the world. India lost a traditional friend.

### Neo Marxism

A group of philosophers who were associated with the Frankfurt Institute for Social Research in Germany developed new insights into Marxism that are described as Neo Marxism or Critical Theory. The important philosophers of this school are Herbert Marcuse, Jurgen Habermas and Theodor Adorno. Though there are great differences in their writings all of them uniformly protested against the systems of domination and exploitation. They focused on understanding the hidden roots and layers of domination. They concentrated on preparing the masses for revolutionary transformation by augmenting their true consciousness. They propounded the attitude to question the socio-cultural practices in all societies that perpetuate domination over the masses. Their writings can be characterised as counter- culture aiming for the emancipation of the masses.

### Instrumental Marxism

Ralph Miliband is the main proponent of Instrumental Marxism. This school of thought takes an instrumental perspective of the state. The officials of the government and state come from the same background as the property or ruling class. They have personal

contact with the members of the ruling class. Therefore the state is used as an instrument by officials and the members of the ruling class to perpetuate exploitation and to manufacture the ideological consent of the people for their hegemony.

### **Structural Marxism**

Structural Marxism propounded by the French philosopher Louis Althusser and Nicos Poulantza is a new school of Marxism that emerged in the 1970s. It repudiated the arguments of Instrumental Marxism. Althusser debated with Ralph Miliband and asserted that the class origin and position of the administrators is purely incidental and has no significance. Regardless of class origin of officials the state is bound to aid exploitation because of its objective or structural position in the economic system.

### **Louis Althusser**

Louis Althusser introduced further innovations in the Marxist concept of state. He argued that the capitalist State has two kinds of coercive instruments to safeguard itself.

**They are;**

1. Repressive State Apparatuses
2. Ideological State Apparatuses.

The Repressive State Apparatuses include police, military, law courts etc. They are repressive as they punish the people when their orders are not obeyed. The Ideological State Apparatuses include family, schools, colleges, the media and trade unions. The State creates consent and support from people by ideological indoctrination, without violence.

### **DEBATE**

Communism has experienced a steep decline in popularity. Organize a group discussion in the class on the theme "Future of Communism".

## **8.3 Socialism**

Socialism is an ideology that supports public ownership of property and natural resources. It is fundamentally opposed to Liberalism that believes in the private ownership of property. There are many kinds of socialism like democratic socialism, evolutionary socialism, Fabian socialism, guild socialism etc. The terms 'Socialism' and 'Communism' are at times interchangeably used. But Karl Marx introduced a distinction by describing his socialism and ideology as scientific socialism and other prevailing kinds as Utopian socialism.

### **A. Utopian Socialism**

Many thinkers in the 19th century had questioned the negative consequences of liberalism. They strove to protect the interests of the working class. Robert Owen was an industrialist and a philanthropist. He started the cooperative movement and experimental socialist communities in England to realise betterment in the conditions of the workers. He associated the workers in the management of his industries and showed that profits can be increased by the joint endeavour between workers and employers. He appealed to the reason of the fellow capitalists to take into account the welfare of the working classes. Saint Simon, a French industrialist and thinker, argued that the welfare of the working class must also be taken into consideration for realising an efficient economy and effective society.

Charles Fourier, another French thinker, suggested the socialist reconstruction of the society by forming association of producers termed as phalanges. Both Saint Simon and Charles Fourier appealed to the conscience of the capitalists to improve the miserable state of the workers. These three notable theorists advocated ideas in favour of the workers in 19th century. Karl Marx described their thoughts as Utopian Socialism as they provided only a superficial understanding of capitalism and their alternative schemes are wishful and utopian in nature. He claimed that, in contrast his communism is based on scientific understanding of capitalism meriting the name of Scientific Socialism.

## **B. Democratic Socialism**

Democratic Socialism as the nomenclature indicates combines the two systems of socialism and democracy to provide a unique political and economic system to promote equality and freedom. It differs from Marxism in its conception of the State. It believes that the State is not an instrument of exploitation of workers by the capitalists. Rather, the State is an instrument of social welfare. The State must be made democratic. All classes in society own the State. Socialism can be established only through the State. It will not and should not wither away as Marxism predicted.

Democratic Socialism argues that socialism can be established through evolutionary and peaceful means. Its methodology of change characterized as gradualism or ballot box socialism. It dismisses revolutionary, violent struggle as unnecessary. Democratic Socialism argues for harmonious relationship among classes and class differences must be solved through peaceful methods. The right to property need not be abolished. Rather for the sake of social welfare the right to property must be limited.

There are crucial differences between Marxism and Democratic Socialism. Many basic concepts of Marxism are either modified or rejected by Democratic Socialism. Nevertheless, both have certain similar goals like ending the exploitation of workers and promoting equality among people.

## **C. Fabian Socialism**

Fabian Socialism was the British version of socialism propagated by the Fabian Society from 1884. They chose the nomenclature Fabianism inspired by the great Roman General Fabius who was historically famous for adopting the military strategy of 'wait and hit hard at the right moment'. Sidney Webb and Sidney Oliver H G Wells brought out the ideology of Fabianism. English playwright George Bernard Shaw was one of the greatest proponents of Fabianism.

As an ideology Fabianism attacked capitalism as an exploitative system and advocated a thorough reorganization of economy and politics of their contemporary period. It expressed its resolute support for democratic State. There are two important attributes of the Fabian State. Firstly, it should be based on decentralization of power. Secondly, it should be led by experts. Fabianism rejected Marxist call for the abolition of the State. It wanted the State to exist on the foundations of decentralized power and expert leadership to promote social welfare.

In India Jawaharlal Nehru is an ardent champion of Fabian Socialism

democracy are complementary and supplementary to each other. They are to be appreciated as noble ideals of equality and justice are dearer to them. The Fabians did not advocate the abolition of private property. On the contrary, they supported existence of limited right to property governed by the principle of social welfare. Fabianism as an evolutionary socialism rejected Communist revolutionary methods of change. It supported peaceful methods of change in society. The Fabian ideologues depended on persuasion tactics to realize socialism.

#### **D. Evolutionary Socialism**

Evolutionary Socialism was initially advocated by Lassalle, one of the earliest leaders of the German Social Democracy tradition. The ideals of Evolutionary Socialism were formally expounded in the Gothe Programme in 1875, an important document in the evolution of socialism in Germany and Europe. Later on, Eduard Bernstein wrote the book 'Evolutionary Socialism' that attracted the many supporters like Jaures in France, Anseelein Italy, Bauer in Austria. It argues for an evolutionary change in capitalism. It believes that along with economic factors non-economic factors are also important to explain human life. Democratic Socialism and Evolutionary Socialism are inter-related. Marxism attacked Evolutionary Socialism as 'revisionism' and 'broker's view of socialism'.

#### **E. Guild Socialism**

It is a kind of evolutionary socialism that emerged in Great Briton in the first two decades of the 20th century. The English political thinker and the founder of National Guilds League in England, D H Cole was the leading advocate of this brand of socialism. He wrote the book 'Guild Socialism: A Plan for Economic Recovery' to propagate the tenets of

Guild Socialism. Guild Socialism criticized the exploitation of workers by the capitalists in the western world and arose as a protest ideology against capitalism

The word guild refers to the association of craftsmen and artisans of a particular profession in the medieval period in Europe. It acted as a source of mutual support, as a medium to pass on the professional knowledge to new entrants. Guild Socialism combines the medieval guild with modern socialism and envisages a political organization in which organized workers-based associations will discharge most of the political functions. This ideology believes that in any society there are numerous professions, trades and occupations and a member of one profession cannot represent the interests and welfare of members of another profession and therefore every profession must have its own organization. All such organizations must come together to form a governing council at the district, State and national-levels to administer the system. A national-level confederation of guilds will govern the country.

Guild Socialism does not call for the destruction of the State. It endows the State with certain common functions like providing education and health services to the people. Guild Socialism supported the principle of gradualism to bring about changes in the existing capitalist system. It abhorred the revolutionary methods of struggle associated with Marxism. All changes in society should be brought through peaceful and democratic means. This was a cardinal principle of Guild Socialism.

Though Guild Socialism was laudable in its commitment to the welfare of workers it was criticized as an impractical alternative. Its attempt to reduce the State to the position of an ordinary guild was not accepted by many political theorists who asserted that the weakened state of Guild Socialism cannot maintain law and order and protect its people from invasions and insurrections.

## **F. Socialism in India**

The Indian kind of socialism is known as Socialistic Pattern of Society that was adopted by the Indian State in the mid 1950s. Provision of all basic necessities to all people irrespective of caste, creed, religion, race and gender and elimination of poverty, inequality and illiteracy are the objectives of Indian Socialism. Parliament passed a resolution for the establishment of Planning Commission In 1950. The strategy of Five Year Plan was implemented to promote development with socialist content from 1951. We adopted a Mixed Economy where both private and public sectors were allowed to operate. We provided the commanding heights of the economy to the public sector to achieve development and equality.

The 42nd Constitutional Amendment Law introduced socialism as an official feature of the Preamble of our Constitution. The 44th Constitutional Amendment Act removed the Right to Property from the list of Fundamental Rights and made it an ordinary right in Part XII of the Constitution. The Directive Principles of State Policy in

Part IV of the Constitution contains many provisions that are designed to promote socialistic objectives like Right to Work and avoidance of concentration of wealth in the hands of a few people. India had adhered to socialism from the year of independence to 1991 when we launched our New Economic Reforms that favored liberalization, privatization and globalization.

## **Nationalism**

### **Meaning, Emergence and Spread**

Nationalism refers to an ideology that promotes loyalty, affection and devotion to a particular nation. It creates attachments among people to a common homeland, a common language, ideals, values and traditions. It is based on a consciousness that exalts the nation above other categories and factors of social life. It strongly believes that the individual's loyalty and commitment to the nation should override their attachments with any group interest. Ernest Gellner, an important theorist wrote the book 'Nations and Nationalism'. He defined nationalism as "primarily a political principle that holds that the political and the national unit should be congruent".

Nationalism is a modern concept. It emerged in Europe at the beginning of modern period. It arose first in England and later on diffused to other countries of Western Europe like France, Germany aided by French Revolution.

The North American colonies revolted and formed their own nationalism in opposition to Europe. The African and Asian nations witnessed the emergence of a new kind of nationalism called post- colonial nationalism as a result of anti colonial struggle. Many factors contributed to the emergence and diffusion of nationalism throughout the world and the notable ones include capitalism, French Revolution, industrialization, World Wars and colonialism.

### **Theories of Nationalism**

There are many theories of nationalism that can be listed as

- ❖ Primordial Theory of Nationalism
- ❖ Socio-biological Theory of Nationalism
- ❖ Social communication Theories
- ❖ Marxian Theory of Nationalism
- ❖ Post-ideological Theory of nationalism

These theories can be divided into perennial theories and modernization theories. The first two theories can be categorized as perennial theories and the last three are designated as modernization theories.

### **Primordial Theory of Nationalism**

The word primordial means existing at or since the beginning of the world. The theory of primordialism considers that the people of a particular language, region, religion, race etc have developed a great intra-group affinity as they inhabit together since ancient period. They develop a strong ethnic identity and loyalty. They demonstrate the qualities of affection, sentiments and attachments. They may not exhibit ostensibly sufficient social interactions as part of their affinity. Nevertheless the primordial identities are powerful having even coercive impact on their lives. The primordial theory of nationalism is grounded on the concept of ethnic nationalism.

### **Socio-biological Theory of Nationalism**

This theory considers nationalism as emotional attachments of a group of people who identify with and agree on a common descent. The people consider themselves as belonging to an extended family. For them, the nation is the family writ large. Nationalism is a blend of both rationalism and irrationalism. It is a 'primitive mind with modern techniques'. As far as the roots are concerned nationalism relies on the past. But on its relations with other groups it is contemporary. Nationalism shows the face of ethno centrism towards the members of the group and xenophobia to the members of the other groups and nations.

### **Post-Ideological Theory of Nationalism**

A number of theorists propounded the post-ideological theories of nationalism. Anthony Giddens, Paul Brass and Michael Mann are the main authors of this theory.

They differ greatly in their expositions about the origin and nature of nationalism but a fundamental similarity exists as all of them identify State as the most paramount factor in the evolution and operation of nationalism. They argue that though nations and nationalist sentiments existed in the medieval period, nationalism blossomed fully only in the modern period with the emergence of the modern State. Anthony Giddens argued that the advent of French Revolution engineered the birth and growth of nationalism all over Europe.

Michael Mann articulated that there are four sources of social power. They are 1) Ideological power 2) Economic power 3) Military power and 4) Political power. These four sources, often in combination acted historically to produce nationalism in different periods. The ideological factor in the form of religion promoted the birth of infant nations as in the case of England in the 16th century. The second phase saw the economic, especially commercial power contributing to the birth of nationalism in Western Europe. The military power influenced the origin of nationalism in the third phase and finally political power shaped the evolution of nationalism.

The central argument of these theorists belonging to post-ideological theory of nationalism is that the modern State along with commercial capitalism initially created and influenced the growth of nationalism.

## Communication Theory of Nationalism

Karl Deutsch and Benedict Anderson are among the important theorists of communication theory of nationalism. Deutsch defined nation as 'as a group of people who communicate more effectively and intensely with one another than with people outside the group'. He examined the data from different streams of knowledge like economics, history and demography and arrived at the conclusion that communication played the role of a parent in the birth of nationalism and nationality. The development of effective internal communication linked all people in the country and created the feelings of moral and political identity contributing to the emergence of nationalism.

Anderson described the nation as an imagined community and nationalism as its life force. He wrote the book 'Imagined Communities' and argued that the nation is an imagined community existing only in the mind, imagination of the people. The members of a nation do not see, talk and know all the other members of the nation. Yet, they consider all other members as their own people.

When a cricket match is played, lakhs of spectators in the ground and people before the TV sets perceive each other as members of the same community sharing joy and sorrow at the victory and defeat of the team. Similarly the Tomb of the Unknown Soldier is another example for the concept of imagined community. The people do not know personally the soldier whose body is buried in the tomb but all compatriots have emotional attachment with the tomb.

### Cricket Match Spectators

"The fellow members of even the smallest nation will never know most of their fellow members, meet them, or even hear of them, yet in the minds of each lives the images of the communion..... Communities are to be distinguished, not by their falsity or genuineness, but in the style in which they are imagined." - Benedict Anderson

Anderson contends that the capitalism and the discovery of the printing press played a crucial role in the emergence of nationalism. After the discovery of the printing press, books were printed and sold in large volumes in the vernacular languages of the period like English, French and German. Millions of the people for the first time in history had the opportunity of reading books in their own languages. As they read the same text and matter they developed in their minds the same thoughts and ideas leading to the creation of the idea of community in their minds. Capitalism helped in the process of creation of imaginary community. The capitalists wanted to earn profits and printed books in large quantities and sold them. The print capitalism (the combined forces of capitalism and printing press) contributed to the advent of nationalism in the minds of the people.

## Marxist Theory of Nationalism

Marxism considers nationalism as an offspring of capitalism. Nationalism was created by capitalism to protect the exploitative capitalist order. Karl Marx contended that the ruling ideas are essentially the ideas of the ruling class that owns the means of production. The capitalist class possesses private property and indulges in the exploitation of the property-less class. Nationalism was conceived and created by the bourgeois class for its own benefit to numb the feelings of the workers. "Nationalist consciousness is quintessentially a false consciousness deliberately created perpetuate and legitimize class exploitation". Marx commented, 'The Proletariat has no fatherland'. He issued a clarion call in the 'The Communist Manifest' to the workers of the world to conduct revolution for ending capitalism and establishing socialism all over the world. He favoured internationalism and opposed nationalism.

Michael Hechter, Miroslav Hroch and Tom Narim are the important Marxist theorists to analyze nationalism.

### **Indian Nationalism**

Indian nationalism emerged in the second half of the 19th century. All Indians began to think of nationalist feeling transcending their religious, regional, linguistic, ethnic differences and barriers. There are two kinds of factors responsible for the emergence of Indian nationalism. They are internal and external factors.

Internally speaking, the concept of Indian unity is always ingrained in the minds of the people. Though the Indian subcontinent for many centuries was politically fragmented it continued to be culturally unified. The concept of unity in diversity exists in Indian tradition since ancient period. The seeds of modern nationalism germinated and grew luxuriantly in the fertile soil of this centuries-old cultural unity.

Externally, the impact of British colonial rule facilitated the growth of Indian nationalism. The major forces are;

A. Colonialism carried out the political, administrative, economic and communication unification of India. India was a politically divided subcontinent in eighteenth century with over 700 different territories and rulers. The British unified them into one country. India followed village-based economy. Colonialism introduced modern economy and market system unifying the country economically. The British rule introduced modern means of communication like railways, telegraphs, uniform postal system-making transport and movement of people, goods and ideas easier and faster throughout the subcontinent. The newly unified India in the 19th century was conducive for the emergence of the modern political force called nationalism.

B. Western education was introduced in India by colonialism. Indians learned modern political ideas like liberty, equality, sovereignty in the classrooms and demanded that our motherland should be empowered with those modern political values.

C. English became the lingua franca of India during colonialism. India is a polyglot nation as it speaks more than a thousand languages and political unity was derailed. In this backdrop the English language became the language of communication among nationalists facilitating the growth of nationalism.

D. The 19th century witnessed the emergence of many socio-religious reform movements like Brahma Samaj of Raja Ram Mohan Roy, Prarthana Samaj, etc. They strove to sow the seeds of renaissance and reform in Indian society. They also revived the memories of centuries-old great Indian civilization even while articulating the need for reforming Indian society and eliminating evils like sati, caste system and untouchability.

E. Racialism of British rulers and authorities created bitterness among Indian people. Indian nationalism grew as a protest movement against the racial humiliation of Indian people in the colonial period. They reacted against the concept of the White Man's Burden flaunted by the colonial rulers. It refers to idea that the white people are the most advanced and civilized race in the world and their mission in India is to civilize the Indian people. Indian leaders repudiated this racial myth and mobilized Indian people through the medium of nationalism.

F. The patently exploitative and flagrantly arrogant rule of the Governor General Lord Lytten spurred the faster emergence of Indian nationalism. He imposed discrimination on Indian vernacular press. Measures were taken to promote the import of goods from England and to restrict the export of Indian goods to England. No active relief was provided by the colonial government when millions of people suffered and even died under severe drought. There was an unnecessary war with Afghanistan in which thousands of Indian soldiers died. Indian nationalism grew as a result of anger against the maladministration of Lord Lytten.

G. Lord Ripon was a notable Governor General of India. Along with the Law Member Ilbert, the Governor General introduced a Bill granting powers to Indian judges to sit in the trial of cases involving Europeans. There was a huge protest organized by racist people and the government was forced to backtrack on its proposal. Indians were disappointed at the behaviour of Europeans in India. The Ilbert Bill controversy taught Indians the art and science of political agitation against the negative actions of the government.

These factors created the conditions for the conclusive emergence of Indian nationalism in the 19th century that powered the Indian struggle for independence.

### **Challenges before Nationalism**

Nationalism faces a host of challenges in the contemporary period. Some of them are intra-national and many of them are extra-national in origin and theatre of operation. The paramount challenges can be listed as secessionism and globalization.

## Secessionism

Nationalism grapples with a strong adversarial force, called by many names like separatism, sub-nationalism, splitism and secessionism. The Quebec separatism in Canada, Balochistan movement in Pakistan, Uighur issue in China, Catalannationalism in Spain are the living examples of nationalism being questioned and endangered by intra-national forces.

## Extra National Factors

Many extra-national and global factors imperil nationalism. Globalization refers to the increasing integration of the world in terms of economy, trade, technology, culture and institutions. The contemporary world is dominated by the ascendancy of globalization process. The barriers between and among nations are being undermined by the onward march of globalization. Economically, multi-national corporations have established their production and sale units across many countries and continents. They employ people belonging to different countries and exercise great influence in political domain also.

The establishment and functioning of World Trade Organization has hastened the process of globalization. 'Barrier-free trade' is the fundamental slogan of the organization. It has created several agreements in the last two decades from 1995 the year of its inception and till now and has brought down the trade and tariff bottlenecks in international domain that partly contributed to the two world wars in the 20th century. Trade tariffs are closely related to nationalism and their elimination erodes the rationale of nationalism.

There is a large-scale migration of the skilled people propelled by the forces of globalization. The highly educated and technologically qualified people migrate from Asian and African countries to the developed countries like the United States, Australia and countries of Western Europe. The educated and technologically advanced Indian and Chinese youth have migrated in large numbers to the United States in the age of globalization.

The international regional organizations have eroded the stature of the States and their nationalism by promoting regional economic co-operation. The European Union consisting of 27 nations is the most advanced international regional organization that seeks to achieve economic, political and cultural integration. It has created European Parliament, European Council and European Commission. Euro is its currency and a large portion of the dream to create structures for the free movement of people, capital, service and goods has been realized. It has brought out the concept of 'Pooled Sovereignty' where the States share their decision-making powers with member-States of the regional organization foregoing their sovereignty, definitely a blow to the concept of nationalism and its cardinal feature of State sovereignty. Succinctly to state, the continent of Europe from being the cradle of nationalism has become the beacon of globalism.

The gradual emergence of the role and relevance of the United Nations indicates the march, though slow of the humanity towards a World Government that is a negation of nationalism and its political body the state.

## Case Study

### Uyghur Separatism: Case Study

Xinjiang is a turbulent province of People's Republic of China located in the north western region of the country. Xinjiang means 'New Border' or 'New Frontier' in Mandarin language. It is a thinly populated and expansive semi-arid or desert territory and the indigenous inhabitants are called as Uyghur Muslims. The restive province deeply harbours grievances about the putative economic discrimination against them from the mainstream of Chinese government and economy. They argue that their province had witnessed a huge leap in Hans Chinese population from a mere 6 percent at the time of revolution to around 40 percent in the beginning of new millennium endangering their identity. The ethnic community also contends that the atheist communist government discriminates against them in the sphere of religion. They protest against the national government for enforcing regulations and restrictions on many aspects of religious life like telling people not to grow beard and enforcing penalty on taxi drivers who transport burqa-clad passengers. The Chinese government has adopted a stringent attitude towards terrorism in Xinjiang and its response is characterized by strike-hard policy and zero tolerance for terrorism and splitism (a favourite slogan of administration to describe secessionism).

Radical ideologies adhering to a different kind of internationalism pose a threat to the concept of nationalism. For example the Islamic State with its ideology of salafism (Pure Islam) rejected the concept of nationalism and nation States as anti-Islam. It established a caliphate in the captured territories in Syria and Iraq in 2014 and appealed to the global Islamic community to be associated with the international jihad to establish a global Islamic State or universal Caliphate.

The environmental problems like climate change, acid rain, ozone depletion have been caused by factors within the nation but the consequences and remedies are transnational and beyond the capacity of nationalism and national States to solve. The environmental conservation responsibility is a global challenge and numerous multi-lateral environmental conferences have been conducted by global community to discuss and provide solutions. The growth of information technology especially internet, mobile phones and social media have left a profound impact on the concept of nationalism. It has sided with internationalism. The national State cannot effectively protect its nationalism

and national interests as cross border transmission of ideas and networks become stronger.

The communication revolution has shrunk the world and the idea of the global village gains momentum that in the long run may jeopardize nationalism.

Nevertheless, it cannot be denied that nationalism continues to be a strong ideology in the 21st century too. The end of nationalism is not observable even in the distant horizon. The State still retains with itself the priceless feature of sovereignty. The ultimate deciding factor of internationalism is still nationalism and national interests. The BREXIT or exit of Britain from the European Union and the exit of United States from 2015 Paris Accord of the United Nations Framework Convention on Climate Change on grounds of national interests reveal the relevance and resilience of the ideology of nationalism.

### DEBATE

Have a debate about the positives and negatives of BREXIT for India - EU relations.

### Fascism

Benito Mussolini founded a totalitarian party, movement and ideology in the inter-war period and ruled Italy for more than two decades. Fascism in Italian language has its origin in the word Fasci meaning the bundle of rods bound with a red cord round an axe helve. In Italian tradition, this symbol is powerful as it was borne by the magisterial attendants before the Roman Consuls as symbol of political power. The bundle of rods signifies unity and strength and Benito Mussolini chose the nomenclature to arouse the emotions of the cadre.

The most important factor for the emergence of Fascism can be attributed to the socio-economic problems of Italy in the post-war period. Though it was on the side of the allied powers in the First World War, there was a huge popular disappointment that it did not receive benefits from the post-war settlement. The country suffered from numerous socio-economic problems like unemployment, inflation, stagnation and instability in industrial sector.

R.M. Mac Iver regards fascism as a movement of lower middle class.

All sections of Italy like workers, farmers, middle class and even rich classes faced war-related miseries. Benito Mussolini, being a dangerous demagogue, capitalized on this widespread discontent and conducted a 'March on Rome' in 1922. The political authorities in the face of fascist intimidation capitulated and Mussolini and National Fascist Party captured power without any violence.

## Basic Characteristics

Fascism preached and practiced aggressive nationalism. Fascism proclaimed that Italy is the greatest nation in the world and created hatred against other nations and people. Fascism pursued imperialism both in theory and practice. Its expansionist drive re-ignited colonial rivalries in Africa precipitating the Second World War. A Fascist writer Giovanni Gentile wrote the book 'Doctrine of Fascism'. He said that the Fascist State is a will to power and empire. The Roman tradition is here a powerful force. According to the doctrine of Fascism, empire is not only territorial or military or mercantile concept, but a spiritual and moral one. One can think of an empire, that is, a nation, which directly or indirectly guides other nations, without the need to conquer a single square kilometer of territory. Mussolini believed that the Fascist State is the 'Third Rome', a worthy successor to the First Ancient Roman Empire and second the Renaissance Rome that disseminated the seeds of renaissance throughout Europe.

Fascism extolled the virtues of war. Mussolini infamously stated 'war is to man what maternity is to woman'. It deprecated peace as a slogan of the weak and cowardly. Fascism sought to honour women as 'reproducers of the nation'.

Fascism rejected the idea of a limited State. It enthusiastically followed the concept of totalitarianism. Mussolini exclaimed, 'Everything within the State, nothing outside the State, nothing against the State'. The State was empowered to create a radically new society. It exercised a complete control over the minds and actions of its citizens. Fascists provided a positive outlook to the concept of totalitarian State contending that the powerful authoritarian State is vital for the metamorphosis of Italy into a mighty nation and moulding of its citizens into politically-active brave people.

Fascism considered communism as its mortal enemy and endeavored hard to suppress it. The great Marxist thinker of Italy, Antonio Gramsci was jailed for 20 years. The official prosecutor in that case ended his peroration infamously demanding the judge 'we should stop this brain working for 20 years'. Fascism banned political parties, movements and writings supporting communism. Ideologically, it repudiated the Marxist concepts of State, society, class and revolution. As against the class-ridden society of communism, Fascism supported the organic unity of the State.

The doctrine of fascism arose as a theory of reaction to democracy, socialism and communism. While democracy and communism represented progressive focus of the modern age fascism sought to promote a tendency in reverse direction.

Notable fact of the Fascist State is its nature as a Corporate State. Every profession, trade or occupation possessed its own corporate organisation. The national objectives of the State were given primacy over everything. The corporate State was promoted to remove any conflict between employers and employees. Mussolini firmly believed that the

disputes between the business classes and labour should and could be removed through the system of corporate bodies.

The workers were sternly told that strikes were illegal. They came to be affected greatly as wages were fixed low by the Fascist State and party. The corporate organizations suffered from corruption and inefficiency. The corporate State was the bedrock of Fascist economy but trampled upon the rights of the workers.

### **Criticism**

Fascism was the most powerful totalitarian State that mankind had ever faced. It was undemocratic. Fascism was attacked as an opportunistic, intellectually dishonest ideology as it changed frequently its core ideological principles and postures. Though Fascism and Nazism had been cruel collaborators in inflicting massive death and destruction on humankind in the Second World War, Fascism as an ideology was more coherent and therefore continues to be used as a term even in the 21st century to assail dictators and totalitarian States.

### **Nazism**

Adolf Hitler was the architect of the totalitarian ideology of Nazism that ruled Germany in the inter-war period. Hitler formed the Nazi Party (officially National Socialist German Workers' Party) on the basis of a radical 25-point programme in 1920 that included nationalization of all major industries, forfeiture of war profits and freedom from the thrall of money-lenders. Hitler was a wily demagogue and attracted all sections of German society by promising everything to everybody. He promised 'food to every belly, cloth to everybody, work to every hand and house to every family'. He arrived at the citadels of power without shedding blood by manipulating the parliamentary and constitutional processes in 1933.

### **Cause of Emergence**

The major cause of emergence of Hitler and Nazism can be located in the controversial Versailles Treaty of 1919 that was signed in Paris in the post-war settlement process. Hitler resorted to heighten the emotions of the ordinary German people by condemning the economic, military, and political humiliation of the German nation by the victorious allied powers. He authored the book 'Mein Kampf' meaning 'My Struggle' containing his views and ideas about German nation.

### **Core Features**

Nazism believed in totalitarianism. It adhered to the historical slogan of the German philosopher Friedrich Hegel that 'the State is the march of God on earth'. Complete obedience was demanded from the citizens.

Nazism resorted to systematic glorification of war. Hitler said, 'War is eternal, war is universal. War is life. War is the origin of all things'. This war-mongering precipitated the Second World War and inflicted misery on mankind.

Perhaps the one of the most controversial principles of Nazism is its racial superiority and purity myth. Hitler considered the Aryan race as the most intelligent and superlative one calling it the master race of mankind. He detested other races living among or in the vicinity of German nation especially Jews and Slav races. A set of laws known as Nuremberg Laws were enacted in 1934 to preserve the racial purity of the Aryan race. Marital relations between Aryans and other impure races like Jews, gypsies were banned.

Nazism implemented a brutal campaign of persecution against the Jews that resulted in the killing of millions of people which is now observed as the Holocaust. Nazism suppressed Jews holding them responsible for the misery of German people. The disproportionately higher representation of Jews in the wealthy classes and their lower percentage presence in lower sections of society invited the wrath of the Nazi State. They were subjected to inhuman conditions in places of detention known as concentration camps. Nazism was expansionist. Germany wanted to capture colonies so that the surplus population can be exported and it could overtake England as the colonial giant of the world.

Nazism rejected the prevailing political ideologies and systems like communism of Soviet Union, liberal democracy of the United States of America and internationalism of League of Nations.

Nazism believed in hero worship. The idea that 'Germany is Hitler and Hitler is Germany' was instilled in the minds of the people. The concept of equality of human beings was rejected and Adolf Hitler was addressed as the "Fuehrer" (leader). In fact, Germany itself was called as "Fuehrer- State" meaning the 'Leader-State'.

Nazism followed irrationalism and was vehemently against reason. Adhering to the philosophy of irrationalism it appealed to the emotions, sentiments and passions of the German people.

Nazism recognized only single party rule. All other political parties were banned and suppressed. The party resorted to mobilization of the people. Organizationally, it was based on strict hierarchy principles with Hitler concentrating all power at the top.

Succinctly to state, Nazism is criticized for being totalitarian, irrational, racist and inhuman ideology. The defeat of Germany in the Second World War and the suicide of Adolf Hitler extinguished the Nazi party and ideology. The emergence of the liberal democratic political system in Germany based on competitive party system has denied scope for the revival of Nazism.

## UNIT-9 -Political Ideologies - Part-II

### Introduction

We have learnt a few political ideologies in the previous chapter. Now we will study the remaining ideologies. The domain of political ideologies is very fertile and new ones germinate and blossom regularly. Our subject has witnessed the emergence of many new ideologies in the last four decades.

### Anarchism

Anarchism is a political ideology that advocates the model of self-governed societies based on innate cooperative instincts of man. Etymologically, anarchism is derived from the Greek word 'anarchos' meaning 'without authority'. One of the earliest political philosophers of anarchism was Pierre Joseph Proudhon who famously described profit as theft.

Russian thinker Peter Kropotkin and Russian author Leo Tolstoy are among the other important advocates of this philosophy.

Anarchism as an ideology seeks to abolish all authority and emancipate man from the State, property and religion. It alternatively visualizes a society based on voluntary association of human beings.

Anarchism considers the State as an unnecessary evil. State is an evil because it suppresses rights and liberties of man hindering his moral development. Unlike the negative liberalists who called the State necessary even though it is an evil, anarchism rejects the State as an unnecessary institution. They argue that the state does not perform any useful function in society and, therefore, it must be exterminated immediately. Bakunin, another famous anarchist thinker asserted that if there is a State, there must be domination and subjugation of one class by another class and therefore all States must vanish.

#### **Anarchy**

(Noun) a theory holding all forms of governmental authority to be unnecessary and undesirable and advocating a society based on voluntary cooperation and free association of individuals and groups

Anarchy is not chaos Anarchy is not lawlessness. Anarchy is based upon the principle of self-ownership.

Anarchism opposes not only State but also other social institutions like family and religion criticizing them to be responsible for the abominable exploitation of man. Some anarchists equate property with tyranny and condemn it as source of crime.

Anarchism is similar to Marxism in demanding the abolition of the State. But while Marxism believes that the State will wither away after the establishment of socialism, anarchism demands the immediate destruction of the State.

Gerard Casey supported anarchism in the 21st century by stating that not only the totalitarian and repressive ones all States are criminal organizations.

A new system of Stateless societies is the cherished goal of anarchism.

There are different kinds of anarchism. They can be categorised as philosophical anarchism, socialist anarchism, revolutionary anarchism and libertarian anarchism. However, not all of them demand the abolition of the State. The libertarian anarchism wants to restrict the State to the minimum possible extent. Still, a majority of anarchist philosophers advocate the abolition of the State.

Philosophers, critical of anarchism, opined that anarchism is too optimistic of the human nature. Their assumptions are plainly naive. They are oblivious to the ground realities especially the selfish side of human beings. Not all human beings are instinctively cooperative. Moreover, as man is not only rational but also emotional at times strongly influenced by emotions a cooperative individual may become selfish. A world or society without the State will prove to be a source of immense misery as issues like terrorism, cybercrime, and environmental pollution will spiral out of control. The safety of the world becomes fragile in the absence of the State as extremist groups will gain access and control over nuclear weapons and herald death and destruction.

## **Feminism**

- Feminism is the radical notion that women are people.
- A feminist is anyone who recognizes the equality and full humanity of women and men.

-Cheris Kramarae

Feminism refers to the movements and ideologies that strive to promote empowerment of women so that they achieve equality with men. Feminist schools of thought emerged on the horizon of Modern Political Theory from the last decades of the 19th century. It was propelled by scientific realisation about the innate capability and equality of women with men

There are different feminist schools of thought that can be broadly categorized as;

- A. Liberal Feminism
- B. Marxist Feminism
- C. Radical Feminism
- D. Eco Feminism
- E. Post-Colonial Feminism

### A. Liberal Feminism

The feminist movement, in its infant stage in the late 19th century, advocated equal political rights for women. It believed that the subordination of women in society could be rectified with electoral enfranchisement of women and endowment of other political and economic rights. The State was considered to be a gender neutral institution. Therefore granting of voting rights to women will culminate in the fruition of women development. The greatest feat of liberal feminism lies in winning voting rights to women in the democratic western countries.

### B. Marxist Feminism

It placed gender inequality and exploitation in the origin of private property from the second stage of human history called Ancient Slave Society. Friedrich Engels, a close associate of Karl Marx, wrote the book "The Origins of The Family, Private Property and the State". He argued that subordination of women emerged with the rise of private property as men controlled the property and used it to establish their domination over women. The struggle for women liberation should take place simultaneously with the struggle for liberation of the working class. Marxist revolution will lead to the destruction of capitalism and the establishment of communism where there will be no private property. There will be equality among not only men but also between men and women

### C. Radical Feminism

There are no innate differences between men and women and women came to be subjugated deliberately for the purpose of exploitation, is the ideological crux of Radical Feminism.

<p>" A Woman is not born but made" Beauvoir</p>	<p>-Simonede</p>
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Simone de Beauvoir, the famous radical feminist and author of the work "The Second Sex", asserted that "A woman is not born but made". Both woman and man are endowed with same capacities when they are born. Male-dominated society and culture known as patriarchy creates through indoctrination the inequality between them. The differences in gender are created artificially and unjustly. We can understand this assertion when we note the enormous differences in the status and position accorded to women among the cultures of the world.

## **Personal is Political**

*- Carole Hanisch*

Carole Hanisch, a famous Radical Feminist, brought out the most important slogan of Radical Feminism - Personal is Political - to reveal patriarchal domination over women. The liberal politics divides the activities of humankind into personal and public domains. The personal domain is considered to be a sphere of personal life where family operates. It is believed that there is no scope for conflict and domination in this sphere and only love, affection and empathy are relevant. Women live in the personal sphere and therefore there is no need for political rights, power and authority for women.

But the public domain is a sphere of struggle, competition and therefore politics. This domain is dominated exclusively by men. Therefore, men alone participate in politics and possess political power.

Radical Feminism repudiates the above liberal exposition and asserts that private and personal domain is also subject to politics. The relationship between man and women in personal domain is not always characterised by the considerations of love and affection. Even here struggle, competition and domination operate. For example the relations between husband and wife and a brother and sister are not always friendly and affectionate.

Struggle and competition can also be found in them. Therefore, we should speak about politics, women rights, gender equality in personal domain too. Radical Feminism argues for a revolutionary re-ordering of society and politics to implant gender equality in personal and public domains.

### **D. Eco Feminism**

Eco Feminism provides a feminist interpretation of nature. The two ideologies of Feminism and Environmentalism are fused in Eco Feminism. It argues that patriarchy is the root cause of environmental degradation and women exploitation. The important architects of Eco Feminism are Francoise D'Eaubonne, Rosemary Ruether, Ynestra King and Vandana Shiva.

"We are either going to have a future where women lead the way to make peace with the earth or we are not going to have a human future at all."

*- Vandana Shiva*

There are two schools of thought in Eco Feminism. They are Radical Feminism and Cultural Feminism. Radical Feminism asserts that patriarchy or male-dominated system subjugates and degrades both environment and women. Male domination of society must

be eliminated to realise the twin objectives of environmental preservation and women empowerment.

The other school, Cultural Feminism argues that women are closer to nature as both are food providers and play indispensable role in biological reproduction. The environmental degeneration affects women more than men. The division of work between the two genders leaves women more disadvantaged in the age of environmental crisis. They suffer more as in male dominant societies they are given the responsibilities directly linked with nature.

### **E. Post-Colonial Feminism**

Post-Colonial Feminism arose as an ideology and movement in the 1980s in the countries of Asia and Africa that were formerly enslaved in colonialism. Audre Lorde contributed to the emergence of Post-Colonial Feminism in one masterpiece essay "The Master's Tools Will Never Dismantle the Master's House". Gyatri Spivak, Chandra Talpade Mohanty and Ethel Crowley are important Post-Colonial Feminists.

Audre Lorde said, "To imply, however, that all women suffer the same oppression simply because we are women is to lose sight of the many varied tools of patriarchy. It is to ignore how those tools are used by women without awareness against each other... As an African-American woman in White patriarchy, I am used to having my archetypal experience distorted and trivialised."

It revolts against the western feminist movements' attempts at universalizing their experience. Women do not constitute a single and homogenous category as they are differentiated by a host of factors like class, race, religion and country. The mainstream feminism suffers from several deficiencies when applied to non-western societies. The Post-Colonial Feminism criticises the negative impact of western colonialism on the social economic and political universe of women in Asia and Africa, a reality that was ignored and never experienced by the mainstream feminist thought. They had experienced racism, slavery, forced migration and numerous other evils that make them different from the Western women.

It also condemns the projection of the western women as educated, politically-conscious, modern and empowered and non-western women as passive, powerless victims. Post-Colonial Feminism argues that women in these societies are victims of double colonisation represented by the exploitative forces of colonialism and patriarchy. Post-Colonial Feminism castigates the visible indifference of the mainstream post colonial political thought to the peculiar sufferings of the women in their societies and countries.

## Indian State and Women Empowerment

Not only feminism but all recent theories in political science emphasise the need to promote gender equality and women empowerment. Indian State had implemented certain crucial measures for protecting women.

### DEBATE

There is a long standing demand for women reservation in Parliament and State Legislatures. The struggle is for reserving one third of the seats for women. Arrange a comprehensive debate in the class on the pros and cons of women reservation proposal.

The 73rd and 74th Constitutional Amendment Acts reserve one-third of the seats in panchayat and urban local bodies for women. The implementation of reservation in elected local bodies in the last two decades has led to political empowerment of women. The Supreme Court of India had provided 'Vishakha Guidelines' to protect women from sexual harassment in working places. Accordingly, the Union government enacted The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The Act establishes Internal Complaints Committee and Local Complaints Committee to provide redressal to women seeking justice from sexual harassment in their workplace. Parliament had earlier passed The Protection of Women from Domestic Violence Act, 2005 to provide justice and protection from violence within their homes.

In conclusion, one can say gender equality paves way for empowerment of the half of humankind.

### Communitarianism

Communitarianism emerged as a political doctrine during the 1980s when Michael Sandel authored the book 'Liberalism and the Limits of Justice'. He criticised the libertarianism and its thinker John Rawls in that work. The other political scientists supporting communitarianism include Alisdair MacIntyre, Michael Walzer, Charles Taylor, Amitai Etzioni and Will Kymlicka. Though the British Socialist Goodwyn Barmy coined the word "communitarian" in the 1840s, the doctrine of communitarianism emerged only towards the end of the 20th century

Communitarianism rose as a revolt against the prevailing two ideologies of libertarianism and Marxism. It criticised the thinkers of libertarianism for their over emphasis on individuals. It rejected Marxism for being committed to class-based action and analysis. However, the opposition was directed against Libertarianism that had become the ruling philosophy of mankind especially in the western world.

### Importance of Community

Communitarianism argues that man is not born in a vacuum. He is a social and cultural animal. Individuals are born in a community or culture and therefore inherit it. Their beliefs, behavior, skills, capacities, attitudes etc are predominantly influenced by the community. Every individual builds on these commonly available and acquired capacities to make a mark in his or her life time. Man is not an atomistic entity existing alone but is embedded in the community. The individual is not 'unencumbered self' (completely free) from society but 'situated self' (rooted and planted) in society

Robert D. Putnam played a crucial role in the emergence of communitarianism. He analysed the game of Bowling in America. In his analysis he found that in the earlier days, a large number of Americans played the game. They built social networks, knowledge and skills (Social Capital) by constantly interacting with other people in the community while playing the game. But gradually people lost interest in the game with the arrival of new forces and facilities like television, internet, etc. As people spent more time in their technology- driven gadgets, their social interaction with other members came down leading to erosion of social capital. Ultimately, the quality of democracy also suffered as people have limited social interactions and public engagement. The political apathy of people eroded the strength of democracy.

### **Communitarianism Meaning**

Communitarianism is a philosophy that emphasizes the connection between the individual and the community.

Although the community might be a family UNIT, Communitarianism usually is understood, in the wider, philosophical sense, As a collection of interactions, Among a Communitarian philosophy is based upon the belief that a person's social identity and personality are largely molded by community relationships, with a smaller degree of development being placed on individualism.

In short Balancing the Rights and Responsibilities of Individual with Rights and Responsibilities of Community.

For example a child born in Tamil Nadu speaks Tamil language fluently and not Japanese where as a child born in Japan speaks Japanese fluently and not Tamil. A man living in a community where computer technology is already available in developed form may become a skilled person in software domain. On the contrary, a man living in a remote community that has not witnessed the growth of information technology will not have adequate software skills.

### **Concept of State**

Communitarianism considers the State as a positive instrument that promotes the idea of the common good. The concept of common good is present in every community.

The community develops a set of goals, practices and measures that collectively promote the fundamental welfare of all. The State should promote the realisation of the common good and act against the activities that promote individual good in contradiction with common good. It should protect and promote those cultural traditions of the community that symbolise and sustain the common good. Communitarianism supports a State that is democratically elected and constituted. They strongly aspire for a State that is responsible and responsive to demands of the community.

### **Concept of Rights**

Communitarianism believes that rights and responsibilities are intimately related. It rejects the excessive reliance of libertarianism on the concept of individual autonomy and rights. Instead, it focuses on a new concept of rights where common good is given importance. They strongly contend that the common good of the community has supremacy and priority over the rights of the individuals as it is prior to them. Every person may have his own conception of good but such individual good must be subordinated to the idea of common good. A new concept of positive rights is propagated where in a wide variety of rights like State-subsidised education, State-subsidized housing, safe environment, universal healthcare are demanded for the community members. A synthesis between rights and responsibilities is advocated by certain thinkers who belong to Responsive Communitarianism.

### **Concept of Justice**

Communitarians attack John Rawls and other libertarian thinkers on the concept of justice. They reject universalism of libertarianism, their argument that the concept of justice is universally applicable as it is based on reason. On the contrary, communitarians articulate the particularistic view of justice. Every community develops its own notions of justice and therefore it differs from society to society.

Therefore, we can conclude that Communitarianism as a political doctrine believes in the indispensability of community for the development of the 'situated and embedded man'. The positive State should concentrate on the provision of positive rights to community and its people so that common good can be preserved and promoted. But Libertarianism still criticises Communitarianism as preparing the path for the emergence of collectivism and authoritarianism.

### **Postmodernism**

Postmodernism refers to a variety of ideas that criticize modernity and emerge as its successor and rival. The major proponents of Postmodernism include Fredrick Nietzsche, Jean-Francois Lyotard, Michel Foucault and Jacques Derrida. Modernity has dominated the political theory in the last 200 years. Rationality, universalism, reductionism are among the dominant principles of modernity. Postmodernism challenges

these principles and advocates alternatives. It emerged in the last three decades in western political theory.

Fredrick Nietzsche is called Father of Post Modernism. He famously said "God is dead". He argued that man should stop the search for the ultimate truth to explain human life. It is beyond our capacity.

Modernity believes in universalism and reductionism. It explains all the phenomena through a single factor or one ultimate truth. For example, Karl Marx said human life depends on economy and all problems can be solved by eliminating the right to private property. Similarly Fredrick Hegel, the German philosopher argued that the world is nothing but the embodiment of World Spirit. Postmodernism, in contrast, advocates that the world and our life is complex and cannot be explained by a single factor. A host of factors like culture, language, religion, politics, and economy decide human life and this world.

Postmodernism believes that truth is not singular but plural. There are multiple versions of truth. For example, take any one leader or historical event. Different people will talk about the leader or the event differently. One person may call that leader a visionary. Another may call him a demagogue. Yet another may have a different perspective. All may be right in their own perspective and interpretation. The world is not constituted only by the two colours of black and white. There are more colours positioned in a continuum in between black and white.

Jacque Derrida was a French philosopher who advocated an innovative Post-modern concept called deconstruction. He provides deconstruction as an approach to understand meanings and texts. There are multiple meanings in a text and as human language is not so developed it may not be possible for the author of a text to communicate all his thoughts and the receiver or reader of the text may understand the meanings differently. Multiple interpretations of a text exist and therefore Derrida suggests deconstructing the meanings of the text.

Postmodernism opposes the universalism of modernity. In contrast it supports Particularism. It argues that the parts are more important than the whole. For example, modernity pays attention to universal theory of rights or welfare. Post-modernism focuses on the rights of particular social groups like women, tribal and the like, who are less privileged. Modernity devotes attention to systemic change but Postmodernism focuses on emancipating or changing the condition of specific social groups.

Identity politics is interlinked with post - modernism. Identity Politics refers to the activities of specific social groups, usually the weak, vulnerable and under-privileged communities who organise themselves under the banner of their own caste, race, and gender to resist domination of other groups over them. The members of these groups call themselves 'we' and oppose the activities of others, 'they'. Postmodernism and Identity Politics promote the empowerment of local, specific communities.

Postmodernism has been criticised by many thinkers and scholars. In fact, Alan Kirby, a British cultural critic, said Postmodernism is dead as its cultural period is over and the world has entered digi-modernism or the Era of Digital Modernism.

### **Environmentalism**

The advent of modern science and technology driven development had devastated the planet's environment precipitating several ecological crises like ozone depletion, climate change and acid rain. Environmentalism arose as a protest movement and ideology against the perilous destruction of the earth. We have only one habitable planet in the entire universe and there is no alternative home and therefore protecting the environment assumes paramount significance

Gandhiji says that there is enough for everyone's need but not for anyone's greed.

There exists a profound debate in philosophy about the relationship between man and ecology, development and environment. The Deep Ecology versus Shallow Ecology controversy is the central point of discussion in the debate.

### **Shallow Ecology**

Shallow Ecology refers to an ideology that approaches ecology through an anthropocentric and utilitarian outlook. American philosopher Anthony Weston is the greatest supporter of shallow ecology. It considers the human beings as fulcrum of life in this world. It accords the position of centrality and supremacy to man in ecology. It adopts an instrumental value of nature meaning that the ecology is important only as it useful to human welfare. The non-human biological forms and inanimate world are nothing but natural resources for human life.

It looks for technological solutions for any environmental problem. If pollution imperils environment then alternative energy sources that are renewable and environment friendly should be developed. It believes in the strategy of three R,s - reduce, reuse and recycle.

### **Deep Ecology**

Norwegian ecological philosopher Arne Naess coined the term Deep Ecology in 1973. He was influenced by Rachel Carson and Mahatma Gandhi. Deep ecology theory argues that the planet Earth is constituted by three interlinked parts of the human beings, non-human biological forms and the inanimate objects and forces. The human beings are one among the millions of living organisms in this world. They do not possess any superiority over other organisms. Anthropocentrism, that is, the belief in the centrality and supremacy of human beings in this world must be discarded.

The non-human biological forms also possess intrinsic value, inherent worth and identity. It believes in biocentric equality. The human beings need to satisfy the vital needs by making careful use of this biodiversity. Preservation of biodiversity is indispensable. The interference of human beings on the domain of the non-human sphere of the planet so far, is destructive, excessive and unacceptable. There is an urgent need to limit the population of the world as the current population explosion has injected enormous stress on the ecology.

"Humans are part of the environment and not conquerors of it."  
- Aldo Leopold

We should change our technology, philosophy, economy and politics so that ecological crises can be rectified and averted in the future. The human beings are 'ecological selves' the materialistic and consumerist life style must be changed and a new ecologically-sensitive social and economic order must be created. We should reduce our 'ecological footprint' by adopting a meager resources based life style. As the nomenclature indicated deep ecology asks deeper questions of how and why examining philosophically the impact of human life as one part of the ecosphere on other components.

<b>Tenets of Deep Ecology vs Shallow Ecology</b>	
<b>The Eight-Tenets of Deep Ecology Paraphrased</b>	<b>The Eight-Tenets of shallow Ecology</b>
1. All creatures on Earth have intrinsic value.	1. All creatures on Earth have value only for their usefulness to humans.
2. The whole diversity of living beings, simple as well as complex, contributes to life's richness.	2. Complex creatures (ie humans) are more important than simpler ones.
3. Humans should use other beings only to satisfy their basic needs.	3. Humans should always use all resources for their material and economic advantage.
4. The health of non-humans depends on decreasing the number of humans.	4. The human population can increase without restraint.
5. Human interference with the world is excessive and worsening.	5. Technological progress will solve all problems.

6. Human policy (economics, technology and ideology) must change radically.	6. Materialism and consumerism should govern human society.
7. Quality of life is more important than standard of living.	7. The standard of living should keep rising.
8. Every human who believes in these points must work for change.	8. Leave environmental problems for the experts to solve.

The Earth does not belong to us: we belong to the Earth.

- Marlee Martlin

### Political Theory and Ecology

The words environment and ecology are synonymous. Andrew Heywood, the noted political scientist classifies ecology in political theory into three kinds

- ❖ Social Ecology
- ❖ Modernist Ecology
- ❖ Deep Ecology

#### A) Social Ecology

The term 'Social Ecology' was coined by American philosopher Murray Bookchin. It advocates radical changes in the existing social and political structures to make them ecologically correct. There are three distinct trends in Social Ecology

- Eco-socialism
- Eco-anarchism
- Eco-feminism

#### 1. Eco-Socialism

Rudolph Bahro in his book 'From Red to Green' supported eco-socialism. It considers capitalism as the enemy of ecology. By breeding materialism and consumerism capitalism has inflicted horrific destruction on the environment. The unlimited right to private property, the cardinal principle of capitalism endangers the precious health and wealth of the planet's ecology. The nature is seen only as a commodity to be traded in the market and consumed by the man. Eco-socialism propounds a new approach in politics that combines socialism and ecologism. Socialism alone can nurture environment. The state must be imparted with a socialist content and direction to end the evil of capitalism and to protect environment

## 2. Eco-anarchism

Murray Bookchin advocated eco-anarchism. It considers authority as the enemy of ecology. The emergence of authority in human history in the form of State, religion and even family had led to the domination of man over man. The same forces have produced the subjugation and domination of nature by man. Man is a voluntary animal and his original instinct is the cooperative instinct.

In the ideal society, man establishes various associations based on voluntary cooperation to achieve development. But artificial forces of State, religion, private property have subverted the system and created structures of domination and subjugation. They have also wrought havoc on ecology. Therefore, we should create a new society based on voluntary instincts to protect man and ecology

## 3. Eco-feminism

Carolyn Merchant in the book 'The Death of Nature' propounded eco-feminism. This perspective considers patriarchy as the enemy of ecology and feminism as its beloved friend. Patriarchy means domination of man over women. Eco-feminism argues that patriarchy created the domination of man over not only women but over nature also. Patriarchy follows instrumental reason whereby both women and ecology are seen merely in terms of use value, as objects to be exploited and not as subjects endowed with life and intrinsic worth. Eco-feminism demands gender and ecology sensitive politics so that a new world of justice and sustainability can be established.

### B) Modernist Ecology

Modernist ecology is synonymous with shallow ecology. It attempts to promote a new harmony between liberalism and ecology. The liberal tenets and approach should be reformed so that the menace of ecological destruction can be avoided. It advocates a new 'enlightened anthropocentrism' where man, being the centre of the planet must consider the long-term interests of humanity and ecology in his developmental activities and should not be driven solely by short-term interests. Modernist ecology believes in the concept of "inter-generational justice" and argues that we did not inherit the earth from our previous generations but borrowed it from the future generations of humanity and therefore, there is a moral responsibility to protect and preserve the earth for their life in the future. The concept of 'sustainable development' is a basic characteristic of modernist ecology. It argues that 'getting richer faster' should not be the goal of human world rather 'getting richer slower' should be its guiding approach.

The modernist ecology is not a homogenous ideology. On the contrary, it is heterogeneous. There are different perspectives and prescriptions. Certain followers have called for the establishment of a totalitarian 'Green State' to protect ecology. Another group of supporters demanded 'Green Capitalism'. The majority of advocates and

supporters of modernist ecology suggested the green tilted State intervention in market to protect ecology and satisfy human interests.

### C) Deep Ecology

It advocates a new style of politics, policy and political attitude towards nature. It argues for a fundamental shift in the relationship between politics and nature. Politics must understand, respect and protect the element of inter connectedness found in ecology linking the human beings, other biological forms and the inanimate world.

### Ecological Movements in India

The destruction of ecology through modern development had resulted in the emergence of many protest movements all over the world. India also has witnessed many ecological protest movements seeking to protect environment and biodiversity. We shall study four such important ecological movements of India

- A. Bisnoi Movement
- B. Chipko Movement
- C. Appiko Movement
- D. Save Silent Valley Movement

#### A. Bisnoi Movement

Bisnoi non-violent struggle was a successful ecological movement in the 18th century in Rajasthan. Bisnoi is a religious sect in the Thar desert of Rajasthan founded by Guru Jambheshwar in medieval period. Bisnoi in Hindi means 29 and the sect came to be named after the 29 cardinal principles the founder expounded. The sect promoted a socio-religious belief system in perfect harmony with ecology creating a lush green local ecosystem in the desert.

The maharaja of Jodhpur desired to construct a palace in the 18th century and sent the army to the Khejarli village to cut the acacia trees in the locally nurtured forest. The ecologically- conscious local population protested against the cutting of trees. An elderly woman named Amrita Devi was in the frontline of the protest and when the army refused to desist from cutting the trees she hugged the trees asking the army to cut her head instead of cutting the trees. The army remorselessly cut her head off and concerned but determined villagers came forward in a line to offer their lives. A total of 363 people sacrificed their lives for protecting the forest. Ultimately the maharaja after knowing about the terrible events in the village recalled the army and offered his apologies for the massacre. He also officially designated the area as a protected forest. Bisnoi Khejarli movement is perhaps, the first greatest ecological movement of modern India.

#### B. Chipko Movement

Chipko movement was a non-violent popular, ecological movement organised by villagers in the mountain state of Uttarakhand in 1973. 'Chipko' in Hindi means to hug. The agitators of Chipko movement embraced the trees to protect them from being cut thereby earning the name Chipko movement. The contractors of sports goods company began to cut the trees in the Alknanda valley of the Uttarakhand state (part of Uttar Pradesh at that time) after getting government clearance. The enraged local population, especially women protested in a non-violent manner by embracing the trees and prevented the contractors. The organisational leadership was provided by an NGO called Dasholi Gram Swarajya Mandal (DGSM) that was formed a few years back by a noted social activist Chandi Prasad Bhatt. The famous environmentalist Sundarlal Bahuguna joined the agitation and appealed to the union government to ban logging in the Himalayan forests. The large-scale participation of women was a significant and laudable feature of the Chipko movement. Many women leaders like Dhoom Singh Negi, Bachni Devi played a prominent role fighting for forest rights of the people. The movement gradually spread across many parts of the Himalayan Mountains forcing the government to officially ban logging from 1980. The movement symbolises the successful fusion of three major ideologies of feminism, environmentalism and Gandhism

### **C. Appiko Movement**

The Appiko movement is an ecological protest movement in Uttara Kannada district of Karnataka in the Western Ghats. It was inspired by the Chipko Movement and 'appiko' in Kannada means to embrace. The Uttara Kannada district falls in the Western Ghats. The launch of many developmental projects in the district has precipitated deforestation reducing the forest cover of the district from a massive 81 percent in 1950 to an alarming 24 percent in 1980. The ecologically-conscious people launched the movement with three-fold objectives of conservation of remaining tropical forests, afforestation of the denuded forests and dissemination of ideas on rational utilisation of forests.

### **D. Save Silent Valley Movement**

The silent valley is an ecologically rich terrain in the Western Ghats in the Palakkad district of Kerala consisting of the tropical moist evergreen forests largely undisturbed by human activities. The valley is named after Sairandhri (Draupati), the wife of Pandavas in the Indian epic Mahabharata. Another explanation of the nomenclature says that when the Englishmen visited there during the colonial period the valley was observed to be strangely silent because of the supposed absence of the noise-making insect Cicadas.

The valley is rich in biodiversity. The lion-tailed macaque is abundantly found in the valley. There is even an argument that the valley itself is named after the binomial name of lion-tailed macaque, *Macaca Silenus*. The Kerala State Electricity Board began to implement Silent Valley Hydro Electricity Project across the river Kunthipuzha in the valley in the 1970s. The Kerala Sasthra Sahitya Parishad, other civil society organisations and ecologically-conscious people conducted an intense protest against the project. They criticised the negative impact of the project on the environment especially the biodiversity of the valley. The Kerala government, in the face of stiff opposition from diverse sections of society dropped the project in 1980. The valley was declared a national park in 1985 and

later on it came to be designated as the core area of the Nilgiris Biosphere Reserve. The Save Silent Valley movement is one of the most successful ecological movements of India in late 20th century.

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## **UNIT -10 - Public Opinion and Party System**

### **Introduction**

This chapter focuses on the meaning and evolution of the Party system as adopted in various countries of the world. Tracing the emergence of party system in modern democracies we seek to explain the nature, characteristics, types and functions of political parties especially in a democracy. Deriving from this general background, the evolution of the party system in India at the national and regional levels are studied, with a specific focus on Tamil Nadu. The chapter also presents the meaning and importance of public opinion and its role in the effective working of a democracy

### **Defining Public Opinion:**

Public opinion can be defined as a psychological and social process in which the behaviour of each member of the public is conditional to that of all others with similar beliefs. In short it is the collective views of the people, their attitudes and opinions.

It is the people's collective preferences on matters relating to government and politics. It is based on the premise that collective individual opinions matters in a democracy and public opinion should carry more weight than individual opinion. Others opine that public opinion can be influenced and controlled by organized groups, government leaders, and media elite.

In fact, democracy derives its authority from the people. Public opinion is not the opinion of an individual, though he or she may be a highly respected person. It is not a private opinion. It is also not an expert opinion, irrespective of the wisdom of the expert. Public opinion is an organized and considered opinion of a section or many sections of the people on any public issue or concern.

### **Role of Public Opinion:**

Public opinion is an essential element for successful working of a democracy where the views of all citizens are respected and no government can survive by ignoring it.

### **Hindrances to formation of a genuine public opinion**

Public opinion needs to be the true reflection of the peoples' ideas and opinion, however there are some hindrances to genuine public opinion;

**Selfish interests (Me above nation):** The interest of the people seeking personal advancement over the affairs of their own country. People need to be sensitized towards important issues related to unity, commitment, integrity and progress of the nation.

**Illiteracy:** It is expected that literate and responsible public make good citizens by exercising their franchise without fear or favour. Illiterate masses are often misled by party workers and guided by sentiments, favours and rhetoric. A sound public opinion can be formed only in the environment of free thought and knowledge.

**(a) Poverty:** The poor in any country are easily influenced by the false promise of political leaders and cast their votes subjectively. Sound and objective public opinion is possible only by alleviating poverty.

**(b) Racist and Caste based Discrimination:** Sentiments that provoke discrimination based on caste, creed and religion create a divide among the masses that are often manipulated by political parties for their advantage. Social disharmony in the country is detrimental to the effective working of a democracy.

**(c) Freedom of speech and the media:** Unbiased, objective and independent media as well as respect for individual freedom of speech and assembly play a very significant role in the formation of healthy opinion. The vital importance of an independent and impartial media that respects peoples freedom and exercises responsible news reporting are important criteria for formation of mature and responsive public opinion.

### **Definition of Political Parties**

Political parties are indispensable instruments in a democratic system. They are formed with definite ideologies, and programme of action. They enlighten the general public on issues concerning the society and state and they also prescribe alternatives. Through propaganda they educate people on political issues and garner their support for their policies and programme. In legislative bodies they represent organized opinion of the voters. In parliamentary democracies the party or an alliance of parties can win a majority of seats in legislature and forms the ministry (executive) examples: UK, India. In presidential democracies, the chief executives (president) are elected on party basis (USA, France). In any system political parties function as intermediaries between the government and people.

There is consistent competition between the various political parties and this competition ensures the mature functioning of a democracy.

### **Functions of Political Parties**

In a democracy, political parties serve as an integral link through which government and the public can interact. Political Parties act as a foundation that orients the people towards political initiatives and public experience. Political Parties work to

influence political thought and opinion with the intention of mobilizing votes. They provide a platform for political, economic and social activism that serves as a training ground for future regional and national leadership. In the long run they hold leaders accountable for their actions through rigorous debate and queries both within the party as well as through opposition parties. Thus the people are presented with a diverse choice of candidates, ideologies and approaches to various issues governing the nation. Their confidence in democracy is thus reinforced in the knowledge that they can bring about change and transformation should a majority of the population desire a transformation in the way they are governed.

## **The Party System**

The party system helps to operate and stabilize governments and they are particularly relevant for the effective functioning of democracies. The party system provides a system of checks and balances against the government's policies. By soliciting popular support among the masses and providing a structure for leadership and dialogue within the party according to specific party objectives and agenda, it helps sustain good governance.

A political party is a group of people who come together to contest elections and hold power in the government. They agree on some policies and programmes for the society with a view to promote the collective good.

(Symbols or Flag of different political parties )

Three components of a Political Party - Leaders, Active Members and Followers.

## **Types of Party Systems**

Different types of party system have evolved in various parts of the globe depending on the particular elements of democracy practiced. By and large the quality of a democracy is determined by how the government is representative of its people, how accountable the government is to its people, how human rights and equality of status and opportunity is guaranteed to all citizens and the level of political participation exercised by the people. The various types of party system address these issues in different ways, thereby determining the quality of democracy practiced.

### **A. One Party System**

In a one party system, a single political party exercises its right to form the government, which is often derived from a written or unwritten constitution. In most cases under a one party system, there is less participation and weaker accountability. Examples: Communist Party of China, (CPC) the Peoples` Action Party (PAP) in Singapore, Korean Workers Party, (KWP) North Korea, Communist Party of Vietnam (CPV) Vietnam, Communist Party of Cuba (CPC) Cuba. The single party system does not provide

adequate space for democratic expressions and not provide scope for alternative. For example in the 1920s fascist movements advocating nationalistic militarism, captured power in Germany under Hitler, in Italy under Mussolini and in Spain under General Franco. They prevented other political parties to emerge.

## **B. Two Party System**

In the two party system, two political parties, with distinctly different interests have equal opportunity to attain a majority and form the government. The majority party is the governing party and the minority party forms the opposition party in two-party systems. The Two-Party system has far greater accountability by the political leaders and greater political participation. The threat of being voted out by the opposition hangs as a 'Damocles sword' on the incumbent thereby guaranteeing a higher degree of responsible conduct and action. However since the political atmosphere is heavily polarized, drastic changes can happen once a party loses power which may prove detrimental to national interests. Examples of the two-party system include USA -Democrats and Republicans and UK Conservatives and Liberals.

However, in either country there is no constitutional restriction on number of parties. The constitutional procedures and peoples' political maturity led to the emergence of two party system.

## **C. Multi-Party system**

In the Multi- party system, multiple political parties are capable of garnering popular support and forming a government, either as a majority party or in coalition with many non-majority parties with similar political objectives. In this system, the political leaders are constantly observed and checked by checks and balances by their coalition partners. They are also subject to rigorous accountability to the people. The multi-party system offers the electorate the multiple avenues of political participation and the ability to bring about political change for greater national development.

The proportional representation system in France and Italy results in multi-party systems and coalition cabinets.

Examples of countries with multi-party systems include Canada, France, Germany, India and Sweden.

## **Role of Political Parties in a Democracy**

The existence of political parties is largely responsible for ensuring the quality and effectiveness of a democracy. In a federal multicultural and plural societies such as the United States of America and India, the maintenance of peace, unity and communal harmony are vital for social-economic progress. While single party system may have greater flexibility towards quicker decisions making and cohesive action, these decisions

may not represent mass opinion and thus it would create greater opposition and dissent for the government.

### The Role of Political Parties in a Democracy

#### What are political parties?

- ❖ They recruit and run candidates for public office under the party level
- ❖ They try to organize and coordinate the activities of government officials under the party name.

#### Many political scientists believe that parties are essential to democracy

- ❖ The political party is seen by some as the main instrument of popular sovereignty and majority rule.
- ❖ When political parties are working properly they can be essential tools of popular sovereignty

In the dual party system due to the nature of the party structure and leadership, this usually result in public policies and decisions blocked in political polarization rather than collaboration. While in Multi party systems, the performance is on the basis of deliberation and negotiation between coalition members, and issues are mostly settled by reaching a mutually derived consensus after debate and discussion. Thus, political parties are the drivers of a democracy that are necessary to safeguard the rights and freedoms of the people. Through effective Citizenship training and greater civic participation, youth in democratic nations can play a greater role in political parties thereby fostering more mature and wider democratization in countries.

#### Modern Party system

##### A. Party system in the United Kingdom

In the United Kingdom, polarization of opinions on issues relating to the status and role of monarchy led to the emergence of two parties:

- A. Tories or Conservatives and
- B. Whigs or liberals.

In the 20th century labour party became a major force eclipsing the liberals.

##### B. Party System in the USA

The founding fathers of the United States wanted to steer clear of political parties and the ensuing factional conflict between them. Nevertheless, after American Independence, the first parties in the newly constituted nation under the Presidency of George Washington were the Federalist Party supporting a strong national government and the Democratic Republican Party supporting state autonomy.

## Two Party System

- ❖ Rare around the world
- ❖ Evenly balanced national at National and local level
- ❖ Electoral system
- ❖ Winner take all
- ❖ Wasted vote
- ❖ Priority system
- ❖ Broad coalitions form before election
- ❖ Opinion of voters
- ❖ Difficult for third parties to get on ballot

In 1828, the democratic Republican Party was renamed as the Democratic Party which championed state rights. In 1854, the Republican Party established itself on the anti slavery platform and gained pre-dominance with Abraham Lincoln as President of USA.

Since the United States settled for the Two-Party system, the Republican and Democratic parties have dominated the American political scene, though third party candidates have been floated on and off.

### C. Party system in Europe:

After the French Revolution (1789), democratic forces gained strength in European Nations, and political parties emerged. Political parties in Continental Europe were largely divided into Conservatives, Liberals, and Christian itself Democrats. By the 19th century socialist movements gained popularity and social democratic or labor parties emerged which became popular and gained trade union support.

In Soviet Russia, the Bolshevik Party, was responsible for the Communist Revolution in 1917 which created the USSR (Union of Soviet Socialist Republics), popularly called the Soviet Union. The COMINTERN (Communist International) was established with the task of encouraging world communist revolution by supporting Communist parties in other countries. After the end of the Cold War era, the Communist party lost its popularity in Russia, though some minor communist parties still influence governmental policies within democratic states. Communist Parties however continue to control authoritarian governments in China and North Korea.

Democratic political systems are often reactive and responsive to the basic socio-economic values of their citizens. There has always been significant transformations in values and these are reflected in the political opinion of the people through political parties and their varying objectives. By late 20th century, socio-economic factors impacting Europe were reflected in the emergent types of parties some of which were more nationalistic and less open-minded, vocalizing their sentiments against immigration and the refugee influx that they see as a threat to European culture, security and economy.

#### D. Party System in South Africa

In African countries, political parties were at first formed to secure decolonization. In many decolonized African countries, political parties are struggling hard against militarism.

##### The Constitution of South Africa

- ❖ Universal adult suffrage vote at 18
- ❖ A national common voters roll
- ❖ Regular election
- ❖ A multi-party system of democratic government to ensure accountability, responsiveness and openness

#### E. Party System in India

The party system in India emerged along with the rise of nationalism and out of the freedom struggle against British rule. While Indian politics today represent a multi-party system, for long periods in Indian political history, one party has dominated the political stage. The Indian National Congress (INC) was established in 1885 by A. O Hume, as the indigenous base for the political participation of Indians in legislative and political wings. It demanded political reforms in gradual stages. After the non-cooperation movement (1921-23) Indian National Congress began to demand absolute political freedom. In the 20th century, the parties with communal agenda have also come up i.e. The All India Muslim League in 1906 and Hindu Maha Sabha in 1916. In the Madras Presidency the South Indian Liberal Federation (Justice Party) was formed to project their interest of the Non-Brahmins (Dravidian).

However, the Indian National Congress represented the urban, upper caste elite, mostly western educated and provided a platform for negotiations with the British government. Gradually the Indian National Congress evolved to play a pivotal role in the development of India's political party system. After the partition of Bengal in 1905, the Indian National Congress was divided between the Moderates (policy of petitions) and the Extremists (aggressive militant strategy). The formation of the Muslim league in 1906 resulted in the era of conflicting political bargaining, reflected the true beginnings of the Indian party system.

The entry of Mahatma Gandhi into the political scene with his moral-ethical focus on non-violence as a political ideology and strategy, transformed the Indian National Congress to represent all sections of Indian society- the poor agriculturalists and lower caste people. Other parties that also emerged representing specific goals which included the Swaraj Party formed by Chittaranjan Das in 1922, the Congress Socialist Party, formed in 1934 by Acharya Narendra Dev and Jayaprakash Narayan and the

Communist Party, formed in the 1920's by the efforts of M. N. Roy were the other major political parties. There were a number of political parties which carry on political campaigns and propaganda, but do not contest elections, they function as pressure groups. Till 1977, the Communist Party, the socialist parties, and the right wing Janasangh were the mentionable opposition parties at the national level.

Until 1977, no single party could become an alternative to Indian National Congress at national level. Hence, a number of so called national parties, under the stewardship of Jayaprakash Narayan, merged to create a large national alternative party known as Janata Party. In 1977, it captured power at the centre. Yet this party lacked cohesion and unity and became shattered after 1980. The Jana Sangh was revived with a new name Bhartiya Janata Party, Meanwhile Kanshi Ram's Bahujan Samaj Party emerged as national level party with social justice as its main plank. The Communist Party of India (Marxist) became very powerful in a few states like Kerala, West Bengal and Tripura.

The 1990s was the period of an increasing quest towards coalition governments in Indian politics. The Indian Political System became more competitive, more democratized and more representative of the multicultural social nexus and diversity that is observed in contemporary India. It is observed that old parties became obsolete and defunct, and new parties have emerged that represent and seek to address the transformative challenges faced by various diverse sections of the people. Since the 1990's we see a federalization of politics with regional parties gaining greater influence, representative of regional aspirations against the dominance of the Centre.

In the present period, regional alliances indicate a growing trend towards coalition governments that form an effective voice in favour of federal polity. This fragmentation is largely due to the regionalization of politics, with parties having high support base in specific areas.

### Regional Parties

Shiromani Akali Dal in the Punjab, Samajwadi Party in the Uttar Pradesh, Telugu Desam Party in Andhra Pradesh, Rashtriya Janata Dal (RJD) in Bihar, Trinamool Congress in West Bengal, Telangana Rashtra Samithi in Telangana, Asom Gana Parishad in Assam, Shiv Sena in Maharashtra, National Conference, People Democratic Party in Jammu & Kashmir, Dravida Munnetra Kazhagam (DMK) and All India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu are some of the major regional parties.

While there is growing political awareness among the electorate, there is also greater mobilization along lines of regional, social and religious identities. There is a widespread difference in the composition of political groups, and characteristics of political and social groups between one region and another.

Parties that gained seats in	Parties that gained seats in
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Parliament in 2009 Elections	Parliament in 2014 Elections
Indian National Congress (INC)	Bharatiya Janata Party (BJP)
Bharatiya Janata Party (BJP)	Indian National Congress (INC)
Communist Party of India (Marxist)	All India Anna Dravida Munnetra Kazhagam (AIADMK)
Samajwadi Party (SP)	All India Trinamool Congress (AITC)
Bahujan Samaj Party (BSP)	Biju Janata Dal (BJD)
Dravida Munnetra Kazhagam (DMK)	Shivsena (SHS)
Shivsena	Telugu Desam (TDP)
Rashtriya Janata Dal (RJD)	Telangana Rashtra Samithi (TRS)
All India Trinamool Congress(AITC)	Yuvajana Sramika Rythu Congress Party (YSRC)
All India Anna Dravida Munnetra Kazhagam (AIADMK)	Nationalist Congress Party (NCP) 11 <sup>th</sup>

### Party System in Tamil Nadu

In Tamil Nadu, like most Indian states, the early independence period was dominated by the Congress party. However, issues of caste hierarchy, and the rising North South divide eroded the popularity of Congress leadership in the state. The Dravidian movement regenerated in Tamil Nadu under Periyar E.V Ramasamy and garnered popularity on assertion of Dravidian Rights and Dignity and through an anti-North, anti-Hindi, anti-Brahmin social agenda.

The Party System in Tamil Nadu is a pioneer model of the pre-eminence of the regional parties in state politics of independent India. There are very clear socio-economic, cultural and historical reasons for this development. The long history of rationalist and social justice movements from the colonial era and the mobilization of Dravidian consciousness since the beginning of 20th century have fundamentally transformed the nature of politics and the future of party system in state politics.

### Role of Political Parties in a Democracy

For the effective functioning of a democracy, the existence of political parties that represent conflicting interests is mandatory. While they advocate various interests and policies, largely political parties adopt Rightist ideology (conservative, traditional and capitalistic) or Leftist (pro-equality, liberal and labour interests). While it is true that political parties are essential for attaining the democratic ideal, the rise of individual parties with non-democratic agenda and authoritarian leadership is a critical challenge to Democracy. This is very relevant in the case of a multicultural, multilingual, multi religious and economically diverse country like India, only political parties can truly represent the multidimensional interests of people from every corner of the country. It is vital in a democracy like India that political parties exercise maturity and maintain a secular position, the precious and precarious unity and stability of India cannot be maintained. It is in the interests of the nation, that responsibly and principled parties show a level of maturity and responsibility in exercising their duties and functions for the sustainability of democratic institutions.

### **Role of Opposition in a Democracy**

The relationship between party system and democracy will be incomplete without the discussion of the role of opposition parties in democracy. Democracy has no meaning without an effective opposition party or parties in the country. The nature of democracy is not only determined by the strength of ruling party alliance but also in the role and functioning of the opposition party alliance. In fact, the leader of the Opposition party enjoys the status and privileges of the rank of cabinet minister. A weak opposition leads to either a government without accountability or the tyranny of the majority.

Pressure or Interest groups also play an important role in special issues and events. These are organized groups, having common political and social interests, which influence decisions from outside. Pressure groups have voluntary membership and lobby for specific interests. Unlike political parties, pressure groups do not contest elections. The Pressure Groups are able to influence the government through various techniques with various public policy issues and are therefore called pressure groups. Professional pressure groups may include business interests, trade unions, Farmers, Teachers and Students, Doctors, culture groups, and institutional groups. Pressure Groups play an important role in the Indian political system by acting as a link and source of communication between the masses and the political parties. They sensitize the public towards vital socio- economic issues and through their lobbying, influence both the government and the administrative policies.

"Leadership and learning are indispensable to each other."

John F. Kennedy

### **Psephology**

Psephology deals with the study and statistical analysis of elections and polls. Public opinion polls play an important role in psephology. They analyze both Opinion Polls and Exit Polls as well as election results. Opinion Polls and Exit Polls are both important indicators of voter's choice during the elections.

The main difference between the two is that opinion poll is conducted before the voter actually votes and the exit poll is conducted after a voter comes out after casting his or her vote. Results of exit polls are generally considered to be more trustworthy than that of opinion polls.

The result of opinion polls may or may not actually collaborate the actual results. Yet they are important in generating opinions among the unsure and undecided as well as help to sustain a balance in voting practices for all parties concerned.

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## Unit - XI - Election and Representation

### Meaning and nature of Franchise and Representation

#### What is Franchise and Election?

The right to vote in public elections. The word “Franchise” is of Anglo-French derivation-from Franc, meaning FREE.An election is the process of voting to choose someone to be their political leader or representative in government.

Part xv, Articles 324-329 deals with Elections

#### And what is Representation?

It is nothing but the action of speaking or acting on behalf of someone or the state of being so represented.

Part XV of the Indian Constitution titled “Elections” is of great importance. The constitution -makers had been anxious to safeguard this political right as an integral part of the constitution itself. It is for this important reason that the subject of elections has been accorded a constitutional recognition in our country.

Article 326 of the Indian Constitution says that the elections to the Lok Sabha and to the Vidhan Sabha of every state shall be on the basis of Adult Suffrage.

Although elections were used in Ancient Athens, Rome and in the selection of Popes and Holy Roman Emperors, the origins of elections in the contemporary world was in the gradual emergence of representative government in Europe and North America which began in the 17th century. In a representative democracy elections are extremely important. Voting, in elections is the best way to make your voice heard. One fact that makes elections more important is when political parties try to suppress voting with the use of laws to disallow people to vote. Election and representation is the core for the formation of government.

#### Democratic Electoral System

Let us study the most essential features of a democratic electoral system. A democratic electoral system can be said to be one where...

#### Why do we need Elections?

Let us try to imagine a democracy without elections. A rule of the people is possible without any elections if all the people can sit together every day and take all the decisions.

This is not possible in any large community nor it is possible for everyone to have the time and knowledge to take decisions in all matters. Let us presume that the people can resolve these difficulties and such a place do not require elections. In such case can we call this place a democracy?

How do we find out if the people like their representatives or not? How do we ensure that these representatives rule as per the wishes of the people? How to make sure that those whom the people don't like do not remain their representatives? This requires a mechanism by which people can choose their representatives at regular intervals and change them if they wish to do so. This mechanism is called Election. Therefore, elections are considered essential in our times for any representative government. Hence in most democracies, people rule through their representatives.

### **In an election the voters make many choices:**

- They can choose who will make laws for them
- They can choose who will form the government and take major decisions
- They can choose the party whose policies will guide the government and law making.

Psephology is the study of results and other statistics relating to Elections...

### **What makes an Election Democratic?**

- Everyone should be able to choose. This means that everyone should have one vote and every vote should have equal value.
- There should be something to choose from parties and candidate should be free to contest elections and should offer some real choice to the voters.
- The choice should be offered at regular intervals. Elections should be held regularly after every few years.
- The candidate preferred by the people should get elected.
- Elections should be conducted in a free and fair manner where people can choose as they really wish.

An election is a formal decision making process by which a population chooses an individual to hold public office. Elections fill offices in the legislatures, sometimes in the executive and judiciary and for regional and local government.

### **Types of Representation/ Reservation of Constituencies Election Systems- Plurality/Majority Systems**

What are Plurality / Majority Systems? The principle of plurality/ majority system is simple. After votes have been cast and totalled, those candidates or parties with the

most votes are declared the winners. However, the way this is achieved in practice varies widely. Five types of plurality/majority systems can be identified.

- A. First Past The Post (FPTP)
- B. Block Vote(BV)
- C. Party Block Vote(PBV)
- D. Alternative Vote(AV)
- E. Two-Round Systems(TRS)

### **A. First Past The Post (FPTP)**

The First Past The Post system is the simplest form of plurality/majority system, using single member districts and candidate-centered voting. FPTP systems are found primarily in the UK and those countries historically influenced by Britain. Along with the UK, the other countries are Canada, India and the USA. FPTP is also used by a number of Caribbean countries, Bangladesh, Burma, India, Malaysia, Nepal and small island countries of the South Pacific.

FPTP is the simplest form of plurality/majority electoral system. The winning candidate is the one who gains more votes than any other candidate, even if this is not an absolute majority of valid votes. The system uses single-member districts and the voters vote for candidates rather than political parties.

### **B. Block Vote (BV)**

The Block -Vote is common in countries with weak or non-existent political parties. The Cayman Islands, The Falkland Islands, Guernsey, Kuwait, Laos, Lebanon, the Maldives, Palestine, the Syrian Arab Republic etc use Block Vote electoral systems.

Block Vote is a plurality/majority system used in multi-member districts. Electors have as many votes as there are candidates to be selected. The candidates with the highest vote totals win the seats. Usually voters vote for candidates rather than parties and in most systems may use as many, or as few, of their votes as they wish

The Block Vote is often applauded for retaining the voter's ability to vote for individual candidates and allowing for reasonably-organized geographical districts while at the same time, increasing the role of political parties compared with FPTP and strengthening those parties which demonstrate most coherence and organizational structure.

### C. Party Block Vote (PBV)

PBV is simple to use, encourages strong parties and allows for parties to put up mixed slates of candidates in order to facilitate minority representation. It can be used to help to ensure balanced ethnic representation. Djibouti, Singapore, Senegal, Tunisia use the PBV method.

Party-Block Vote is a plurality/majority system using multi-member districts in which voters cast a single party-centered vote for a party of choice, and do not choose between candidates

### D. The Alternative Vote (AV)

This system enables voters to express their preferences between candidates rather than simply their first choice. Hence it is known as 'Preferential Voting'. AV is used in Australia, Fiji and Papua Guinea. By transferring ballots, it enables the votes of several candidates to accumulate, so that diverse but related interests can be combined to win representation.

The Alternative Vote is a preferential plurality system that voters use in single member districts. Voters use numbers to mark their preference on the Ballot paper.

### E. The Two- Round System (TRS)

The central feature of the Two- Round System is as the name suggests: it is not one election but takes place in two rounds, often a week or a fortnight apart. This system is used to elect national legislatures and are most common methods used worldwide for the direct election of Presidents. TRS is used by the Central African Republic, Congo, Gabon, Mali, Mauritania, Haiti, Iran, Vietnam, Tajikistan, Uzbekistan etc.

The Two-Round System is a plurality/majority system in which a second election is held if no candidate or party achieves a given level of votes, most commonly an absolute majority (50 percent plus one), in the first election round. A TRS may take a majority - plurality form where more than two candidates contest the second round and the one who wins the highest number of votes in the second round is elected regardless of whether they have won an absolute majority or not.

### Is it good to have political competition?

Elections are all about political competition. This competition takes various forms. The most obvious form is the competition among political parties. At the constituency level, it takes the form of competition among several candidates. If there is no competition,

elections will become pointless. Though an electoral competition leads to a sense of disunity and factionalism in every locality, regular electoral competition provides incentives to political parties and leaders. They know that if they raise issues that people want to raise, their popularity and chances of victory will increase in the next elections. But if they fail to satisfy the voters with their work they will not be able to win again.

Ah.....

So, elections are like exams where politicians and parties know if they have passed or failed. But who are the Examiners?!!!!!!!

### **What is our system of Elections?**

Can we say that Indian elections are democratic? To answer this question, let us take a look at how elections are held regularly after every five years. After five years the term of all the elected representatives comes to an end. The Lok Sabha or Vidhan Sabha stands dissolved. Elections are held in all the constituencies at the same time, either on the same day or within a few days. This is called a general election. Sometimes election is held only for one constituency to fill the vacancy caused by death or resignation of a member. This is called By-Election.

### **Electoral Constituencies**

You would have heard about the people of Tamilnadu electing 39 lok sabha MPs. You may have wondered how they did that. Did every person in Tamilnadu vote for all the 39 MPs? You perhaps know that this is not the case. In our country we follow an area based system of representation. The country is divided into different areas for the purpose of elections. These areas are called Electoral Constituencies. The voters who live in an area elect one representative.

For Lok sabha elections, the country is divided into 543 constituencies. The representative elected from each constituency is called a member of Parliament or an MP. One of the features of a democratic election is that every vote should have equal value. That is why our constitution requires that each constituency should have a roughly equal population within it. Similarly each state is divided into a specific number of assembly constituencies. In this case the elected representative is called the Member of Legislative Assembly or a MLA. Each Parliamentary constituency has within itself several assembly constituencies. The same principle applies for Panchayat and Municipal elections. Each village or town is divided into wards that are like constituencies. Each ward elects one member of the village or the urban local body. Sometimes these constituencies are counted as Seats, for each constituency represents one seat in the assembly.

### **Reserved Constituencies**

Our Constitution entitles every citizen to elect its representative and to be elected as a representative. In an open electoral competition, certain weaker sections may not stand a good chance to get elected to the Lok Sabha and the State Legislative Assemblies. They may not have the required resources, education and contacts to contest and win elections against others. If that happens our Parliament and Assemblies would be deprived of a significant section of our population. That would make our democracy less representative and less democratic.

So, the makers of our Constitution thought of special system of reserved constituencies for the weaker sections. Some constituencies are reserved for the people who belong to the Scheduled Castes (SC) and Scheduled Tribes (ST). This system of reservation was extended later on to other weaker sections at the district and local levels.

### **Delimitation**

The division of each state into as many constituencies as in the Lok Sabha from that state and State Legislative Assemblies is done primarily on the basis of population census. As far as practicable, geographical area of constituencies were to be delimited taking into account physical features, existing boundaries of administrative units, facilities of communication and public convenience.

### **Delimitation Acts**

First Delimitation Commission Act, 1952

Second Delimitation Commission Act, 1963

Third Delimitation Act, 1973

Fourth Delimitation Act, 2002.

### **Voters' List**

Once the constituencies are decided, the next step is to decide who can and who cannot vote. This decision cannot be left to anyone till the last day. In a democratic election, the list of those who are eligible to vote is prepared much before the election and given to everyone. This list is officially called the Electoral Roll or the Voters' List.

Like in Panchayat should we not have at least one-third seats in the Parliament and assemblies reserved for WOMEN?

This is an important step for, it is linked to the first condition of democratic election that everyone should get an equal opportunity to choose representatives irrespective of differences. In our country, all the citizens aged 18 years and above can vote in an election. Every citizen has the right to vote, regardless of his or her caste, religion or gender.

It is the responsibility of the government to get the names of all eligible voters put on the voters' list. Names of those who move out of the place or those who are dead are deleted.

A complete revision of list takes place every five years. In the last few years, a new system of Electoral Photo Identity Card (EPIC) has been introduced. The voters are required to carry this card when they go out to vote. Not compulsory, for voting, the voters can show many other proofs like the Aadhar Card, Ration card or Driving License.

### **Electoral Process In India**

- ❖ Delimitation of Constituencies
- ❖ Notification of the Election
- ❖ Notification by the Election Commission regarding Nomination and withdrawal
- ❖ Filing of nomination papers by the intending candidates
- ❖ Verification and the acceptance or rejection of the nomination papers
- ❖ Election campaign
- ❖ Polling process
- ❖ Counting of votes and announcement of Election Results

### **Provisions Regarding Elections in India**

Which Amendment Act reduced the Voting age of Indian citizens from 21 to 18?
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### **Nomination of Candidates**

In a democratic election the people should have a real choice. This happens only when there are no restrictions on anyone to contest an election. This is what our system provides. Anyone who can be a voter can also become a candidate in the elections. The only difference is that in order to be a candidate, the minimum age is 25 years, while it is only 18 years for being a voter. Political parties nominate their candidates who get the party symbol and support. Party's nomination is often called as party 'ticket'.

Every person who wishes to fill a 'nomination form' has to give some money as security deposit. According to the direction of the Supreme Court, every candidate has to make a legal declaration, giving full details of:

- ❖ Serious criminal cases pending against the candidate
- ❖ Details of the assets and liabilities of the candidate and his or her family
- ❖ Educational qualifications of the candidate

This information has to be made public. This provides an opportunity to the voters to make their decision on the basis of the information provided by the candidates.

### **Election Campaign**

The main purpose of election is to give people a chance to choose the representatives, the government and the policies they prefer. Therefore it is necessary to

have a free and open discussion about who is a better representative, which party will make a better government or what is a good policy. This is what happens during election campaigns.

In our country such campaigns take place for a two week period between the announcement of the final list of candidates and the date of polling. During this period the candidates approach their voters, political leaders address election meetings and political parties mobilise their supporters. This is also the period when newspapers, social media, televisions are full of election related stories and debates. Election campaign is not limited to these two weeks only. Political parties start preparing for elections months before they actually take place.

In election campaigns, political parties try to focus public attention on some big issues. They want to attract the public to that issue and get them vote for their party on that basis. In a democracy it is best to leave political parties and candidates free to conduct their election campaigns the way they want to. But it is sometimes necessary to regulate campaigns to ensure that every political party and candidate gets a fair and equal chance to compete.

According to our election law, no party or candidate can:

- ❖ Bribe or threaten voters
- ❖ Appeal to them in the name of caste or religion
- ❖ Use government resources for election campaign

If they do so, their election can be rejected by the court even after they have been declared elected. In addition to the laws, all the political parties in our country have agreed to a model Code of Conduct for election campaigns. According to this no party or candidate can:

- ❖ Use any place of worship for election propaganda
- ❖ Use government vehicles, aircrafts and officials for elections
- ❖ Once elections are announced, Ministers shall not lay foundation stones of any projects, take any big policy decisions or make any promises of providing public facilities.

### **Free and Fair Elections**

The true test of any election system is its ability to ensure a free and fair electoral process. If we want democracy to be translated into reality on the ground, it is important that the election system is impartial and transparent. The system of election must allow the aspirations of the voter to find legitimate expression through the electoral results. Elections in India are basically free and fair. The party that wins an election and forms government does so because people have chosen it over its rivals. This may not be true for every constituency. A few candidates may win purely on the basis of money power and

unfair means. But the overall verdict of a general election still reflects popular preference. But still if deeper questions are asked, the picture looks different. Are people's preferences based on real knowledge? Are the voters getting a real choice? Is election really a level playing field for everyone? Can an ordinary citizen hope to win elections?

**Questions of this kind bring the many limitations and challenges of Indian Elections to our attention. These include:**

- ❖ Candidates and parties with a lot of money may not be sure of their victory but they do enjoy a big and unfair advantage over smaller parties and independents.
- ❖ Candidates with criminal connection have been able to push others out of the electoral race and to secure a ticket from major parties
- ❖ Some families tend to dominate political parties; tickets are distributed to relatives from these families.
- ❖ Very often elections offer little choice to ordinary citizens, for both the major parties are quite similar to each other both in policies and practice.
- ❖ Smaller parties and independent candidates suffer a huge disadvantage compared to bigger parties.

These challenges exist not just in India but also in many established democracies. These deeper issues are a matter of concern for those who believe in democracy. Hence citizens, social activists and organisations have been demanding reforms in our electoral system. In a democracy, the electoral process has a strategic role. Every ordinary man of this country would have basic elementary right to know about a candidate who is to represent him in Parliament where laws to bind his liberty and property may be enacted.

The right to get information in democracy is recognised all throughout and it is a natural right flowing from the concept of democracy. Article 19(1)(a) of Indian Constitution provides for freedom of speech and expression. Voters' speech or expression in case of election would include casting of votes, that is to say, voter speaks out or expresses by casting vote. For this purpose, information about the candidate to be selected is must. The ordinary man may think over before making his choice of electing law breakers as law makers.

### **First General Elections In India:**

All You Need to Know.....

The first general election of 1951-1952 elected the first Lok Sabha since India became independent. The Congress had won 364 out of 489 Lok Sabha seats. Its vote share was 45 percent. The CPI was the second party with just 16 seats. Jawaharlal Nehru became the Prime Minister, the first of independent India. The voters' turnout was 67.6 percent. 54 parties had contested this election. Elections took around four months; October 25, 1951 to February 21, 1952. Election was held in 26 Indian states and 401 constituencies.

## Election Commission of India

For the conduct of free, fair and regular elections, Article 324 of the Indian Constitution provides for a single Election Commission which is entrusted with the superintendence, direction and control of all elections to Parliament, state legislatures and to the offices of the President and Vice -President of India.

### Election Commission - An independent body.

The Main objective of the constitution of Election Commission of India is to have a permanent and independent election machinery, which is free from political pressure of the party in power and the executive of the day, and which could be entrusted with the task of holding free and fair elections to the parliament and the state legislatures and to the offices of the President and Vice- President of India.

More than 553 million voters in our country exercised their franchise in the 16th Lok Sabha in 2014 in 930,000 polling stations. India's voting pool is larger than the total population of the United States of America and Western Europe combined. It is for the first time after three decades that a single party receives a majority.

## Election Commission of India-Structure

### Details of Legislative Assembly Elections Conducted in Tamilnadu

No. of Elections	Duration of the Assembly	Election Dates
1	1952-1957	1952 January 2, 5, 8, 9, 11, 12, 16, 21 and 25 (9days)
2	1957-1962	1957 March 1, 4, 6, 8 and 11 (5 days)
3	1962-1967	1962 February 17, 19, 21 and 24 (4 days)
4	1967-1971	1967 February 5, 16 and 21 (3 days)
5	1971-1976	1971 March 1, 4 and 7 (3 days)
6	1977-1980	1977 June 12 and 14 (2 days)
7	1980-1984	1980 May 20 and 31 (2 days)
8	1985-1986	1984 December 24 (1 day only)

9	1989-1991	1969 January 21 (1 day only)
10	1991-1996	1991 June 16 (1 day only)
11	1996-2001	1996 April 27 and May 2 (2 days)
12	2001-2006	2001 May 10 (1 day only)
13	2006-2011	2006 May 8 (1 day only)
14	2006-2011	2011 April 13 (1 day only)
15	2016-ongoing	2016 May 16 (1 day only)

### **Powers and functions of the Election Commission of India**

- ❖ Preparation of the electoral rolls
- ❖ Revision of electoral rolls
- ❖ Allotment of seats
- ❖ Conduct of elections
- ❖ Superintendence, direction and control of all matters pertaining to the elections
- ❖ Granting of recognition of political parties
- ❖ Allotment of symbols
- ❖ Ensuring fair and free elections
- ❖ The Election Commission of India advises the President of India or the Governor of the concerned state regarding all electoral matters including questions relating to disqualifications of members.
- ❖ Settles disputes and petitions referred to it by the President of India or the Governor of a state.
- ❖ Decides disputes pertaining to election symbol in the event of a split in the political party.
- ❖ Has power to impose ceiling on the election expenses of the contestants.
- ❖ Entrusted with the task of collecting affidavits from the contestants to the elections regarding their assets.
- ❖ Has the power and duty to disqualify a candidate if he/she fails to submit election returns within the prescribed period.
- ❖ It issues a notification after the election is over, that the house is duly constituted.

### **SUPREME COURT''s Landmark Verdict To Cleanse the Polity**

In a landmark judgement, the Supreme Court held on July 11, 2013 that a person, who is in jail or police custody ,cannot contest elections to legislative bodies. A day earlier, on July 10, 2013, the same Bench had held that charge-sheeted Members of Parliament

(MP's), Members of Legislative Assembly (MLA's) and Members of Legislative Councils (MLC's), once they are convicted for the offences, will be immediately disqualified from holding office. The Bench struck down Section 8(4) of the Representation of the People's Act, which allowed convicted MP's and MLA's, a three-month period for filing their appeal to the High Court.

Courtesy : The Hindu, Pocket Watch, 3.5.2004

### **Chief Electoral Officer(CEO)**

The chief electoral officer of a state/union territory is authorised to supervise the election work in the state/union territory subject to the overall superintendence, direction and control of the election commission. The Election commission of India nominates or designates an officer of the government of the state / union territory as the chief electoral officer in consultation with the state government/ union territory administration.

### **District Election Officer(DEO)**

Subject to the superintendence, direction and control of the chief electoral officer, the district election officer supervises the election work of a district. The Election Commission of India nominates or designates an officer of the state government as the district election officer in consultation with the state government.

### **Returning Officer (RO)**

The returning officer of a Parliamentary or Assembly constituency is responsible for the conduct of elections in the Parliamentary or Assembly constituency concerned. The Election Commission of India nominates or designates an officer of the government or a local authority as the returning officer for each of the assembly or parliamentary constituencies in consultation with the state government/union territory administration. In addition, the election commission of India also appoints one or more assistant returning officers for each of the assembly or parliamentary constituencies to assist the returning officer in the performance of his functions in connection with the conduct of elections.

### **Electoral Registration Officer(ERO)**

The Electoral registration officer is responsible for the preparation of electoral rolls for a parliamentary/ assembly constituency. The Election commission of India, in consultation with the state/ union territory government, appoints an officer of the government or the local authorities as the Electoral registration officer. One or more Assistant electoral registration officers to assist the Electoral registration officer are appointed by the Election commission of India.

### **Presiding Officer (PO)**

The Presiding officer with the assistance of Polling officers conducts the poll at a polling station. The district election officer appoints the Presiding officers and the Polling officers. In the case of union territories, such appointments are made by the returning officers.

### **Election Observers (EO)**

The Election Commission of India nominates officers of government as Election observers (general observers and election expenditure observers) for Parliamentary and Assembly constituencies. They perform such functions as are entrusted to them by the commission. They report directly to the commission.

### **Electoral Reforms, Anti-Defection Law and Committees related to Electoral Reforms**

**Based on the recommendations made by the above committees and commissions, various reforms have been introduced from time to time in our electoral system. Let us have a look at them.**

- ❖ Lowering the voting age from 21 to 18 through the 61st amendment act of 1988.
- ❖ Officers, and staff engaged in preparation, revision and correction of electoral rolls for elections to be on deputation to the Election commission.
- ❖ Increase of number of proposers to 10% of the electors of the constituency or 10 electors, whichever is less.
- ❖ In 1989, a provision was made to facilitate the use of electronic voting machines in elections.
- ❖ In 1989, a provision was made for adjournment of poll in case of booth capturing.
- ❖ Listing the name of candidates as candidates of recognised political parties, candidates of registered-unrecognized political parties and other(independent) candidates.
- ❖ Prohibition on the sale of liquor within a polling area during the period of 48 hours ending with the hour fixed for the conclusion of poll.
- ❖ On the death of a contesting candidate, the party concerned would be given an option to propose another candidate within 7 days.
- ❖ The registered voters are entitled for a paid holiday on the polling day.
- ❖ Prohibition of arms.
- ❖ In 1998 a provision was made whereby the employees of local authorities, nationalized banks, universities, LIC, government undertakings and other government aided institutions can be requisitioned for deployment on election day.
- ❖ In 1999, a provision was made for voting by certain classes of persons through postal ballot.
- ❖ In 2003, the facility to opt for voting through proxy was provided to the service voters belonging to the armed forces and members belonging to a force to which provisions of the Army Act apply.

- ❖ In 2003, the Election commission issued an order for the declaration of criminal antecedents, assets etc.
- ❖ In 2003, Rajya Sabha elections were reformed by removing the domicile of the contesting candidate and further introduction of open ballot system was introduced.
- ❖ In 2003, an exemption of travelling expenditure from being included in the election expenses of the candidate was made.
- ❖ Free supply of electoral rolls by the government.
- ❖ In 2009, restrictions were imposed on conducting exit polls and publishing the results of exit polls.
- ❖ In 2009, a provision was made for the disqualification of a person found guilty of corrupt practices which provided for a three month time limit within which the specified authority will have to submit the case of the person found to be guilty.
- ❖ All officials have to be included in corrupt practice.
- ❖ Increase in security deposit.
- ❖ Appointment of appellate authorities within the district.
- ❖ Voting rights to citizens of India living abroad were provided in 2010.
- ❖ Ceiling on election expenditure was increased in 2011.

### **Anti-Defection Law**

The 52nd Amendment Act of 1985 provided for the disqualification of the members of Parliament and the State legislatures on the ground of defection from one political party to another. For this purpose it added the Tenth Schedule to the Constitution. This act is often referred to as “Anti-defection law”. Later the 91st Amendment Act of 2003 made one change in the provision i.e., disqualification on ground of defection not to apply in case of split.

### **Provisions of the Act**

#### **A. Disqualification:**

A member of a house belonging to any political party becomes disqualified if he voluntarily gives up his membership or if he votes or abstains from voting contrary to any direction issued by his political party without obtaining prior permission of the party.

An independent member of the house becomes disqualified to remain a member of the house if he joins any political party after such election.

A nominated member of the house gets disqualified if he joins any political party after the expiry of six months from the date on which he takes his seat in the house.

#### **B. Exceptions:**

Disqualifications on the ground of defection does not apply, if a member goes out of his party as a result of a merger of the party with another party; if a member, after being elected as the Presiding officer of the house, voluntarily gives up the membership of his party or rejoins after he ceases to hold that office.

### **C. Deciding Authority:**

Any question regarding disqualification arising out of defection is to be decided by the Presiding officer of the house.

### **D. Rule making power:**

The Presiding officer of a house is empowered to make rules to give effect to the provisions of the tenth schedule. All such rules must be placed before the house for 30 days. The house may approve or disapprove them. Further he may direct that any willful contravention by any member of such rules may be dealt with in the same manner as a breach of privilege of the house.

### **Evaluation of the Act**

A. The tenth schedule of the constitution is designed to prevent the mischief of political defections motivated by the lure of office or material benefits

B. It is intended to strengthen the fabric of Indian Parliamentary democracy by curbing unprincipled and unethical political defections

C. It provides for greater stability in the body politic by checking the propensity of the legislators to change parties

D. It facilitates democratic realignment of parties in the legislature by way of merger of parties

E. It gives a clear cut constitutional recognition to the existence of political parties.

### **Let us learn about the Rajya Sabha Elections.....**

Transferable Vote System is followed for Rajya Sabha elections. Every state has a specific quota of seats in the Rajya Sabha. The members are elected by the respective State Legislative assemblies. The voters are the MLAs in that state. Every voter is required to rank candidates according to her or his preference. To be declared winner, a candidate must secure a minimum quota of votes, which is determined by a formula:

For example if 4 Rajya Sabha members have to be elected by the 200 MLAs in Tamilnadu, the winner would require  $(200/4+1=40+1)$  41 votes. When the votes are counted, it is done on the basis of first preference votes secured by each candidate; If after the counting of all first preference votes, required number of candidates fail to fulfill the quota, the candidate who secured the lowest votes of first preference is eliminated and his/

her votes are transferred to those who are mentioned as second preference on those ballot papers. This process continues till the required number of candidates are declared elected.

## Why did India adopt the FPTP System?

The answer is not very difficult to guess. If you have read carefully the method of election of Rajya Sabha members, you would have noticed that it is a very complicated system which may work in a small country but would be difficult to work in a sub-continental country like India. The reason for the popularity and success of the FPTP system is its simplicity. The entire election system is extremely simple to understand even for common voters who may have no specialized knowledge about politics and elections. There is also a clear choice presented to the voters at the time of elections. Voters have to simply endorse a candidate or a party while voting. Depending on the nature of actual politics, voters may either give greater importance to the party or to the candidate or balance the two.

The FPTP system offers voters a choice not simply between parties but specific candidates too. In other electoral systems, especially Proportional Representation Systems, voters are often asked to choose a party and the representatives are elected on the basis of party lists. As a result, there is no one representative who represents and is responsible for one locality. In constituency based system like the FPTP, the voters know who their own representative is and can hold him or her accountable. The FPTP system generally gives the largest party or coalition some extra bonus seats, more than their share of votes would allow.

Thus this system makes it possible for Parliamentary government to function smoothly and effectively by facilitating the formation of a stable government. The FPTP system encourages voters from different social groups to come together to win an election in a locality. The FPTP system has proved to be simple and familiar to ordinary voters.

Open Ballot is a system of choosing the representative by raising one's hands!!

Secret Ballot is a system in which the voter casts his vote without the knowledge of anyone into a Ballot Box or uses an Electronic Voting Machine!!

## State Funding of Elections

### What is state funding?

- ❖ State funding of elections is a concept designed to reduce corruption by funding elections with government money as opposed to individual campaign contributions
- ❖ It is recommended that the state funding of elections can be the best way to achieve transparency in political funding
- ❖ It is also believed that state funding is a natural and necessary cost of democracy. It brings new and growing parties, thus ensuring fair elections
- ❖ If parties and candidates are financed with only private funds, economical inequalities in the society might translate into political inequalities in government.

## Indrajit Gupta Committee on state funding of Elections, 1998

The Indrajit Gupta Committee on State Funding of Elections, 1998, backed the idea of state funding of elections on principle, stating that “The committee see full jurisdiction constitutional, legal as well as on the ground of public interest, for grant of state subvention to political parties, so as to establish such conditions where even the parties with modest financial resources may be able to compete with those who have superior financial resources.

### It added two limitations

A. Such funds could not be doled out to independent candidates, and only to national and state parties having granted a symbol and proven the popularity among the electorate

B. In the short –term, state funding may be given only in kind, in the form of certain facilities to the recognized political parties and their candidates.

The committee has recommended the creation of a separate Election Fund with an annual contribution of Rs. 600 core by the centre and a matching amount contributed by all state governments together. The committee has suggested that in order to be eligible for state funding, political parties and other candidates should have submitted their income tax returns up to the previous assessment year.

“He alone, who owns the youth gains the future”

-Adolf Hitler

### Role of Youth in Politics

This must all be the exact thought running through the minds of all the political leaders in the fray to win elections. With a huge Percentage of first time voters being added to the voters’ list every year, the decisions of the youth will go a big way in elections.

Today youth has the power to transform our nation, and it will. The responsibility of transformation, progress and innovation lies on their shoulders.

### Why youngsters should vote??

- ❖ Elections play a vital role in a system of representative democracy. Youngsters who are involved in the electoral process affirm their support as well as acquire a stake in the system and an appreciation that they too can affect politics and policy

- ❖ Voting is the only form of participation in which each citizen has an equal say (one person, one vote). By voting, youth have the same ability as others to exercise political influence or pressure
- ❖ Universal participation in elections ensures the faithful representation of the popular will
- ❖ Young people should vote to develop a habit of voting from the start, and thus ensure high turnout
- ❖ Young people may have political interests that differ from those of old voters. If young people don't vote, they and their distinct interests are more likely to be ignored or neglected by policy makers.

### What is NOTA?

None Of The Above - A voter's right to reject a step towards electoral reforms.

In its efforts of cleansing the political system, the Supreme Court of India upheld the right of voters to reject all candidates contesting the elections. The apex court directed the Election Commission to have an option of "None Of The Above"(NOTA) on the electronic voting machines (EVMs).

Do you know that there was a similar provision before NOTA?

It was called Negative Voting.

Before the NOTA option was introduced, people who wanted to cast negative votes, had to enter their names in a register and cast their vote on a separate ballot paper.

Under Section 49(O) of the conduct of election rules, 1961, a voter could enter his electoral serial number in the form 17A and cast negative vote.

### Countries which allow NOTA are...

Columbia, Ukraine, Brazil, Bangladesh, Finland, Spain, Sweden, Chile, France, Belgium and Greece. USA also allows it in few cases. The state of Texas permits the provision since 1975.

## UNIT-12 -Local Governments

### Learning Objectives

- ❖ This chapter provides insights in to the local governments in India and as well as in Tamil Nadu state.
- ❖ It also provides the significance of local self government today
- ❖ This chapter would explain the scope of the Local Self government in the lives of the people today.
- ❖ This chapter would throws light on historical development and the major changes that have been made in powers and functions of local government since independence.
- ❖ Students would learn the structure, functions, elections, sources of revenue and issues in the rural and urban local governments in India.

### Meaning, Nature and Importance of Local Government

Local Government means, the government which manages services and amenities in our villages, towns and cities with focus on local problems. The local governments normally functions within a specified limited territory of a village, a town, a city and also a large metropolitan city. The local governments function as the basic link between the people in a village or town with the government. As and when people have problems such as road repairs, water stagnation in the streets, non functioning of street lights and construction of small water bodies recreation parks, etc. The local governments have the responsibility to attend to any emergency situations, birth or death of persons in the village or town. The local governments are the institutions, which issues certificates of proof of residence, birth, death and incomes etc to the residents in that area. In total, the local governments are the institutions which are responsible for all such local needs of the people. They are the lowest unit of administration in the administrative structure of the government. The local government has council, which is normally elected by the people of the village or town concerned, which is responsible for the representing the problems of the citizens in the council and find solutions to the problems. The council representatives are elected once in five years, or four years, depending upon the law in operation in the country.

The local governments are representative institutions, representing people in the council. There are legally mandated to discuss and give solutions to the problems of the people of that area and also represent the problem to the higher levels of the government such as state. Since the local governments are established on the basis of democratic process, all the problems discussed by the council of the local governments should go through the process of discussion, debate and deliberations and unanimously accepted by the council. The members of the council are given freedom to discuss and also to take decisions at same time within the framework of the fundamental law of the land called Constitution.

The importance of the local government lies in the nature of the problems handled by the local governments, which are basically “local” in nature and also the variety of problems attended by the local government cannot be attended by the higher levels of the government like state or central governments. Because the local problems are specific to the local areas and the solutions found for those problems should also be relevant to the situation. An irrelevant solution to the problems may hamper the situation and also it is also concerned with the spending of the taxes collected from the people. If solutions are irrelevant to the local problems, the resources used for that programme may be wasted and it gives more burden on the people again.

Therefore, local governments are the institutions created for the purposes of solving the local issues and addressing the local level problems. The local governments normally consist of elected representatives drawn from the local population representing the local people and they represent the local issues in the council and try to find solutions to the problems. The local governments are the important channel of flow of resources and programmes to the people at the lowest levels normally called “grassroots” level. No country today afford to ignore local governments because of the fact that local issues at present becomes global issues. With development of Information and communication Technology (ICT), the whole world have become global village.

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### **Classification of local government institutions**

Local governments are classified as Rural and Urban based local governments. The Rural and Urban divide is made based on the nature of the occupation of the residents viz; agriculture based or non-agriculture based occupations. The agriculture based occupation means that almost or most of the residents of an area are engaged in agriculture related occupation and the nature of the functions normally would be farming, dairying, poultry, and other similar types of activities. Whereas, in urban areas the citizens would engaged in industrial, trade and business and other activities.

The urban areas are the places where the people’s livelihood is based on occupations in industry, trade, commercial institutions and administration like government offices and private company offices. The urban areas are the link between the

outside world to the local villages. The local governments formed in rural and urban areas are called rural local governments and urban local governments respectively.

In India, the rural local governments have given general name “Panchayati Raj” which means the system of Panchayat institutions, that is, the institutions which does the panchayat, (deliberate, discuss, and deliberate). The Urban local governments in India are classified in to various types depending upon the political and economic basis of the formation of the urban local governments such as, Municipal Corporations, Townships, Area Planning Committees and Cantonment Boards. For example, in India the urban local governments are classified into various types such, Municipal Corporations in metropolitan cities, Municipalities in small towns, Townships in industrial towns, Cantonment Boards in military establishments.

#### Types of Urban Local bodies

- ❖ Municipal Corporations
- ❖ Municipalities
- ❖ Municipal Townships
- ❖ Town Panchayats
- ❖ Cantonment Boards

The Municipal Corporations are established in metropolitan cities with population with 1 million plus cities, which are large and need an elaborate machinery for providing amenities and services to the metropolitan population.

The increase in the number of the population in metropolitan cities due to migration of people from rural and other small and medium towns and other metropolitan areas over the years make these cities mega polis.

The Municipalities are established in small and medium cities and town with population of less than 1 million. The Municipalities too are reclassified as Class I, Class -II etc., depending upon the number of the population and also range of the revenue collection. The grades of the Municipalities are reviewed periodically by the higher levels of the governments to facilitate the classification of the municipalities.

The Townships and the Notified Area Committees are emerging urban areas, where the new industries are established, the changing occupations of the residents of that area from farm employment to non-farm employment.

The Cantonment Boards are established in military establishments, where the defense establishments such as Training institutes for defense personnel, defense industry etc. Both the Rural and Urban local governments are lowest tier in the government hierarchy.

In various countries of the world, rural and urban local governments are organized differently. However, the basis and principles of which local governments are being established are almost same. Local governments are being established for the local people with revenue predominantly derived from local resources. The upper layer of the governments normally does the function of supervision and monitoring the local bodies

### **Local Government around the world**

Local Governments are as old as that of human civilization and in many countries around the world local governments are the foundation upon which the modern state is established. A preliminary reading about the Local Governments in various countries of the world show us that large or small, developed or under developed, some form of Local governments exist to deliver amenities and services at local level.

However they differ widely in their structure, powers, functional domain, fiscal resources etc. In many of the European countries there has been efforts on the part of the government to decentralize the powers and functions, which were otherwise centralized. The question of devolution of finances, the jurisdictional issues in policing, transport and inter-state commerce are some of the pending and irritants in the case of the developed countries. Whereas in the developing countries, there is more and more attempt on the part of the central or federal governments to centralize the powers and financial resources. In India the constant pressure is being exerted on the central government for more devolution of administrative and financial powers to state as well as local governments.

### **Origin and development of Local Governments in India**

In tracing the origin and development of local governments in India, one finds the evidences of the existence of local governments even before the times of Christ (BCE). The period between 600 BCE to C.E. 600 witnessed the rise and fall of republics. During this period, there emerged Mahavira (founder of Jainism) and Buddha (founder of Buddhism). Villages were classified according to size and mode of habitation in Jain and Buddhists literature.

The religious orders founded by Buddha and Mahavira observed highly democratic procedures in arriving at decisions. Kautilya's Arthshastra (Treatise) gives a comprehensive account of the system of village administration prevailing in his time. In the days of Maurya the village and the district were units of administration.

In the South Indian peninsula, the existence of the local self governing institutions could be traced well before the period of the Christian calendar. The historical period can be grouped into early Chola period, Kalabira period, and the later Chola period, the emergence of Vijayanagara empire, entry of Muslims and Moghuls and the British. There were very little evidence available about the system of local governance in the early Chola Period (which dates back to Before Christ) and the Kalabira Period.

But there were some account of existence of local governments during the times of Pandyas (rulers of deep south India) and the Pallavas (rulers of mid south india). But Cholas (rulers who ruled mid Tamil country) period witnessed a well developed local self governments. The inscriptions of Paranthaka Chola - I(919.C.E. - 922.C.E) from Utthiramerur in Kanchipuram district of Tamilnadu state, give detailed account of local self government. They inform that each village had an assembly consisting of all adult males and their involvement in general matters. These assemblies are of two types, the "Ur" and the Mahasabha". The third kind was the nagaram (town) confined to mercantile towns(trading centers) and the fourth was the "nadu". Hence two types of institutions were mentioned one nadu (village and other areas) and nagaram (urban centers).

In general there is little information on the functioning of any village assemblies prior to the 9th century. Both "nadu" and "Nagaram" were concerned about the control and regulation of land holdings, management of irrigation works, temples, collection and remission of taxes, floating of loans for capital works and the management of charitable institutions. The "ur" and the "mahasabha" were the two institutions that assisted the officers in executing the orders of the king.

It has been found that Raja Raja Chola, the First, ordered the "mahasabha" of the Viranarayana Chaturvedi Mangalam to confiscate the property of traitors. Many historians such as Sir Charles Metcalfe, Sir George Bird wood and Eliphinstone opined that a strong system of local government existed in Ancient and medieval South India. But doubts are expressed by some of the historians about the elaborate existence of the local self government in ancient and medieval South India.

During the Moghul period A.D (C.E.)1500 to A.D (C.E.)1777), the fundamental principles of central local relationships hardly changed with change of kingdoms. When the Mughal Empire was at its zenith of glory, it was divided into provinces (Subhas), and Provinces into sub divisions (Sarkars), and Sarkars into union of villages (Paraganas). At each level the government is organized and the officials were appointed by the Emperor. In the Twilight of the Mughul Empire, the self governing institutions in rural areas had been severely damaged at vital points, but they had withstood the onslaughts with remarkable tactics.

After the Battle of Plassey in A.D (C.E.) 1757, the British East India Company derived land taxing rights (Diwani rights) from Bengal ruler (Nawab), which was the first step in the ascendancy of the British rule in India. The rural and the other urban trading centers during the British East India company rule, was not under any control or supervision, except the three Presidency towns of Calcutta, Bombay and Madras. The District administration under the charge of the district collector was the king pin in the British control over vast rural areas.

The important mile stone during the company rule was the establishment of the Municipal Corporations , as mentioned earlier at Calcutta (Kolkata), Bombay (Mumbai) and Madras (Chennai). Viceroy Lord Rippon in 1882 brought out a resolution, proposing a

smaller unit for constituting rural local boards, a sub division, tehsil (taluk) and district boards to supervise.

Lord Rippon's resolution emphasized that the institutions he proposed should have a majority of non-officials who should be elected wherever it was feasible. Nearly 500 rural boards were created with a two third majority of non officials who depended upon the district magistrate (district collector) for the favour of nomination. The main activities of the district boards till 1909 were police, public works, education and village sanitation.

The rural local government introduced by Lord Rippon faced many criticisms and in the A.D (C.E.) 1907, the British government appointed a commission to enquire into the question of administrative and financial relations between the Government of India, Provincial governments and subordinate authorities under them so as to simplify and improve the prevalent system through devolution or otherwise. With the passing of Government of India Act, 1919, the local governments were entrusted with the elected elements of the provincial government under the diarchy system of government.

The number of the village bodies in Tamilnadu increased from 1417 in 1926 to 6250 in 1937. There are three tier system of rural local bodies viz; District Boards, Taluk Boards, and Village Boards. The District and Taluk boards have undergone changes by 1923, the non-official chairman in all provinces replaced official chairman. In Tamilnadu, most of the District Boards came to be dominated by Justice Party members, which stood at 545 in 1927. From 1937 upto 1947, the rural local authorities faced many challenges including the national freedom movement.

After Indian Independence in 1947, an attempt was made to revive local governments in India. Mahatma Gandhi argued for the decentralized administrative system in India entrusting responsibility of governance with the village panchayats (self sufficient Gram Swaraj). Shrima Naryan with blessings of Gandhiji published a blue print of the Gandhian Constitution for Free India wherein panchayats are the basic institutions for organizing social, economic and political activities of the citizens. In addition to the civic, political and administrative roles, the Panchayat was to play the economic role of organizing production and distributing resources in such a way that the village communities became self sufficient for meeting most of their basic needs.

### Diarchy

The diarchy system entries that the subjects of the administration had been divided into reserved subjects and transferred subjects. The police, law and order, finance are the reserved subjects, which will be under the Governor and other subjects like education and other as mentioned earlier will be entrusted to the elected representatives.

Thus Article 40 came to be incorporated in the Constitution, as part of the Directive Principles of the State policy (Part -IV) of the Constitution of India adopted on Nov. 26th 1949. The Art. 40. States that, " the state shall take steps to organize village panchayats and

endow them with such powers and authority as may be necessary to enable them to function as units of self government”

In compliance with the provisions of the Directive Principles of the State Policy, an ambitious rural sector initiative, the Community Development Programme was launched in 1952 with main focus of securing social- economic transformations of village through people’s own democratic and cooperative organizations with the government providing technical services, supply and credit. This programme was extended to most of the blocks as National Extensions Service aimed at transferring scientific and technical knowledge to agricultural, animal husbandry and rural craft sectors. In 1956, under the Second Five Year Plan, (1956-1961), it was recommended that village panchayats should organically link with popular organizations at higher levels and in stages, the popular body should take over the whole administration. In 1957, Government of India appointed a Committee on Plan Projects under the Chairmanship of Balwant Rai Mehta. The Mehta Committee recommended two points namely, the administration should be decentralized and the administration should be placed under the control of local bodies.

Secondly, the community development blocks should be designed as administrative democratic units with an elected Panchayat Union to operate as a fulcrum of developmental activity in the area. It also recommended for the formation of District Development Councils (Zila Parishad) at the district level consisting of all the Presidents of the Panchayat Unions (Samities), Member of legislative assemblies and Members of Parliament with district level officers of the public health, agriculture, veterinary and education departments as members and the collector as the chairman. The district body is only an advisory body. The recommendation of the Mehta Committee were generally welcomed and Panchayati Raj legislations were enacted and by 1960s about 90 per cent of the population were covered by the Panchayati Raj bodies.

In 1977, the Government of India formed a committee under the chairmanship of Ashoka Mehta to go in to the working of the Panchayati Raj bodies and suggest measures to strengthen it. It recommended that Panchayati Raj should emerge as the system of democratic local government, discharging developmental, municipal and ultimate regulatory functions. Hence the first recommendation was to set up district Panchayat (Zilla Parishad) as the directly elected body. As a temporary arrangement, the committee recommended continuation of the Panchayat union at the block level. Not as a unit of local self government but as a nominated middle level support arm for the District Development Council. The Ashoka Mehta Committee submitted it's report in 1978, which was well received and led many states to introduce appropriate amendments in their Panchayat Acts such Karnataka, Maharastra Andhra Pradesh, West Bengal and Gujarat.

A number of committees were formed between 1978 and 1986, to look into various aspects of strengthening the local self government institutions, such as, C.H.Hanumantha Rao Committee, G.V.K Rao Committee and L.M.Singhvi Committee. Only minor changes were suggested by these committees from the Ashok Mehta committee, The next land mark was the introduction of 64th and 65th Constitutional Amendment Bills, in July 1989 by Rajiv Gandhi government, which could not be passed in the Council of States (Rajya

Sabha).

After many attempts, in 1992, incorporating important features of earlier exercises on this subject, government drafted and introduced the 73rd and 74th Constitutional Amendment bills in Parliament in 1992 which was passed by the Indian Parliament in 1993. The 73rd and 74th Constitutional Amendments introduced new parts IX and IXA in the Indian Constitution containing Articles 243 to 243 ZG.

### **73rd Constitutional Amendment – implementation and implications.**

Article 243 B of the Constitution which was inserted into the Constitution under the 73rd Constitutional Amendment, envisages that states and union territories except those with population not exceeding 20 lakhs, will have to constitute a three tier system of Panchayat ie, village, intermediate and district levels. While the district has been defined as a normal district in state, the jurisdiction of village and intermediate levels have not been specifically defined in the Act.

The territorial area of a village Panchayat can be specified by a public notification by the Governor of the state, and may consist of more than one village. Similarly, the intermediate level which can be a Taluk or Block is also to be specified by the Governor through a public notification in this regard. This provides a certain amount of flexibility to the States in constituting Panchayats at the lower and middle levels.

A new schedule, Eleventh Schedule was inserted in to the Constitution of India, which provided for obligatory and discretionary functions of the Panchayats at three levels,

- a. The Village Level
- b. The District Panchayat at the district level
- c. The Intermediate Panchayat which stands between the village and district Panchayats in the states where the population is above 20 lakhs

All the seats in a Panchayat shall be filled by persons by direct election from territorial constituencies in the Panchayat area. The electorate is named as “Gram sabha” consisting of persons registered in the electoral rolls relating to a village comprised within the area of a Panchayat.

The Chairperson of each Panchayat shall be elected according to the law passed by a State and such State law shall also provide for the representation of Chairpersons of Village and Intermediate Panchayats in the District Panchayat, as well as members of the Union and State legislature in the Panchayats above the village level.

Hence, the new Amendment Act provided for participation of Members of Parliament and Members of Legislative Assemblies in the Panchayat Union Councils and also in the District Panchayats. The Amendment Act also provided reservation of seats in

the three tiers for Scheduled Castes and Scheduled Tribes and not less than one third of the total seats for women. The tenure of the Panchayats shall be five years.

The law provides that any person who is eligible to be elected to the state legislature shall be qualified to be chosen as a member of a Panchayat. The responsibilities of the Panchayats are clearly laid down in the Eleventh Schedule. (Box.1). Like the National Finance Commission, the Constitution Amendment Act also provided for the State Finance Commission for recommending the formula for transfer of the financial aid to local governments from the states.

There are around 2,50,000 village panchayats in India as per 2011 Census

Consequent to the 73rd Constitutional Amendment as well as the Supreme court's rulings which effectively mandate that local authorities are also to be treated as "Government or state", The Panchayats that have acquired substantial legitimacy are recognized as an instrument of the Government and have created participatory structure of grass roots democracy for the rural people. Creation of constitutional bodies like the State Election Commissions and the State Finance Commissions have also given permanency and stability to these institutions. However, most Panchayats continue to be treated as agencies of the state for implementation of prescribed schemes, even though essential services such as provision of drinking water, rural sanitation, preventive health and primary education are accepted as their legitimate core functions. The structure of district administration under the control of the Collector, characteristically by a command structure and lack of horizontal coordination at the grass roots level, has become somewhat anachronistic in the modern democratic framework of our polity. In order to make local administration more responsive transparent and accountable to citizens there is a need to have a representative government not only in the Union and States but also at the District and Village levels with an equitable division of functions among them.

### **Panchayati Raj (1959 - 2009)**

Golden Jubilee Year - on 2nd October 1959, Pt. Jawaharlal Nehru laid the foundation of Panchayati Raj in Nagaur, Rajasthan; the most revolutionary step in the context of governance of rural India. The journey which commenced with the commitment of comprehensive development of villages and to put power in the hands of people.

### **Three tier Panchayati Raj system under 73rd Constitutional Amendment(1993)**

- ❖ District Panchayats
- ❖ (Elected and nominated)
- ❖ Panchayat Union Councils (Elected)

- ❖ Village Panchayats (Elected)
- ❖ Gram Sabha (All Voters in a village) (Advisory Body)

### **74th Constitutional Amendment Implementation and Implications**

Under the 74th Constitutional Amendment, the urban areas comprise different types of municipal bodies constituted with reference to character, size and importance of different towns and cities. Municipal Corporations, Municipal Committees, Notified Area Committees, Town Area Committees, and Cantonment Boards are the usual types of municipal bodies and while the first four types were created under the state municipal laws, the Cantonment Boards owed their origin to the Central Act called the Cantonments Act, 1924.

In most of the states, all these types of urban local bodies existed except the Town Area Committees, which had since been abolished and converted into class - III Municipal Committees. Town Area Committees were semi municipal committees constituted for small towns by a separate act of the state legislative assembly.

After passing the Constitution(74th Amendment) Act, 1992, the Government of India notified the Amendment in June 1993. The Act of 1992 provided for a period of one year from the date of its commencement, the states were required to change amend or modify their legislations in order to incorporate the Central Amendment. Various states and union territories have enacted legislations for the governance of the urban local bodies in their respective jurisdictions. For example, the Punjab government enacted the Punjab Municipal Bill, 1998 to replace the Punjab Municipal Act, 1911.

The Grama Sabha meetings are held four times in a year ie. January, 26 (Republic Day), May, 01 (May Day) August, 15 (Independence Day) and October, 02 (Gandhi Jayanthi).

A three tier structure of urban local bodies were proposed in the 74th Constitutional Amendment act namely, Nagar Panchayat or Town Panchayat, Municipalities and Municipal Corporations. We shall discuss briefly the details of the above three urban local bodies established under the 74th Constitutional Amendment Act.

#### **Nagar Panchayat or Town Panchayat**

A Nagar Panchayat or Town Panchayat is constituted for a transitional area, ie. , an area in transition from a rural area to an urban area. The population of such an area is 5000 or more but less than 15,000 and the revenue generated from tax and sources exceeds such amount per capita per annum as many be specified by the government from time to time. Every Nagar Panchayat is a body corporate and has a perpetual succession and a common seal with power to acquire and hold, or dispose of properties and may sue and sued.

A Town panchayat shall consist of such number of elected members not less than 9 or not more than 15, as the state government may determine by rules. The members of the legislative assembly representing the constituencies comprising transitional area or any part of thereof, and two members nominated by the state government from amongst persons having special knowledge or experience in municipal administration. The nominated members shall not have the right to vote in the Town panchayat meetings. The term of a Town Panchayat shall be 5 years.

The government shall divide a transitional area (town panchayat area) in to a number of territorial constituencies known as wards and each ward shall elect only one member. Out of the total number of seats in Town Panchayat to be filled by direct election, seats are reserved for Scheduled Castes (SC) and Scheduled Tribes (ST) in the same proportion of the population of SCs and STs to the total population of that town panchayat area. In addition, one third of the total number of seats of that area are reserved for women, including the seats reserved for SCs and STs. The town panchayat members shall be elected from amongst its members, One President and one Vice President in a meeting convened by the Deputy commissioner. Every Town Panchayat shall perform obligatory functions such as water supply, drainage, clearing the streets etc. Every town panchayat shall have an executive officer appointed by the state government

### Municipal Council

A Municipal Council or municipality is constituted for a small urban area with a population of 15,000 or more but is less than 3 lakhs and the revenue generated from the tax and other sources exceedssuch amount per capita per annum as may be specified by state government from time to time.

Municipality Grade	Population
Class A	1 Lakh or more
Class -B	50,000 - less than one lakh
Class - C	Less than 50,000

A Municipal Council or Municipality for example in Class-A, not less than 20 and not more that 50 elected members; Class-B 15-30, and Class-C, 10-15. The members of State Legislative Assembly representing the constituencies lying within the municipal area are "Ex-Officio" members of the Municipal Council. Not more than 3 members are nominated by the state government. The nominated members do not have the right to vote in the elections of the chairpersons and vice chairpersons. The members are elected through secret ballot.

The whole municipal area is divided into wards, as per the number of councilors to be elected, say 15 or 30 or 10. The electoral rolls of the legislative assembly in relation to municipal area are generally taken as the voters list. The candidates contesting in the elections are allotted symbols. The symbols of the recognized political parties are allotted only to the candidates sponsored or adopted by them.

The Deputy Commissioner has to call the meeting of the elected members within 14 days of the notification of the election results to administer the Oath of office and to hold the election of the President and Vice-President. As that of Town Panchayats, seats are reserved for the SCs and STs according to the proportion of the population of SCs and STs to the total population of the municipal area. In addition, 30 per cent of total seats are reserved for women including the SCs and STs seats.

The 74th Amendment provides the constitution of ward committees consisting of one or more wards within the territorial area of a Municipality, having a population of 3 lakhs or more. A member of a Municipality representing a ward within the territorial area of the ward committee shall be a member of the ward committee. The Standing Committees shall be constituted for each Municipality consisting of the President, senior Vice-President, and Vice-president and 4 other members in the case of Class-A, 2 in the case of Class-B from among the elected members for a period of 2 and half years. The term of office of Municipality is five years. The elected municipality can be dissolved if it is not performing as per the provisions of law.

The Municipal Council meets at least once in a month, presided over by the President or in his/her absence Vice-President. The Municipal Council with the increasing load of work, elects subcommittees comprising councillors from amongst itself to study a problem in depth and make recommendation for its solution. The subcommittees are of two types statutory committees and, non-statutory committees. Municipal bodies also appoint special subcommittees for certain specific purposes and follow the same procedure for their election as it adopts the constitution of standing subcommittees.

A Municipal Council elects its President from amongst members within one month of the constitution of Municipal Council. The Municipal Council is constituted after elections are held. The President is elected for a period of 5 years. The Municipal Council also elects one or two Vice-Presidents. The Presidents of the municipalities in various states draw monthly salary in addition to travelling allowance. The President convenes and presides over the meeting of the Municipal Council. He / She is empowered to take disciplinary action against offending councilors. The President is the chief spokesperson of the Municipal Council and represents it at official functions and also with regard to correspondence with the government.

The state government in every municipality appoints an Executive Officer. The Executive Officer is the principal executive authority and all municipal staff is subordinate to him/her. He/ She is the important officer to execute, supervise monitor and

report the activities of the Municipalities to the council. The Municipal Council is the governing body of the Municipality, responsible for Municipal Administration. It makes by laws the governing place and time of council meetings, the manner of giving notices, the conduct of meetings.

The councilors are expected to keep themselves in touch with the citizens and enquire about their grievances against municipal staff, and bringing to the notice of the appropriate administrative head or to raise the matter in the council meetings. The powers and responsibilities of municipalities are enshrined in the Twelfth Schedule of the Constitution. (See Box-2)

The 74th Constitutional Amendment provided the constitution of committee for district planning, to prepare a draft development plan for the district as a whole. The Committee shall consolidate the plans prepared by the panchayats and municipalities in the district. The composition of the District Planning Committee as provided in the Act of 1992, consists of that not less than 4/5th of the total members of the committee. They shall be elected by and from amongst the elected members of the Panchayats at the district level and of the municipalities in the district, in proportion to the ratio between the population of the rural areas and of the urban areas in the district.

The Municipalities have been provided with the power to raise revenue for discharging its duties and performing its functions such as the taxes, duties and fees which could be levied and collected by the Municipalities (For example: tax on lands and buildings, scavenging tax on octroi, a tax on advertisements, a fire tax, toll on roads and bridges etc) the 74th Amendment Act made it obligatory for the state governments to constitute State Finance Commission within one year from the commencement of Act.

**Box No-2 : Twelfth Schedule of the constitution: Powers and**

**Responsibilities of Municipalities**

**Subject**

- ❖ Urban Planning including town planning
- ❖ Regulation of land use and construction of buildings
- ❖ Planning for economic and social development
- ❖ Roads and Bridges
- ❖ Water supply for domestic purposes,
- ❖ Public Health, sanitation conservancy, and solid waste management
- ❖ Fire services
- ❖ Urban forestry, protection of the environment, and promotion of ecological aspects
- ❖ Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded
- ❖ Slum improvement and up gradation
- ❖ Urban poverty alleviation
- ❖ Provision of urban amenities and facilities such as parks, gardens and play grounds

- ❖ Promotion of cultural, educational and aesthetic aspects
- ❖ Burials and burial grounds, cremations, cremation grounds and electric crematoriums
- ❖ Cattle ponds, prevention of cruelty to animals
- ❖ Vital statistics including registration of births and deaths
- ❖ Public amenities including street lighting , parking, bus stops and public conveniences
- ❖ Regulation of slaughter houses and tanneries

**The State Finance Commission shall make recommendations regarding:**

- I. Distribution between the state government and municipalities of the net proceeds of taxes, duties, tolls and fees to be assigned or appropriated by the state;
- II. Allocation of share of such proceeds between the municipalities at all levels in the states;
- III. Determination of taxes, duties tolls and fees to be assigned or appropriated by the municipalities;
- IV. Grants-in-aid to fund the state;
- V. Measures needed to improve the financial position of the municipalities.

However in practice, the Municipalities in our country undertake only such functions which have been specifically assigned to them by respective state legislative enactments. This restrictive approach to municipal functions no longer and holds good in the changed political context and needs of the country. There has been increasing tendency on the part of the state government to take over more and more local functions either directly or by creating special purpose agencies.

Municipal Corporations The Municipal Corporations constitute the highest or the top most form of urban local government in India.They are created for big cities by the enactments of the State Legislatures or of the Parliament in the case of Union Territory. The various categories of the cities are determined by its population, area or revenues. Municipal Corporations in the early period were established in three Presidency towns viz; Bombay, Madras and Calcutta. A Municipal Corporation is based on the democratic principle of management of local affairs by the representatives of the people of the city concerned, who are to be elected periodically on the basis of universal adult franchise with reservation of seats for SCs and STs in proportion to their population and also for women. The Municipal Corporation is marked by statutory separation of deliberative and executive wings.

The Corporation Council and the Standing Committees Constituted the deliberative wing and the executive wing. The Council, consisting of elected representatives and a few nominated members, is responsible for the exercise of legislative powers. The Standing Committees function as an auxiliary of the Corporations. All the matters to be passed by the council pass through it after it considers the proposals and

recommendation made by the Municipal Commissioner. The Municipal Commissioner is the chief executive and implementing the decisions taken by the council.

Municipal Corporations in India are generally structured on the pattern of Bombay Municipal Corporation. The tenure of the Municipal Corporation is 5 years. The 74th Amendment provides wards committees, which shall be considered for one or more wards within the territorial areas of the Corporation. The chairperson shall be elected for one year and shall be eligible for re - election. A ward committee supervises provision of water supply, pipes and sewage, drainage connections to premises removal of accumulated water on streets or public places due to rain or other, collection and removal of solid waste, provision of health immunization, services for the civic services in slum and lighting, repair of roads, maintenance parks drains and etc.,.

A Municipal Corporation shall have a Standing Committee constituted by it, consisting of Mayor, the senior deputy Mayor and other councilors elected by the councilors of the Corporation from amongst the members. The Mayor shall be the chairperson of the Standing Committee. The Municipal Corporation also constitutes committees to deal with subject matters such as water supply, sewage etc.,. Each subject committee shall consist of not less than three and not more than five members.

The term of the subject committees is one year. The Municipal Corporations have been provided with financial resources to carry out its duties assigned to it by the 74th Amendment. A list of 18 functions to be performed by Municipal Corporations has been given in the 12<sup>th</sup> Schedule of the Constitution. Like the 73<sup>rd</sup> Amendment Act, the 74th Amendment Act also provided for a committee planning metropolitan area. The Committee consists of not less than 2/3<sup>rd</sup> of the members who shall be elected by and from the elected members of the Municipalities and chairpersons of the panchayats in the metropolitan area in proportion to the ratio between the population of Municipalities and of the Panchayats in that area.

All Municipal Corporations are provided with the office of the Mayor and Deputy Mayor. Mayor in some states are directly elected by all the voters within the metro city. In some states, Mayor is elected from amongst the elected councilors. The Mayor presides over council meetings, guide its deliberations to maintain decorum and exclude any objectionable portion from the record of the proceedings of the council. He/She is also empowered to expel and even suspend members for gross misconduct or disorderly behaviour. In case of a tie he/she exercises his /her casting vote.

The Municipal Commissioner is the chief executive officer of the Corporation. Normally the commissioner is being appointed from officers in I.A.S (Indian Administrative Service) cadre. The commissioner's appointment vested in the state government, has been a subject of great controversy. The term of the commissioner is three years, which can be extended by the state government. He/she is one of the statutory municipal authorities to carry out the provisions of the Corporation Act.

## The case of Tamilnadu

The Tamilnadu State Election Commission established under the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments, gives a brief account of the status of local government in the state of Tamilnadu.

As stated by the Tamilnadu State Election Commission, under the 73<sup>rd</sup> Constitutional Amendment Act (Rural Local Bodies) the government of Tamilnadu as a constitutional obligation has taken into account important points including: formation of Gram Sabha in every village with powers of general supervision over the elected village Panchayat and the power to grant approval to the annual plans of the Panchayats; formation of three tier Panchayats i.e., District Panchayats, Panchayat Unions and Village Panchayats made obligatory; reservation of seats for weaker sections of society like SCs, STs and Women; powers to impose taxes and provision for grants, assignments etc., from government funds through constitution of a State Finance Commission.

The State of Tamilnadu has 12,564 village panchayats, 388 panchayat unions and 31 district panchayats.

Under the 74<sup>th</sup> Constitutional Amendment Act, devolution of more functions and taxing powers; revenue sharing with state governments; regular conduct of elections; reservation of seats for SCs and STs and for women; uniform composition of the urban bodies throughout the country were provided.

Following 73<sup>rd</sup> constitutional amendment the Tamilnadu Panchayats Act was passed in 1994, which replaced the earlier Tamilnadu Panchayats Act, 1958. The Tamilnadu Panchayats Act, 1994 was amended in 1996. The Act of 1996 provided as far as Panchayats are concerned : to plan for their developmental needs, constitution of District Planning Committee; constitution of State Election Commission and constitution of State Finance Commission. In the first elections under the 1994 Act, 1,17,000 representatives were elected for the three different tiers of local government across Tamilnadu.

## Urban Local Governments

As far as urban local bodies are concerned, the 74<sup>th</sup> Constitutional Amendment Act, paved the way for setting up urban local bodies in various states. Elections were held to the rural and urban local bodies in Tamilnadu in 1996, 2001, 2006 and 2011.

## Contemporary Issues

There are many issues which are highlighted by the experts in the field of local governance from time to time. The main issues brought out by the experts are provided in the following section. First there is considerable expansion in responsibilities of local governments, which were previously state government responsibilities. Taking into

account the capacities of the levels of government and the line of control, throughout government apparatus should be considered and reclassification of list is needed. Second, maintenance of village courts is also an important issue, where the policing is state wise centralized, which can not entrusted practically to the local governments.

Third, urban local bodies are entrusted with many functions out of which many of them are connection with the state government departments.

In sum, the 73rd and 74<sup>th</sup> Constitutional Amendment Acts brought reforms in local government in India. The rural and urban local bodies prior to the reforms were the creation of the British. Many new and innovative changes were brought in the amendments. So far only 18 states in India have ratified or approved the amendments in their legislative assemblies, which is required as per the law. In addition, many state government even after enacting the amendments and ratified them, have not put in to operation many provisions, because of the issues mentioned above. Unless these issues are resolved, the objectives for which the 73rd and 74th amendments were made, could not realized.

#### **Panchayati Raj (1959 - 2009)**

The Tamilnadu Municipal Laws (Fourth Amendment) Bill, 2018 and the Tamilnadu Panchayats (Second Amendment) Bill, 2018 - for extending the tenure of the special officers of the urban and rural local bodies for a period of six more months.

There are 12 Municipal Corporations, 148 Municipalities and 561 Town Panchayats in Tamilnadu as urban local bodies.

## UNIT-13 -Social Justice

### Introduction

Until the late 20th century, most philosophical discussions of justice and equality were limited in scope to a single society. Even Rawls's theory of justice, for example, had nothing to say about the distribution of wealth between societies. In the 1990s philosophers began to think about the moral implications of the vast inequality in wealth between the leading industrialized countries and the countries of the developing world, some of which were afflicted with widespread famine and disease. The German-born philosopher Thomas Pogge argued that affluent countries are responsible for increasing the poverty of developing countries and thus for causing millions of deaths annually.

### What do you mean by Social Justice?

The negative values which are made by the society results in inequality and cleavation among people. Gender inequality may be quite natural, if looked upon superficially. All along the centuries, women were subjugated and exploited without an opportunity which portrays them as weaker section. The negative attitude against blacks of Africa belongs to same category which is mentioned in the previous lines. Blacks were discouraged and kept aside as knowledge less. This situation continued for many centuries and factualised against the black community. Same situation prevails also in India. Many people were refused opportunities on the basis of caste and it is believed as natural one in the society. Every action and reaction is fudged one in our country. Power as a demon spread its tentacles in all the sphere of the society, as stated by so many experts and exponents. Social power is the dominant phenomenon which leads to cut-throat competition and ends in absolute control of the subjects. It is in order to protect the social identity, the dominant communities endeavorto capture the power sector. Among different communities in a plural society, dominance of a single group is considered as unfair and unjust. The dominant groups activate racial, religious, caste, lingual and cultural feelings and intend to misuse the social rights of other groups that may end in permanent hostility between different groups. The struggle that is undertaken by the weaker groups in order to react for establishing equal society is known to be Social Justice.

### Background of Social Hierarchy

The ancient Indian civilization had evolved with the "Varnashrama Dharma" which kick-started the principle of hierarchy i.e. Upper and Lower strata. The Varna system is also called as "Four Varna System" by which people were divided as Brahmins, Kshatriyas, Vysyas and Shudras.

This division on the basis of birth has been inculcated and socialized along different phases of civilization from which inequalities surfaced in the society.

**Race, religion and lingual minorities UN proclamation - December 18, 1992.**

### **Salient Features**

1. All minorities are having equal right without any discrimination and intervention to exercise their freedom in following hereditary values, to cling with religion, to propagate and to use their language.
2. All minorities can make their own organization and are having every right to maintain it.
3. Minorities should have right to upgrade their knowledge related with their history, conventions, language and other hereditary values. They should also be provided with opportunity to learn about entire society to which they belong to.
4. This declaration may not affect the basic freedom which is stipulated in the existing rights declaration.

### **Article 15 (4) of Indian Constitution**

Article 29 (2) may not act as an obstacle in making special policy decisions for socially and educationally backward communities or SC/ST people.

### **Article 16 (4) of Indian Constitution**

This will not prevent any sort of appointment or reservation among backward communities, if sufficient representation is not provided. India is a sub-tropical, sub-continent with varied geographical atmosphere. People speak different languages and follow unique hereditary values. Albeit of these factors, inequality is existing due to the Varna System. It is in order to advance and develop the socio-economic conditions of the downtrodden communities; Indian Constitution is having its ideal guidelines with strong structural foundation.

According to Indian Constitution, States which are having low technological development or inadequate natural resources can make their own special policies for holistic advancement. In accordance with the existing constitutional provisions, the downtrodden and underprivileged communities were provided with special laws and privileges in all the states.

Ideas like all inclusive development and self-sufficient societal growth highly hinges upon social justice along with special arrangements for the marginalized sections. Equal opportunity is the process and social arrangement by which social democracy can sustain and pluralism will be strengthened. In such a society different groups of religion, race and other factors can live with their social identity, tolerance and shared power.

Economic condition and status is one among the reason for the wedge created in the European society. Whereas in India, the division is on the basis of purusavktha of Rigveda and particularly Four Varna System.

This Varna System prevents individuals from their exercise of rights and values. Indian Constitution in this regard is implementing all its supervisory mechanisms and also is delivering distributive justice which is the motto of the largest democracy. This justice intended to weed out the caste distinction (Varna System) and to establish equal society in India.

The democratic values in Indian Constitution protects and delegate power to all the people equally to develop themselves in the socio-economic sectors. Sticking on with this constitutional provisions may lead to social development and further give place for social freedom and justice. Hence, vibrant social justice in India protects National Integration from which distributive justice and democratic values are concretized.

In such a democratic atmosphere, the fabric of 'plurality' will be generated. Plural thinking and all-inclusive representations are considered as bed rock of Indian Democracy.

### **Equality is essential for Social Justice**

People accept equality as an essential phenomenon but still inequality and discrimination are serving as distributing factors. Inequality prevails in almost all spheres like opportunities, comforts and working atmosphere. This kind of inequality and discrimination are permanent and unavoidable in our life, is it so? What we are going to do for the people, who do not have opportunities to work for the development of our nation? How far cultural values are responsible for this kind of inequality.

This is not only happening in India, but also at global level which creates stir in the minds of the people. It is for this reason, social equality stood in primary place in the Socio-political principles. Equality as a principle indicates what? What do you mean by "equal society". How do we assure equality? With that assurance, what we are going to achieve? Do we try to resolve inequality only in our income? What type of equality has to be established? To whom we have to provide equality?

### **Need of special privileges**

If poor children were not provided with adequate education and proper health care, we are raising hue and cry.

We give our voice for justice. First let us understand what we accept and which we refuse. If a person is treated with great respect on the basis of his caste, language or race, we may not tolerate the reputation. If a person wants to achieve in a field like music and if he is denied opportunity on the basis of caste, religion, gender and race that is injustice. Why this kind of discrimination and divisive tendencies exist?

We have to understand the reasons. If opportunity is denied along with social identity, that is absolute injustice in a society. This creates inequality among the people. Regardless of caste, gender, religion and other differences, people should be provided with appropriate opportunities to prove their talent and capacities in the individual life. In socio-political theories, the distinction between the difference among individual and socio-cultural differences existing among them is considered as an important aspect. Individuals should receive respect and reputation on the basis of their achievements and talents. It should not be on the basis of social identities. Inequalities and discriminatory practices which prevail in the society are artificial and are known as prejudices.

### **Just Distribution**

When we agreed to the idea that different people in a society must be treated differently, the subsequent question would be who and how we can ensure the Justice. Governments can and will enact laws to facilitate the just distribution of resources to individuals within a society. Laws simply pave the way for the fair distribution of resources. Law enforcing agencies may have to monitor the process of the distribution itself. This is the ideal situation.

A country like ours where socio-cultural inequalities are well entrenched, a law for fair distribution will not automatically ensure just distribution of resources. Governments will have to ensure a level playing field in order to establish Justice. In other words, before the law brings us together, people should enjoy some basic equality of life conditions and opportunities. This attempt to create a level playing field must be seen as a necessary condition for each person to pursue his/her objectives in life. Since our constitution has abolished untouchability and other caste based discriminatory practices, both the State and the legislature would have to ensure the creation of such a level playing field. Thus, the government which swears in the name of protecting our constitution has the obligation of ensuring one of the finest promises of our constitution itself - bringing in equality to our society. Therefore, it is legal, constitutional and moral on the part of the government to create a level playing ground for all its citizens especially those who have been historically denied basic rights.

This level playing field or what we popularly call 'equal opportunity' must not be treated either as charity or as philanthropic gesture of the government. It is the obligation on the part of the government to treat people differently in order to ensure Justice; more importantly it is a fundamental right enshrined in the constitution for disadvantaged people to seek legal, constitutional remedy. Similarly, level playing ground is aimed at creating equal opportunity only in education and employment opportunities for the disadvantaged communities. In many realms of our everyday lives, there is virtually no demand from the marginalized sections to provide a level playing ground.

This clearly conveys the meaning of what is the aim of providing equal opportunity. When modern education becomes the most significant resource and employment in government sector remains a major source of livelihood, the concept of

level playing ground or equal opportunity was advocated and subsequently this idea became an integral part of our constitutional apparatus.

There are several opinions in this regard. How should we distribute the resources and ensure equal opportunity/fair access to education and jobs to all especially to the disadvantaged groups. Many especially people from the so called upper echelon of the society tend to think of treating people differently in order to ensure just distribution effectively amounts to discrimination. This opinion slowly and steadily invokes strong passion and at times results in violence too. The fear of losing educational and employment opportunities among the privileged communities was steadily growing as the government planned to 'reserve' seats for people from marginalized and underprivileged communities as part of its equal opportunity plan.

The idea of 'merit' would be invoked by the privileged sections of our country to argue that any attempt to 'reserve' seats for the underprivileged people would strongly damage merit based output of our education system; thus it would subsequently affect the professional abilities of the candidates. But as students of political theory, we must be able to dispassionately examine the issues involved in our quest to understand Justice. Do you first of all agree that some interventions are required to help the marginalized, underprivileged people? What would be the outcome if the privileged section retains all the resources including education and employment opportunities with themselves even after we become an independent country and a republic? Should we opt for an inclusive nation or an exclusive mob? What kind of social Justice we would eventually emulate?

### **Distributive Justice and Retributive Justice**

The substantial point of debate while studying the concept of Justice would be how the resources would be distributed to all section of the society. In order to understand this point more clearly let us dwell upon a few important perspectives on the issue of Justice. In conventional understanding of politics, there are a few major theories of Justice being discussed at length. Equality of Resources, Common Ownership theories and Entitlements are often referred while discussing Justice.

#### **A. Equality of Resources**

This perspective defines distribution of resources to be just; that is to say, if every individual has the same effective resources that amounts to Justice. If, for some given work, each person obtains the same amount of wage or reward, that is how we must realize Justice. If inequality exists it is singularly the result of individual choices - to be a productive earner or to be a person of leisure. This perspective effectively rejects self-ownership and resource ownership but strongly advocates only responsibilities and obligations.

## B. Common Ownership Theories

These theorists argue that a fair distribution means each person in the initial stages must have the same amount of land or other valuable resources. It clearly means there are no major differences in terms of an individual's preferences and abilities. All individuals are endowed with equal amount of abilities. Therefore, by ensuring common ownership of resources, we can bring in substantial Justice.

## C. Entitlements Theory

It defines just distribution when land or any other resources disbursed must be historically justified. Individuals who have never had the ownership of land or other resources can appropriate it by voluntary transfer between and among themselves. Transfer of resources, for them, must be absolutely voluntary.

All these perspectives as it is evident from the brief description do focus on both resources and human ability. Resources could be for example, land as well as knowledge; human ability also plays a vital role for some theorists. There is a grand consensus that Justice in a society is possible only when it becomes distributive rather than retributive. How do we define retributive justice?

## D. Retributive Justice

The concept of retributive justice is often invoked in several contexts. One can understand the framework of this form of justice by following certain principles.

- i). Those who have committed wrongful acts, serious crimes do deserve harsh punishment quite proportionate to their crime.
- ii). It is morally good; when the legitimate punisher gives the culprit a stern punishment what that person deserves; no matter whether the punitive action against wrong doers is compared with others or not, the punishment is necessary as moral good.
- iii). It does not encourage punishing the innocent intentionally and also disapproves inflicting large punishments on wrongdoers disproportionately.

Even though, the idea of retributive justice played vital role in theorizing punishment and Justice for some time, some of its pivotal features such as proportionality, normative status of suffering and the ultimate justification for retribution become highly contentious.

In a country like India, there are a few who tacitly approve violence as a mean to achieve and establish Justice by advocating retributive justice for many wrong acts. This is highly untenable proposition in modern context. Retributive justice as a modes operandi to establish justice was firmly rejected in our constitution itself. The architects of our constitution firmly believed that violent methods will not bring in peaceful and enduring solutions to our problems nor does it establish sustainable Justice in our society.

Our intention is to introduce several perspectives on Justice to you. In the process, we must also realize which perspective would be very appropriate in our Indian context to realize the spirit of Justice. Of all these perspectives, the framework offered by John Rawls stands out as a significant one; let's study the vital aspects of his theory.

## John Rawls Theory of Justice

John Rawls is considered as one of the finest political philosophers of 20th century. He developed the theory of Justice based on the paradigm called Justice as Fairness. His framework treats all personal attributes as being morally arbitrary; therefore Justice for him demands equality. For him 'all social values including liberty, opportunity, income, wealth, self-respect are to be distributed equally. In other words, injustice is 'simply inequalities that not to the benefit of all'. If/when any action/attribute of an individual that does not benefit all actually signifies inequality and unfair/unjust character of a society. This perspective compels us to have a more comprehensive understanding of Justice itself. Let's see what he says about Justice.

### Important works of John Rawls

- ❖ Theory of Justice - 1971
- ❖ Die Idee Des Politischen Liberalismus - 1993
- ❖ Justice as fairness - 1985
- ❖ The Law of Peoples - 1993

Just think of a moment when you are asked to imagine a new society. It is obvious many would construct a society in which they would place themselves with all power/authority and privileges. Do you think that anyone will imagine themselves in a pitiable situation? Most likely no one would do that? Why? It is not possible also to imagine people sacrificing their personal ambitions and self-interest in a new society. People will immediately think of their children and their grand children's welfare. Why would people sacrifice the well-being of themselves and their children? You may wonder how this simple question would be the basis for John Rawls theory of Justice. There are strong foundations for this simple question and its plausible answer.

John Rawls tries to find out an answer for this question. He offers a hypothetical situation for us to imagine. Yes, let's imagine ourselves to be in a situation in which we have to make decisions about how society should be organized although we do not know which position we would ourselves occupy in that society. We may not know which family we would be born in and similarly no knowledge about our caste, class, religion, gender and region etc. Here Rawls argues that if we do not know where we will be and what options would be available for us in the future society, we will most likely support a decision on the rules and organizations of that future society which would be fair for all members. When we are quite uncertain about our future, we like to facilitate an order in which all members would get a fair deal.

This moment Rawls describes as thinking under a 'Veil of Ignorance'. We are ignorant about our possible position and status in society; each person would decide the way they generally do - trying to have optimum self interest in the new society. But surprisingly no one knows exactly who he/she would be and what is going to benefit him/her. Each one of us will imagine the future society from the point of view of the worst off. We usually tend to place ourselves with all privileges and entitlements. Now in the new imagined society, we really do not know where and what we will be. In such a situation, what strikes people is, what if we unfortunately are born in a disadvantaged section of the society with a few or very minimal opportunities? Suddenly, we try to create new system in which even persons from the most marginalized sections get reasonable opportunities and resources.

Even though this is a moment of departure, it is not so easy to erase our identities and think/imagine oneself under a veil of ignorance. Similarly, it is not easy to expect people to be self sacrificing and share their good future with unknown people. However, the merit of the 'veil of ignorance' framework is that it expects people to just be their usual rational selves; they are expected to think for themselves and choose what they regard to be in their interest.

But what is more important here is that by wearing an imagined veil of ignorance is the first step towards arriving at a system of fair laws and policies. It tries to latch its trust in the human agency of rationality among people in contemporary world. The ethics of reason will create, for Rawls, a new political structure in which people will think of policies not to optimize their self interests but rather envisage society as a whole. This comprehensive and holistic perspective embedded in Rawls' framework makes it highly pertinent while debating on Justice. That is to say, it would be in the interest of all sections of the society as a whole must benefit from the policies and rules; not for an exclusive section of a society. Such fairness would be the outcome of rational action not benevolence or generosity. John Rawls theory premises upon the arrival of quintessential modern, rational beings to realize the spirit of Justice in our society; a society like ours wherein non-rational identities and sentiments play a major role in organizing the society, may have to toil to truly understand the spirit of Justice as emulated by John Rawls.

Migrated people are also having certain rights in the alien nations. Refugees, migrated and exiled are also exercising vital rights. The member nations of UN recognized those vital rights.

### **Socio-Cultural Equality**

In the diversified society, people from different groups may practice their cultural values, habitual factors and improve individual talents. For this to happen, equality in society is an essential criterion. Every individual should be assured of fair opportunity in

the society. To a large extent, unequal atmosphere should be wiped out for attaining liberal society.

To put it in a nutshell, actions must be taken at least to reduce the unequal circumstances. For instance, a good healthcare, education, nutritious food stuffs, minimum emoluments are the basic needs to be provided to all without discrimination. Without these basic facilities, we may not call a society as egalitarian one.

### **What are the main issues of our Nation?**

Beliefs and practices on the basis of caste and religion are dastardly obstacles. In many parts of India, the status of women is at lower level - education, employment, right to property are refused to women. If this situation extends and established as our culture, a major catastrophe may not be averted in India. If inequality and discrimination is stamped as our cultural value, the path of equality may be at cross roads and cannot be attained at all.

### **Economic Equality**

Economic equality can be identified by individual's income and the value of property, he possess in a society. Otherwise, the gap between rich people community and poor may indicate the status of economic equality. Further, by calculating number of people under poverty line, we may draw strong inferences and resolutions. This kind of identification is widespread among all the nations. But certain discriminations on the basis of culture and historical cum habitual practices, may create precarious issues in the concerned society. Radical reformers during different phases of history, has made wide awareness about these untoward and unethical happenings to the people.

"Humans respected on the basis of caste which he belongs to, is barbarian and anti-human thinking", exclaimed E.V.Ramaswamy alias Periyar in Tamilnadu. He out-rightly condemned the cultural practices, habitual follow-ups and other so called values which refutes equality in all its aspects. Periyar also was against "Patriarchal Chauvinism" which subjugated women all along the history.

That society is best which got rid of caste, religion, gender and suppressive habitual practices", lamented Periyar. Modern society cannot be sanctified by the people who cling towards the language and discriminatory cultural practices. Apart from Periyar, various saints, seers and philosophers took strenuous efforts to have egalitarian society. People who enjoyed all kind of privileges on the basis of dynasty, birth and descent so far has to come to end. Determining an individual's capacity on accordance with the birth is the primary and precarious feature of the unequal society.

All are equal and individual's capacity, if decided on the basis of merit, is the first step towards equal society. So far, number of modern nations refused to provide voting

rights for the poor people. There are nations which restricts women education and public offices in the 21st century.

In India, lower strata people are permitted to work only in the clerical and other benefit-less offices. They were not permitted to occupy higher positions, because of their caste identity. Individuals and organization for the past centuries made onerous efforts to curb out in equal menace from the society.

There some human communities which needs special attention, since they were totally ignored and exploited by the upper strata people.

Truthful equality can be identified only in those rare occasions. Injustices unleashed in the past must be identified to know about what real or fair equality is.

Reservation policy is a good initiative from the part of government in delivering equal justice. People, who were denied of education and employment opportunities so far, were provided with reservation for uplifting the condition and status.

Discriminatory practices which were followed for long time in the historical phases may not be curbed out in a short span. Expecting the change within one or two generations is an utopian faith, stated researchers. If reforms happened in short time, it will be a good sign for the development of the entire nation.

### **Social Justice and Equality**

All civilizations were equipped with the awareness of their practices. The accepted practices are "Dharma" and the negative is "Adharma". Those people who breach these practices will be punished by the king. Mistakes and related punishments are quite natural in all the countries.

Greek philosopher Plato and his disciples often debate and discuss about justice and its practices. Discourses and teachings of Socrates consists of anti-justice people and their impact in the society. Justice and fairness may do only good things in a society. If justice do favour for certain individuals, that may not be considered and called as justice. Justice is all about the entire development and advancement of a society. Fair justice is applicable to all the people in a society, claimed Socrates. We may infer from the above said arguments that reservation is the fair justice provided to the people, who were hitherto discriminated and exploited.

### **Proportional Justice**

The social justice provided by our Indian Constitution to the depressed and downtrodden communities is a helping hand for their development and advancement. But how much and to whom are the major questions?

Caste hierarchy is the primary reason for inequality in our nation. Hence on the basis of the caste hierarchy, social justice has to be maintained/must be maintained. In categorization, we are having backward caste, most backward caste, scheduled caste and scheduled tribe for whom; governments' policies are distributed accordingly.

First Commission for backward community was established on 1953. Kaka Kalelkar was the first head of this Commission in Independent India.

### **Discrimination - Social Basis Theory**

As socio - psychologists describes, Human beings identify themselves as part of their group. They felt prestigious and energetic only when they are recognized as a part of their own group. What discrimination means is that out grouping their own members from the membership of their group or ban their members from accessing natural resources. Indeed, wealth is an important matter. Someone of the group's eligibility and self - respect indirectly defends of someone getting wealth.

Empirical studies confirm that persons with a low sense of social recognition display more out-group devaluation and group-focused enmity based on an ideology of human inequality. Negative attitudes toward different out-groups (ethnic and religious minorities, women, and people who are disabled or homeless) are strongly correlated with each other, indicating the unspecific nature of discrimination.

### **Affirmative Action**

The principle of affirmative action is to promote societal equality through the preferential treatment of socially and economically disadvantaged people. Often, these people are disadvantaged for historical reasons, such as oppression or slavery. Support for affirmative action has sought to achieve a range of goals: bridging inequalities in employment and pay; increasing access to education; enriching state, institutional, and professional leadership with the full spectrum of society; redressing apparent past wrongs, harms, or hindrances and in particular addressing the apparent social imbalance left in the wake of slavery and slave laws.

For example, a 2017 study found that affirmative action in the United States of America "there is an increase in the share of black employees over time: in 5 years after an establishment is first regulated."

### **United States of America**

Though there were developments in Liberty, Economy and Technology in United States of America, still there were sustained discrimination on the basis of colour till the later period of Twentieth century. This raised Civil Rights agitations there.

Following this Affirmation Action was introduced by John F.Kennedy in 1960s in the United States of America. This was called as Executive Order 10925. Through this order, Govt requested the employers not to discriminate their employees or candidates on the basis of race, creed, colour, or national origin.

This order was replaced by another order 11246 in the year 1965. By this the Federal Government commit "to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency". In the U.S., affirmative action's basic purpose was to pressurize institutions into compliance with the nondiscrimination mandate of the Civil Rights Act of 1964. Affirmation Action was extended to women in 1967.

### **United Nations**

The International Convention on the Elimination of All Forms of Racial Discrimination stipulates that affirmative action programs may be required for all countries that ratified the convention, in order to rectify systematic discrimination. It states, however, that such programs "shall in no case entail as a consequence of unequal or separate rights for different racial groups after the objectives are achieved."

The United Nations Human Rights Committee states that "the principle of equality sometimes requires State parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant.

### **Social Justice laws in South Africa**

Following the transition to democracy in 1994, South Africa chose to implement affirmative action through legislations to correct previous imbalances. As such, all employers were compelled by law to employ previously disenfranchised groups (blacks, Indians, and Coloured). By this the companies employing more than 50 people have to design and implement plans to improve the workforce demographics, and report them to the Department of Labour. Employment Equity also forms part of a company's Black Economic Empowerment scorecard. Moreover, the Supreme Court has ruled that in principle blacks may be favoured.

### **China**

China followed some sort of affirmative action in education for minority nationalities.

### **Russia**

Quota systems existed in the USSR for various social groups including ethnic minorities, women and factory workers for access to university education, offices in the former Soviet union.

## **New Education – New Requisites**

The educational system which we had in Ancient India was discriminatory. People were permitted to undergo education on the basis of their own caste. After the introduction of new education system in modern India, the marginalized communities are not allowed in the main stream.

In south India, new or modern education was introduced by Christian missionaries of European nations. In the initial part of 19th century, British established more number of Christian missionaries in many parts of India. Many communities, who were denied educational opportunities, utilized the choice for their development.

## **Status in Madras Presidency**

During the same period, Chennai presidency came under the direct rule of British Empire. Laws like 'Ryotwari' were made. Moreover, tax collecting system was introduced. Further, military forces were also instigated. In 1835, English was declared as official and administrative language in India. Indians were appointed in the British Indian military forces. Majority of the people who joined in military were non-Brahmins and deprived communities.

Although colonial British regime appointed Indians in military forces, it hesitated to permit Indian languages in the educational institutions. This untoward situation remained same until the end of the 19th century. People who are fluent in English were appointed in these services. Apart from the Europeans, Anglo-Indians and Brahmins were appointed in all government services.

Due to the establishment of 'Jamindari' and 'Ryotwari' system in the initial part of 19th century, 'Landlords', 'Zamindars' and other dominant groups spearheaded in entire India. All the abovesaid are "Caste Hindus". "Caste Hindus" domination in all villages greatly affected the villages and particularly, the downtrodden communities were kept aside from the lands in all villages of India.

In this connection, a British officer 'Francis Ellis' was appointed to submit the status report regarding 'Ryotwari System'. In similar way, another officer, 'Thomas Munro' also submitted a report related to the 'Ryotwari System'.

According to the reports, 'Lands which were tilled by lower strata people, were illegally occupied and acquired by 'Zamindars' and 'Landlords' and thus caused quality-less farming and low level of yields. It is also reported that Land Income Tax was also affected due to this acquisition. Moreover, the deprived and downtrodden communities were checked-out of their lands and also their children denied admissions in the schools and other educational institutions.

In 1854, court delivered direction that there may not be any restriction to admit children who belongs to lower caste groups. The Caste Hindus and other dominant communities, however, didn't obey the judgment of the court proceedings. In 1865, Secretary of state for India in British Parliament ordered for admission of children who belong to lower caste groups but the condition remains unchanged.

### Preferential Rights for the Downtrodden

In 1885, Madras Presidency Government declared financial assistance policies for the downtrodden communities and also the government oriented new schools for the lower caste people.

In the meantime, Tremancro, collector of Chengalpet district submitted a report on the downtrodden communities of Chengalpet. Those excerpts are: People of downtrodden community were at low level in all aspects, particularly social-economic, educational spheres. Lands are denied for them. They were not permitted to build houses for their own. Educational opportunities were rejected. They are sold as slaves. Lots of lands are kept barren. Due to this, income for the government has been diminished. To increase the income of the government, lands can be distributed to the people.

There were so many recommendations present in the officers' report. In 1892, this report was considered and accepted by the government. Accordingly 12 lakh acres were distributed to the lower caste groups. These lands are called as "Panchami." Schools for lower caste groups are called as "Panchamer School".

"Panchamer" means people who are out of Varna System or excluded communities. 'Ayothidasa' and 'Singaravela' opined that "Panchamer Schools" can be called as "Adidraavidar" schools. Since it is the traditional name carved to the category.

British India in the end part of 19th century supported Brahmin development in all spheres, whereas minorities were denied opportunities in education, society, power and employment sectors.

The Non-Brahmins, particularly minorities (lower caste) who studied in the modern educational institutions were dissatisfied with the government's biased stand. They demanded representation for lower caste groups in government services.

Those people who demanded for appropriate representation are Ayothidasa, Singaravelar, Rettamalai Srinivasan, Pitti Theagarayar, Raja of Panagal and many others. Demands put forth by these people were accepted in 1892. Community based representation order was issued in all departments of Madras Presidency. This order is called 128(2). The order has to be implemented in all parts of Chennai Presidency, declared the government.

The efforts taken towards “education to all” in Tamilnadu also spread over to other states of India. Leaders like Jyotirao Phule, Savithribai Phule took onerousefforts in Maharastra for educating the depressed and downtrodden communities.

## **Justice Party**

There were more applications forwarded in 1913 to Royal Commission which was headed by Alexander Cardow. Apart from Madras Presidency, Rangoon Thravi Association and others also submitted their application with demands to the commission. All applications emphasized for appropriate representation in employment for backward, downtrodden and religious minorities. Dr. Natesan, Pitti. Theagarayar, T. M. Nair tried to submit and a report on the burning issue of the minorities and low caste groups. P. Theagarayar has written and published it as "Non-Brahmin Manifesto" in December, 1916.

In 1916, Pitti. Theagarayar, T. M. Nair and others started South Indian Liberal Federation for the welfare of the Non-Brahmin communities. A magazine “Justice” was also published by this Federation to express their thoughts and ideas. Later on, this Federation was popularly known as “Justice Party”.

This movement spread out “communal representation for Non-Brahmin in education, and employment sectors. In 1915, Justice Party submitted a petition in which it condemned the domination of English and Sanskrit in higher education. Further they demanded to include Tamil and other languages in higher education.

In 1917, 54 Associations met the representative members of British empire and demanded “Fair Representation” for Non-Brahmin communities and other minorities. Moreover, “Communal Representation” was demanded during multiple conferences.

## **First Communal Representation Order**

During the rule of Justice Party in Chennai Presidency, the demand for communal representation reflected in vigorous manner. The prolonged struggle for communal representation by Justice Party and wide support from the people propelled the central government to make resolution in this regard in 1921. This resolution, later on was called as Communal Representation Decree.

It is the red lettered day in Indian history, lower caste groups, who were suppressed and deprived of Social and Economical condition for many centuries had fullest confidence to lead their life with self-respect and dignity by this decree.

A resolution was submitted by Munusamy the member of legislative assembly in Chennai. The Resolution reads; "Non-Brahmins with minimum educational qualification should be provided with employment opportunity. Non-Brahmins specifically, Christians, Muslims and lower caste groups to be appointed in all government services. For this, a

permanent order should be legalized. If salary is above Rs.100, this order should be implemented for 7years until it reaches 75% of the population". With regard to this resolution, R.K.Shanmugam stated that "If this historical and land mark resolution is implemented, the future generation may really appreciate our truthful efforts towards emancipation". In supporting this view, Dr.C.Nadesan voiced that "If fair representation is not provided for our people, we will not pay taxes".

Periyar, EV.Ramaswamy, a staunch supporter of congress party also eulogized the ideas of Justice Party, he expressed the same demand in Congress Party. In 1925, during the Kanchipuram Congress Party Conference, Periyar passed a resolution regarding communal representation in education and employment. Periyar came out of congress party, since his resolution was rejected by the high command.

In 1928, during the leadership of R.Muthiah, (Justice Party), Communal representation was passed and implemented in all the government departments.

### **First Amendment**

In the aftermath of the effective implementation of Indian Constitution, in 1951, Mr. Senbagarajan filed a suit in the High Court; related to the denial of Medical Seats. He also mentioned that, communal representation is the reason for the denial of his seat.

The High Court gave its Verdict that Communal representation decree is against the constitution and to be abandoned. In addition to that, Supreme Court also sided with the same Verdict. Reservation Policy on the basis of caste was abandoned due to the Verdict.

State wide protests erupted in Tamilnadu against the Verdict. E. V. Ramasamy, demanded for an amendment in the constitution. It is due to efforts of Periyar, Tamilnadu congress committee President Kamaraj, Prime Minister Jawarharlal Nehru and Ambedkar, an amendment was made related with the extension of Reservation Policy. This was the first Amendment in the Indian Constitution. Due to this, backward and other communities retained the opportunity of reservation.

According to articles 15 and 16 of Indian Constitution, "Socially and economically backward people can be provided with special privileges". This provision made Nehru to come with First Amendment in the Indian Constitution.

Accordingly, sub-sections 15 (4) and 16 (4) were included in the constitution.After the Amendment, from 1951 onwards Backward Communities receive 25% and Lower Caste 16% respectively due to reservation policy.

### **Expansion of Reservation**

Under the Chief Ministership of M.Karunanidhi, a commission was constituted under the Chairmanship of Sattanathan to take into account on the welfare of backward community.

It is on the basis of the recommendations of Sattanathan commission, backward community got 31% and SC/ST received 18% as reservation in 1971.

In 1979, Social Welfare Department of Tamilnadu Government issued an order (MS No.1156, Dated 02.02.1979). According to this order, annual family income of backward community was fixed as Rs.9,000/-. Later on, that order was repealed.

A new order was issued, in which reservation for backward community was increased from 31% to 50% and for SC/ST it is 18%. To sum-up, 68% reservation came into effect in Tamilnadu.

In continuum with this, in 1989, another suit filed in Supreme Court with regard to allotment of separate reservation for Scheduled tribe (ST) community. In this case, Supreme Court of India delivered the verdict by which, backward community, most backward, scheduled caste and scheduled tribes received 30%, 20%, 18% and 1% respectively. The entire reservation was changed combinedly and 69% came into effect in Tamilnadu.

### **Reservation in Central Government: Mandal Commission**

The central government under the Prime Ministership of V.P.Singh consented with the recommendations of Mandal Commission. The Government issued an order which confirmed 27% reservation for Backward Community in Central Government Services.

In opposing this order, Indira Sawhney, filed a suit stating the order breaches the constitutional provisions. She also added that reservation policy overrides the principle "All are equal before Law".

Supreme Court delivered a clear verdict that 27% for backward community in Central government services can be legalized. Further it states, "the reservation should not reach beyond 50%".

The Supreme court of India fixed 50% as ceiling for reservation policy, whereas it was not mentioned in the constitution. Moreover, the highest ceiling of 50% can also be discharged.

### **Thus the Judgment says**

"Although 50% is the ceiling fixed for the reservation in central government services, it may be changed, taking into account the diversified communities and abnormal situations of this nation".

"People who are distant, those who could not mingle with the mainstream society or without opportunity, unique in culture may be exempted from this ceiling fixed by the Supreme Court.

50% of the ceiling may be exempted, said the same judges who delivered the famous verdict in this sensitive case.

That said, a member of consumer trust, K.N. Vijayan from Tamilnadu filed a suit stating, 69% reservation in Tamilnadu is given against the Supreme Court Verdict. Supreme Court, however, in its Verdict mentioned that Engineering and Medical Colleges should not be provided reservation more than 50%. It also issued Interim prohibition for the reservation.

It was similar with the untoward happenings during 1951, which prompted the state government under J.Jayalalitha who passed a bill in the state assembly by citing the reference from directive principles of state policy (Article 31(c)).

The bill on 30.12.1993 was given consent by the President of India on 19.07.1994 by which 69% reservation received fullest legal protection. To avert further filing of suit against Tamilnadu Government, it endeavored to incorporate reservation policy in IXth schedule of the Indian Constitution.

Parliament passed the 76<sup>th</sup> Amendment in which reservation policy of Tamilnadu Government was incorporated in IXth schedule of Indian Constitution. Further it came into retrospective effect from November 16, 1992.

Reservation for different communities is a temporary effort to get place in power sector. To attain social change and social ideals, caste hierarchy has to be demolished and eternal equality to be established. One among the means to attain permanent equality is "Inter-Caste Marriages". Marriages happening within caste may further strengthen caste system and serve as an obstacle for the equal society. Casteless marriages and lateral cum ideal thinking are the best contrivances for making radical social change.

### **Backward classes Commission**

According to article 340 of Indian Constitution, President of India can appoint backward classes commission to identify socially and educationally backward groups and also to submit recommendation related to their standards and states.

Hitherto, the Indian government has constituted the backward classes commission.

#### **1. Kaka Kalelkar Commission**

Kaka Kalelkar Commission was the first one constituted in 29.01.1953. There were 11 members including the Chairman Jawaharlal Nehru who tabled the report submitted by this commission in the Parliament.

#### **2. Mandal Commission**

Central Government under the Prime Minister-ship of Morarji Desai constituted Subindeswari Prasad Mandal Commission on 20.12.1978. This is the second such Commission established for the backward community. S.S.Gill was appointed as the Secretary of this Commission.

It is in order to identify the condition of backward community; a group was constituted under the leadership of B.B.Mandal in 1978. The group travelled all over the nation. This Commission on the basis of 11 basic reasons identified 3743 castes which comes under backward community. Castes were identified on the ground of peoples' status in education and society.

Mandal has written in the preface of the report which reads, "Madras is a pioneer state in communal representation. It has given representation for backward classes". We may infer that Tamilnadu is the birth place for Social Justice and serve as a great pioneer for all other states.

52% of the backward communities in India has to be provided with 27% reservation, remarked Mandal Report. This reservation was implemented by V.P.Singh Government on 13.08.1990 in all Government (Central) Services. Due to this order, backward communities who are backward in social and educational sectors entered into central services.

The Government of India appointed the 2nd Backward Classes Commission in 1979. It was headed by B.P.Mandal. Hence it was popularly known as Mandal Commission. It was asked to determine the criteria to identify the socially and educationally backward classes in our country and recommend steps to be taken for their advancement. One of the recommendations was that 27 per cent of government jobs be reserved for the socially and economically backward classes.

It was in December 1980 members of Mandal Commission submitted their report to Zail Singh, the then Home Minister. After submitting the report B.P.Mandal said,

"I know much labour has gone into the writing of this report. But let me tell you that today we have performed its immersion (visarjan) ceremony."

Next ten years, the report lay in the Home Ministry's office. Report was dusted up by the then National Front Prime Minister Vishwanath Pratap Singh (1931 - 2008) for implementation in 1990. Mandal Commission report became the single-most burning topic of controversy and heated discussion. There was total confusion in the national political arena and V.P. Singh was accused of indulging in the worst form of opportunism. No major political party supported the implementation of Mandal Commission recommendations.

Some section of people and associations opposed to this order filed a number of

cases in the court. Eleven judges of the Supreme Court heard arguments of both sides and by a majority, the Supreme Court judges in 1992 declared that this was valid. At the same time the Supreme Court asked the government to modify its original order. It said that well-to-do persons among the backward classes should be excluded from getting the benefit of reservation. Accordingly, the Department of Personnel and Training issued another Office Memorandum on September 8, 1993. The dispute thus came to an end and this policy has been followed since then.

### **Indira Sawhney V. Union of India AIR 1993 SC 477**

- ❖ Also known as Mandal Commission Case.
- ❖ On January, 1979 under the Chairmanship of B.P.Mandal, the second Backward Classes Commission under Article 340 was appointed by the Union Government headed by Prime Minister Morarji Desai.
- ❖ One of the major recommendation made by the commission was that, besides the SCs and STs, for other backward classes which constitute nearly 52% of the population, 27% government jobs are be reserved so that total reservation for all, SC,ST and OBCs, amount to 50%.
- ❖ No action was taken on the basis of the Mandal Report for long after it was submitted, except that it was discussed in the Houses of Parliament twice, once in 1982 and again in 1983.
- ❖ On August 13, 1990, the V.P.Singh Government at the Centre issued an office memorandum accepting the Mandal Commission recommendation and announcing 27% reservation for the socially and educationally backward classes in vacancies in civil posts and services under the Government of India.

### **Promoting Social Justice**

In order to achieve social justice, it is often suggested that reservation policy is an important tool. We must realize that reservation in education and in jobs is one of the methods to achieve 'Social Justice' and not the only method. Social Justice must necessarily premise upon the idea of egalitarian philosophy that no one is inferior or superior to anyone by birth.

Those who have been benefitted extensively by the philosophy of ascriptive status (status based on birth) must realize that such status cannot be part of a modern world; to be a modern person what is more important is to have the consciousness of being equal to everybody around us. Unfortunately 'modern' is being equated with latest electronic items and luxury items we possess. Having latest gadgets will not make us modern. For India to become a modern nation, this radical transformation is required more than anything. That is why the social justice is organically embedded in the idea of modern India.

## Unit- 14

### Political Developments in Tamilnadu

Diary of Events		
1914	-	Birth of Dravidian Association
1916	-	South Indian Liberal Federation was formed
1917		Justice Party
1919		Montagu-Chelmsford Reforms
1925		Periyar founded Self Respect Movement
1937		Congress Ministry formed under the leadership of Rajaji
1937		Anti-Hindi Agitation
1944		At Salem conference the Justice Party was renamed into Dravidar Kazhagam (DK)
1946		T.Prakasam of Congress formed Government in Madras Presidency
1947		O.P.Ramaswamy became the Chief Minister
1949		P.Kumaraswami Raja formed his ministry
1949		Birth of Dravida Munnetra Kazhagam (DMK)
1952		First General Elections took place
1956		States Reorganization Act
1965		Anti-Hindi Agitation.
1967		Dravida Munnetra Kazhagam formed government under the leadership of C.N.Annadurai.
1969		Madras State was renamed as "Tamilnadu"
1969		C.N.Annadurai passed away.
1969		M.Karunanidhi became the Chief Minister of the State

1972		AIADMK was founded by M.G.Ramachandran (MGR)
1974		State Autonomy Resolution was passed in the Assembly

## Political History of Tamil Nadu

Compared with rest of India, Tamil Nadu has had a healthy administrative and political culture, more or less stable economic life, and continuity of traditions from the hoary past to the present. Madras Presidency of South India came into existence due to the administrative and political needs of the British. The Madras Presidency was formed in A.D (C.E.) 1801. The Presidency, as it existed during the 19th and 20th centuries, comprised of the present states of Andhra Pradesh, Malabar region of Kerala, Southern Karnataka, Southern most part of Odisha and Union Territory of Lakshadweep.

Madras Presidency politics in the early part of 20th century was dominated by the "Brahmin - non - Brahmin conflicts". Scholars and political thinkers believed that understanding the conflicts between these two groups, (the Brahmins and non - Brahmins), is necessary to understand the South Indian Politics and society.

### Madras Presidency

Simultaneously a few members of Non-Brahmin caste groups sought employment in industries, commercial enterprises etc., Significant but a portion of non-Brahmin caste groups migrated from rural areas to urban pockets of the Presidency and wanted to ascertain their identity as 'Dravidian' and 'Tamils' and gradually challenged the monopoly of powers and privileges enjoyed by the Brahmins in politics, administration and society.

The word 'Dravidian' was used by scholars and non - Tamils to identify non-Aryan Tamil speaking people. At the same time Brahmins were identified as "Aryans" and the custodians of Sanskrit civilisation where as non-Brahmins were considered as "Dravidians" and the custodians of Tamil language, culture and civilisation.

### Emergence of Dravidian Movement

In order to protect and promote the Tamil identity, culture, socio-political and economic interest of non-Brahmins, a movement called 'Dravidian Movement' was started in Madras Presidency by a group of non - Brahmins.

### Dravidian and Non-Brahmin Identity

In 1801 Madras Presidency was formed by the colonial regime as a multilingual province (Tamils, Telegus, Malayalees, Kannadigas and Tulus). India's diversity could be noticed in the political developments of the Madras Presidency. In Bengal and in the rest of

North India a Sanskrit and Vedic centered Indian culture was projected, besides an Indo-Aryan or Indo-German group of languages were acknowledged. Non-Vedic, Non-Sanskrit cultures were not recognized. The deciphering of Brahmi script in 1837 by James Prinsep and researches on south Indian languages (Ellis in 1816 and Caldwell in 1856) came to establish that Indian culture was not homogeneous;

Ellis is praised by Tamil enthusiasts as lover of Tamil, Valluvar, Kural and so on, without knowing the colonial and christian background of him. In fact, he tried to forge valluvar as Jain, to promote the "thomas myth" in India

Francis Whyte Ellis

Born: May 7, 1814, Clady, United Kingdom Died: August 28, 1891, Kodaikanal, India

Robert Caldwell

Buddhist and Dravidian traditions also existed in India. In the south, especially in the multi-lingual Madras Presidency, theories on Dravidian group of languages and Dravidian cultural heritage led to assertion of Dravidian identity among the Non-Brahmin.

Two factors (1) Brahmins claiming superiority over Non-Brahmins and (2) Brahmins monopolizing educational and employment opportunities transformed the Dravidian identity into Non-Brahmin identity. (In Maharashtra too Mahatma Jyotiba Rao Phule launched a Non-Brahmin movement on similar lines). Dravidian also indicated the Non-Brahmins in south India.

The Non-Brahmins of the Madras Presidency had a grievance that the emerging nationalist leaders paid no heed to non-brahmin issues. In 1852 Gangalu Lakshmi Narash expressed this grievance, seceded from British Indian Association and floated his own organization named Madras Native Association. In the post-mutiny period, the non-brahmin leaders undertook social reforms rather than political reforms. After the introduction of Minto-Morley reforms in 1909 the non-brahmin leaders of Madras Presidency began to protest the inadequate representations to them in education and employment.

Sir Alexander Gordon Cardew, a member of Governor's Executive Council submitted statistical details (1913) to prove that the Brahmins who formed only three percent of the population cornered most of the opportunities.

### Justice Party

The major political organization of that time, Indian National Congress was dominated by Brahmins had refused to consider the demands of non-brahmin members.

Thus the non-brahmin leaders of Madras Presidency began to think of floating a non-brahmin political organization. The prospects of political reforms after the First World War, and the possibilities of representing institutions stimulated their move.

In 1916 Dr.T.M. Nair, Pitti Theagarayar and Dr.C. Natesan founded the South Indian Liberal Federation to promote and safeguard the socio-economic political interests of the non-brahmin. This South Indian Liberal Federation (SILF) came to be popularly known as the "Justice Party" named after the English journal Justice. Through their relentless efforts they secured reservation of seats for the non-brahmin in the elections to the legislative council.

### **The main objectives of the Justice Party (JP)**

- i) To create and promote the Educational, Social, Economic, Political and material progress of all communities other than Brahmins of South India.
- ii) To work for Non-Brahmins upliftment through Constitutional government.
- iii) To make the government truly a representative government.
- iv) To create public opinion infavour of Non-Brahmins demand.

Montagu Chelmsford reforms 1919 introduced dyarchy in the presidencies by which a few departments were earmarked for Indian ministers chosen from the elected members. In the first elections under dyarchy in 1920, the Indian National Congress as a part of the Non-Co-operation Movement boycotted the elections, but many congressmen contested the elections under different banners.

The Justice Party won majority of the seats and A.Subbarayalu became the Chief Minister and after his death, Raja of Panagal became the Chief Minister of Madras in 1921.

### **Contributions of Justice Party**

In spite of the fluctuating fortunes in the subsequent elections, the Justice party continued to hold power from 1921 to 1937. They introduced a number of reforms. Through communal Government Order they ensured adequate number of opportunities to every category of non-brahmin communities. They removed discrimination against Sudras and Panchamas in public roads, transports, restaurants and public wells. They regulated the temple affairs through the newly constituted Hindu Religious Endowment Board, earmarked plots of land for the Panchamas (Panchami's Land) introduced new township and industrial estates. Special efforts were taken to provide education for the children of depressed classess. For the first time they experimented with "Noon Meal Scheme" in a few schools. Knowledge of Sanskrit as the basic eligibility for medical education was removed which facilitated non-brahmin students gaining entry intomedical education. On an initiative from Dr. Muthulakshmi and others, Devadasi system was abolished in Tami nadu and women were enfranchised. Co-operative societies were promoted. Mirasdari system was abolished, and a number of irrigation schemes were introduced in 1923. Annamalai University and Andhra University were founded during

their regime. It was the Justice Party which provided the most successful government though they were assigned only a few departments.

### **Periyar E.V. Ramasamy:**

Periyar E.V. Ramasamy considered the decision of Rajaji's government to impose Hindi as a compulsory subject as a move to establish 'North Indian imperialism' and destroying the Tamil language and culture. Periyar, further, maintained that the imposition of Hindi was a calculated effort to subjugate the Dravidians in order to ascertain the supremacy of the Aryans.

Madras Presidency has witnessed massive anti-Hindi agitations and Periyar was imprisoned by the provincial government. It is significant to note that in fifteen years he went to jail twenty-three times and got the nickname as 'jailbird' (Siraiparavai). In 1938, Periyar was imprisoned for his Anti-Hindi agitation and then he was elected as the president of Justice Party. In the same year, the Justice Party passed a resolution that Tamil Nadu should be made as a separate state loyal to British government and it should be under the direct control of the Secretary of State for India.

Periyar E.V. Ramaswamy who played a pioneering role in the Madras Presidency Congress, had tried his best to make the Tamil Nadu Congress Committee adopt resolutions in favour of proportional representation for the non-Brahmins in political arena. He gave an effective leadership to the Vaikom Satyagraha and campaigned against caste-discrimination in the Cheranmadevi Gurukula, founded by Congress.

When all his efforts failed to make Congress adopt his programme, he left Congress and launched the self-respect movement in 1925. He shunned electoral politics and instead campaigned for social reforms, especially for eradication of caste system, removal of indignities and gender based restrictions on women, and rejection of hereditary priesthood. The self-respect movement carried on a vigorous campaign against age-old superstitious beliefs and practices in every sphere and questioned the role of religion in justifying and sustaining such irrational traditions and inequalities. The Self Respect Movement campaigned for rationalism, and against denial of dignity and equal status of individuals (including women) under the garb of tradition and religion.

The Self Respect Movement ordained its members to give up caste surname and caste-religious identities; it introduced the self-respect marriages. It fought against not only untouchability but even against the caste-system and the caste based disabilities and indignities imposed on individuals.

The Self Respect Movement propagated not merely better treatment of women, but for equal rights, equal status and equal opportunities for women. Self Respect Movement's role in "Women Liberation" was unparalleled and for that E.V. Ramaswamy was given the title "Periyar" in a women's conference. Periyar's journal 'Kudiarasu' 'Revolt' and later 'Viduthalai' carried on the effective propaganda of self-respect ideals.

## **Self Respect Movement**

In 1929 the first Self-Respect Conference was held in Chengalpattu. In the crucial elections of 1937 the Congress party, led by C. Rajagopalachari, won majority every seats except one. The Congress party victory was largely because of the decline of Justice Party. The Congress formed the government and Rajaji became the Chief Minister of the Madras province.

Soon after assuming power the Congress government introduced Hindi as a compulsory subject in the schools. Periyar launched anti-Hindi agitations. A large number of students have participated in the agitations organized by Periyar.

During this period, the Communist Party (formally launched in 1925) became active in campaigning for socialist programme and organized labour movements. M. Singaravelu, and their associates were impressed by the social reform programmes of the Self Respect Movement, which in turn extended support to the economic programme of the communities, and these two movements agreed to work on a common programme (Erode Plan).

### **Objectives of Self-Respect League**

- I. Reforming Dravidian society to make it truly rational.
- II. To teach the truth of ancient Tamil civilization to Dravidians.
- III. Save the Dravidian society from the domination of Aryan culture.
- IV. iv) Reforming the Hinduism by eliminating Brahmin influence and superstitious practices.

He wanted to restore the past glory of Dravidian culture by creating social awareness among the non-Brahmins in general and particularly the youth. He advocated Self -Respect marriages, a marriage which was conducted in the absence of Brahmin priesthood, discouraged the people from performing religious ceremonies and not to employ the services of the Brahmins in any of the social events.

### **Decline of Justice Party**

By 1929, the Self-Respect Movement had become a formidable movement in the Madras Presidency. In 1930's the Justice Party began to face decline in the province. There were three major factors responsible for this decline. Firstly, the party lost its support among the Depressed sections of the society and minorities. Secondly the Self-Respect Movement, under Periyar had become more radical. Finally the elitist and pro-British outlook of Justice Party had also contributed significantly for its decline.

### **Anti Hindi Agitation**

The decline of the Justice Party and Periyar's refusal to enter into electoral politics together with the growing popularity of Mahatma Gandhi, enabled Indian National Congress to win elections in the Madras Presidency in 1937 and Rajagopalachari became the premier.

He introduced total prohibition (ban on liquor) and abolished the Zamindari system, and introduced legislations removing restrictions on temple entry for the depressed classes. Yet his measures leading to closure of many schools and introduction of Hindi as compulsory language in schools provoked the admirers of self respect and Tamil Nationalists like Mariamalai Adigal to organize the 'Anti Hindi Movement' in 1937. Thousands of agitators including E.V.Ramaswamy courted arrests, and a number of agitators died in prison.

### Salem Conference, 1944

In 1944, at Salem conference under the leadership of Periyar, a historic resolution was moved to change the name of Justice Party to Dravidar Kazhagam (DK). Periyar organised 'Dravida Nadu' conference and demanded an independent homeland for 'Dravidians'. Further, he pronounced his very famous slogan 'Dravida Nadu for Dravidians' at the conference.

Apart from separate 'Dravida Nadu' demand, the Dravidar Kazhagam wanted to establish casteless society, condemned religious rituals, traditions and superstitious in Dravidian society. The Dravidar Kazhagam became very popular in many rural and urban masses, especially among the students. Many non-Brahmin leaders and students have changed their name reflecting Tamil Identity.

S.NO.	PREMIER CHIEF MINISTER	YEAR
1	A. Subbarayalu Reddiar	1920- 1921
2	Raja of Panagal	1921- 1926
3	P. Subbarayan	1926 1930
4	P. Munusamy Naidu	1930 1932
5	Poppili Raja	1932 -1937
6	P.T. Rajan	1936
7	K.V. Reddy Naidu	1937
8	C. Rajaji	1937 - 1939

(Note: Tamil Nadu was under Governor's rule from 29 th October 1939 to 30th April 1946)

9	T. Prakasam	1946 -1947
10	O.P. Ramasamy Reddiyar	1947 - 1949
	CHIEF MINISTER	
11	P.S. Kumarasamy Raja	1949-1952
12	C. Rajaji	1952 - 1954
13	K. Kamaraj	1954-1957
14	K. Kamaraj	1957-1962
15	K. Kamaraj	1962-1963
16	M. Bakthavatsalam	1963-1967
17	C.N. Annadurai	1967-1969
18	M. Karunanidhi	1969-1971
19	M. Karunanidhi	1971-1976
20	M.G. Ramachandran	1977-1980
21	M.G. Ramachandran	1980-1984
22	M.G. Ramachandran	1985-1987
23	Janaki Ramachandran	1988
24	M.Karunanidhi	1989-1991
25	J. Jayalalithaa	1991-1996
26	M.Karunanidhi	1996-2001
27	J. Jayalalithaa	2001
28	O. Panneerselvam	2001-2002
29	J. Jayalalithaa	2002 -2006
30	M. Karunanidhi	2006 - 2011

31	J. Jayalalithaa	2011
32	O. Panneerselvam	2012 (Interim)
33	J. Jayalalithaa	May 16, 2016 - Dec .5 2016
34	O. Panneerselvam	Dec 2016 - Feb 2017
35	K. Palanisamy	Feb 2017 - till date

In accordance with the provisions of Article 313 of the Indian Constitution Hindi was made as the official language of the Indian Union on January 26, 1965. In order to protest the decision of the Union Government the Dravida Munnetra Kazhagam decided to observe 26th January, 1965 as a 'Day of Mourning'. Many leaders of the party and its cadres were arrested. Tamil Nadu had witnessed a large scale of Anti-Hindi agitations. Because of the agitations the cause secured considerable amount of support among the student community. On the other hand the Congress party lost its base and support in the state of Tamil Nadu. Meanwhile, the Dravida Munnetra Kazhagam had withdrawn the demand for 'Dravida Nadu' and continue to actively participate in the electoral politics of Tamilnadu and became a ruling party in the state.

#### **Dravidian Movement during second World War and after:**

In 1939, the congress protested the government's declaration involving India in the Second World War which led to the resignation of congress ministry. In Madras Presidency Rajaji's ministry had resigned but Periyar raised the demand of Dravida Nadu on the ground that independence prior to socio-cultural equality would be injurious to Tamil interests. In 1949, Dravidar Kazhagam split and Dravida Munnetra Kazhagam was formed.

In 1951, the Supreme Court struck down communal reservations in higher education. Immediately Periyar launched a major agitation for the restoration of communal reservation. Consequently, the first constitutional amendment Act was passed in the Parliament in favour of reservations for socially and educationally backward classes.

#### **Rajaji Regime (1952-54)**

The politics of Madras State in India witnessed the continuation of struggle between statusquoists and reformists. C. Rajagopalachari (Rajaji) who led the first elected ministry in the Madras, under the Republican Constitution, again reduced the number of schools, attempted to impose Hindi in schools and Modified Scheme of Elementary Education which provided for part time learning of hereditary occupations popularly known as kulakalvi.

### Arundhati Roy on Dandi March

Resistance as spectacle, as political theatre, has a history. Gandhi's salt march in 1930 to Dandi is among the most exhilarating examples. But the salt march wasn't theatre alone. It was the symbolic part of a large act of real civil disobedience. When Gandhi and an army of freedom fighters marched to Gujarat's coast and made salt from sea water, thousands of Indians across the country began to make their own salt, openly defying imperial Britain's salt tax laws, which banned local production in favour of British imports. It was a direct strike at the economic underpinning of the British Empire.

(Arundhati Roy, *An Ordinary Person's Guide To Empire*, p.307.)

Dravidian leaders launched a statewide protest against movement. Even a section of congress leaders resented Rajaji's proposals which led to change in Chief ministership.

### Kamaraj Era (1954-1963)

Kamaraj abolished the Modified Scheme of Elementary Education, increased manifold the number of schools, built a number of dams for improving irrigation, provided more industrial estates and ensured astonishing industrial growth in the state. He made education more accessible to poor and rural children. Kamaraj also introduced the noon-meal scheme for school children. In 1963, Kamaraj resigned (Kamaraj Plan) his chief ministership to become the President of Indian National Congress and M. Bhaktavatchalam took over the reins of the government. The Food shortage and anti-hindi agitation caused the un-popularity of his ministry.

### Dravidian Parties Rule

In the general elections of 1967, the congress party was defeated. The Dravida Munnetra Kazhagam formed the government.

In 1956, through 'states reorganization Act' Madras Presidency gave up malayalam regions to Kerala, Telegu region to Andhra Pradesh and Kannada regions to Mysore. Thus, Madras state became a state of Tamils. Kamaraj provided a stable government.

The provision of affordable universal housing for poor, precursor to food security (Rice scheme) and establishment of Slum Clearance Board have substantially improved and received support among the urban poor people also. Significantly, the government renamed the State from Madras to Tamil Nadu in the year 1969. The other major achievements of the party were:

- A. Nationalisation of Bus routes larger than 75 miles.

- B. Waiver of Tuition fee for poor students of all castes in pre-University and pre-technical courses.
- C. Second World Tamil Conference was organised.
- D. Supply of subsidised rice for people of Tamil Nadu.

### **Dravidian Rule in Post-Independence Tamilnadu**

For the past 62 years Dravidian parties have been ruling Tamilnadu. Dravida Munnetra Kazhagam decided to enter electoral politics in 1957 and gave up its “Dravida Nadu” demand consequent to Chinese aggression of Indian territories and to overcome newly amended electoral laws. It won a majority in 1967 elections. Annadurai ruled for a brief period (1967- 69), yet he renamed Madras state as Tamilnadu, passed civil marriages act, rejected three language policies of central government and enforced a two languages (English & Tamil) policy in Tamilnadu.

For the first time, he introduced a subsidized rice (one measure one rupee) scheme. His successor M.Karunanidhi continued his legacy. In 1972, M.G.Ramachandran founded his own Dravidian Party (All Indian Anna Dravida Munnetra Kazhagam - AIADMK). He captured power in 1977 and retained the same till his death in 1987. Thereafter, Dravida Munnetra Kazhagam under M.Karunanidhi and Selvi J. Jayalalitha of All Indian Anna Dravida Munnetra Kazhagam led ministries in alternative elections. Besides, these two, there are a few other Dravidian parties like Marumalarchi Dravida Munnetra Kazhagam.

More than, six decades of Dravidian rule contributed remarkably to the development of Tamil. They steadfastly protected the interest of Tamil language, Tamil people and Tamilnadu. A number of welfare schemes were introduced to alleviate the suffering of common people. They ensured food security through subsidized and later free rice schemes, nutritious meal scheme, free education until under graduate level, free electricity for farming, abolition of cycle rickshaws and manual scavenging, cradle baby scheme for the abandoned children, and welfare boards for various unorganized workers, and even for transgender. As a remedy to ruinous caste conflicts, ‘Samathuvapuram’ and ‘Uzhavarsanthai’ were created.

Free electricity was provided to huts, slum clearance board met the housing requirements of slum dwellers. The phenomenal increase in industrial activity increased the opportunities for youth; as a result of these developments Tamilnadu registered a high ranking in HDI (Human Development Index). Today, Tamilnadu is in prominent position in promoting automobile industries, electronics, and in pharmaceutical industries. its new economic zones are attracting huge investments. Tamilnadu’s achievements in infrastructural development are acclaimed by all. Roads, harbours, electrification and availability of skilled labour facilitate industrial development.

There has been a manifold increase in the number of schools of different categories. There is a manifold increase in the number of universities. Tamilnadu has exclusive

universities for women, engineering and technology, law, medicine, siddha medicine, sports etc. Promotion of Tamil language, through tamil university, ulaga tamil araichiniruvanam, world tamil conference and ulaga tamil semmozhi conference, and script reforms, led to all-round advancement of tamil language.

The Dravidian parties since the days of Annadurai have been championing the cause of secularism and autonomy of the states. The Dravidian parties have also been contributing substantially to national politics. Dravidian political stream continues to be formidable in Tamilnadu.

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## UNIT-15 - Tamil Nadu Political Thought

### Historical Background

The 'Classical Tamil homeland (Tamizhagam) is called as Tamil Nadu besides some parts of Kerala, Andhra and Karnataka; Strabo (63 BC(BCE) to c. AD(CE) 24), a famous Greek geographer and historian observed the early diplomatic history of ancient Tamil Kingdom of Pandiyas. Naval expeditions of Cheras, Cholas, Pandiyas and Pallavas inform early maritime power and influence of Tamils. Ports in the coast of Tamil Nadu were important centres of trade between India and the Mediterranean, and India and southeast Asia, in the period. 200 BC(BCE) to 300 AD(CE). The ancient ports of Korkai, Poompuhar, Vasavasamudram, Perimula, Arikamedu, Alagankulam, Mamallapuram reveal the active trade, commerce and cultural exchanges with the Southeast Asian countries, Sri Lanka, China, Egypt, Greece and Rome. An established tradition of shipbuilding combined with rich maritime heritage of ancient Tamils are definite indicators of the foundations of influential polity, society, culture, trade and commercial ties with the outside world.

Sangam literature dated approximately 300 BC(BCE) to 300 AD(CE) is another valuable literary source(s) that reflects society, economy, culture and politics. The classification of Sangam poetry into akam (on love) and puram (on war, good and evil, community, justice and kingdom) is a revelation of the Tamil polity. The Sangam literary works have been grouped into eight anthologies (Ettuthogai):(1) Natrinai, (2) Kuruntogai, (3) Aingurunooru, (4) Paditruppattu, (5) Paripadal, (6) Kalittogai, (7) Agananooru, and (8) Purananooru; and there is a ninth group of poems called the Patthupattu (Ten Idylls). The early part of the first two books of Tholkappiyam, a work on Tamil grammar, belongs to the same period.

The famous post-Sangam literature which was collected later as an anthology is known as the Kilkkanakku. There are 18 works as part of this collection and the most famous is Silappadikaram, Manimekalai and Eighteen Minor Works (Pathinen kilkkanakku, which includes the Thirukkural) were written during this period. Prabandha literature consists of poetry of various forms: kovai, in which the verses are arranged according to a particular theme (usually about love), and kalambakam, in which the end of one stanza/line formed the beginning of the next (usually about kings and bravery) and parani. The best illustrations of this tradition are the Pantikkovai, Nandikkalambakam, and Kalingattup-parani.

The ancient Tamil literature of Sangam age, Thirukkural, Silappadikaram, Manimegalai etc provide deep insights into the nature of polity, society and culture. Tamil language formed the core and essence of Tamil identity, culture, customs and traditions. Despite the diversity of land, geography, rulers and chieftains spread across the Tamil speaking areas the idea of Tamil country and confederation of Tamil speaking areas did exist. This literary finding(s) is also substantiated by a stone inscription of Kalinga King Kharavela (BC(BCE) 165), who claims to have destroyed a 'Tamil federation' which existed for 132 years. Similarly such a Tamil federation of kings to fight foreign invasion is also

mentioned in 'Agananooru', a sangam literature. Hence the idea and prevalence of Tamil nationalism is not simply a consequence of colonialism. The roots of Tamil nationalism are linked to the historical role and significance of Tamil language and culture in defining politics that could be traced even in the Sangam age.

The concept of State and the idea king coincided with the territorial emphasis of polity as the Greek city-state. The classical Tamil country known as Tamizhagam covered areas south of Tirupati hills up to the tip of the Cape Comorin (Kanyakumari). The land was traditionally classified according to its nature into five geographical regions (tinai): the mountainous region (kurinji), the forest areas(mullai), fertile plains (marudam), coastal region (neidhal) and arid region (palai).

Tamil speaking areas were divided between the principalities of the Cholas (its capital at Uraiyur), the Pandyas (Madurai as capital), the Cheras in most of present Kongunadu (and Kerala) and the Pallavas (Kanchipuram as capital). Tamil country included several kingdoms ruled by kings (vendhar), major and minor chieftains (vel/velar) who was less powerful than the crowned kings. The Sangam poets sang songs of praise about the velirs, especially the Seven Patrons, for their generosity towards the poets. Kapilar and Avvaiyar mention chieftains like, Aay, Pari, Ori, Malayan, Elini, Pegan and Nalli..

The virtues of king did include the ideals of Just Ruler with qualities of kindness towards the subjects and bravery in the battlefield against enemies. The sabhai or mandram was the highest court of justice presided by the king himself. Every village had its own mandram which met at a common public place and was involved in organizing village and community activities. Warriors were respected, and a man who died in battle would have memorial stones erected in his honour and be worshipped in death. Even if a warrior dies in battle field with a wound in his back, it is considered derogatory in 'Sangam' traditions.

### In praise of Citizen Kannagi

Eric Miller

Kannagi proved that even a non-native with no money and no family insight can fight City Hall and win her case that is inspiring.

I write in praise of Kannagi, global symbol of justice, and of the dignity of the individual!

This is her story the Silappathikaram, the Epic of the Anklet as I know it: Kannagi and Kovalan married in Poompuhar, on the east coast. After some time, Kovalan went off with a dancer named Madhavi. A year later, he returned home. He and Kannagi walked to Madurai, a distance of about 250 km, to start a new life. There Kovalan was unjustly put to

death by the local ruler, the Pandian king; Kovalan had been falsely accused of stealing the queen's anklet. Kannagi came to the court and proved that her husband had been innocent of this crime. The king punished himself for the injustice he had

done, by simply laying himself down and dying. Kannagi walked around the city three times, tore off her left breast and threw it against the city wall, and called for the city to burn but for good people and animals to be unharmed. Agni, the god of Fire, accomplished this. Kannagi wandered to the western mountains, where some people worshipped her. Eric Miller did his Ph.D. in Folklore, University of Pennsylvania, USA. His dissertation is on Tamil children's songs and games, and language learning. To conduct research on the Silappatikaram, he walked in the footsteps of Kannagi from Poompuhar,

to Madurai, to the western mountains. Quotes are from R. Parthasarathy's translation from the original sen-Tamil: The Silappatikaram: The Tale of an Anklet, by Ilanko Atikal, Columbia University Press, 1993.)

### Extended Learning

Refer The Hindu website and read the article by Eric Miller. Share your views in the classroom.

Lots of good practices of war find its mention in sangam literature. Purananoru, a sangam literature, hails the Pandyan king who announces all the women, children, sick and elderly people, cattle, to move to safety zone before invading a country. The idea of justice formed the conscience of State and king. Justice is an essential element in a king's rule. A good king should never sacrifice justice. Just rule and good deeds always will bring everlasting fame to the king. An important political principle that prevailed was that

(Despite the nature of political system being monarchy) the legitimacy of the king rests with the consent of the people as long as he enjoys people's support and he loses legitimacy if he loses their support. Sangam literature (Pattinappalai) speaks about different types of taxations like customs duty, income tax, toll tax etc as specific source of revenue to the State. Tamil kings and chieftains ruled the land with simple administrative structure of council of ministers, subordinates and administrative officers. There were officers to deal with foreign trade and customs revenue which was an important part of the budget. Pandya inscriptions mention about officers for pearl fisheries (kalatika) and the chief scribes (kanatikan). In flags and coins, the Cholas were represented by the tiger, the Cheras by the bow and arrow the Pandyas by the fish and the Pallavas by the lion.

The institution of 'spy' was considered as a necessary institution and the maintenance of peace and stability in the kingdom depended on the effectiveness of this institution. Though slavery as a form of institution was absent yet capturing of slaves after

invasions, and slave trade or exchange for gifts did remain as practice among the rulers to undertake construction and building works.

The practice of caste system or jati was unknown among ancient Tamils. The idea and concept of class with differences in status based on professional distinctions did prevail. The caste system was alien and unknown to Sangam society. The division of society based on class has been revealed by the Sangam poets who mention about social categories (kudi): tudiyar, panan, and kadamban; or arasar (rulers), vaishyar (traders), and velalar (farmers). Differences in status were accepted as inevitable, yet varna in the form of caste or jati seems to be little known to Sangam society.

Though social stratification did prevail yet legitimization of Manusmiriti or Aryan-Brahminical interpretation of caste as divine arrangement was not integral to the cultural universe or worldview of the ancient Tamils. The beginnings and early inroads of the Aryan-Brahminical account of caste could be traced to later period of Sangam era. The ancient religion of Tamils was based on folk traditions. The worship of nature and natural elements were more common. The worship of Murugan among the tribes of Tamil Nadu and the cult worship of Murugan as the warrior God was based on folk culture. An earthly composition of God is rooted in the Tamil - Dravidian traditions. It was only after the sixth century AD(CE), inscriptions were written in Tamil as well as Sanskrit. Sanskritisation gradually spread to public space with the evoking of the doctrines of benevolence to Brahmin(s) and divine blessings to the king .

The seeking of blessings from the Brahmin soon became a source of legitimacy for the Tamil king after this period. Along with the Sanskritisation, Vedic rituals, worship and orientation to social (caste) system as advocated in Manusmiriti found their passage to transform the professionally stratified class structure of Dravidian society into a hierarchically classified social (caste) system with Vedic divine sanctions.

The State and king were being seen as one and the same. The hereditary principle and evoking of divine rights with earthly symbols were prevalent among the Tamil kings. The idea of territorial State provided inherent reconciliation to the changing dynasties and geographical changes as boundaries of principalities were drawn and redrawn. The governing principles of power and location of monarchy also moved from culture specific to power centric based on authority. Thus in later period, during the post-Sangam era, the king gradually became the sole source of authority.

The Pallavas maintained that as they were the descendants of Brahma, the kingship was of divine origin and was hereditary. The Pallava period witnessed the penetration of the Aryan culture of North India into the South as well as the assimilation of some of the patterns, ideas and institutions and rejection or modification of certain other aspects. Tamil devotional culture was one of the results of this interaction as revealed by the themes and dedication of deity at temples.

Women were highly respected and performed a variety of jobs and duties including as bodyguards to the kings, yet power and authority rested with men. Women participated in public assemblies but rulers and administrators were mostly men. Women formed significant part of social rituals and functioned as pivots of the family despite the inheritance rights and formal authority remained with men.

In narrating the role and status of women in Tamil society we need to mention about the tradition of Avvaiyar (meaning respectable women). More than a name, this was a title, literary canon, given to distinguished women who made contributions to Tamil literature. There were as many as four to six women who held this Tamil literary canon title at different times based on different sources.

Avvaiyars of Sangam age and Cholas age are best known for their extraordinary influence upon literature, culture, moral universe, nature of polity, war, peace and the art of diplomacy. Sangam age Avvaiyar lived during the 1st and 2nd century AD(CE). King Athiyaman Neduman Anchi of the Velir Dynasty was her chief patron and considered as contemporary of literary legends Thiruvalluvar and Kabilar with notable contribution of verses in Natrinai, Kuruntogai, Akananooru and Purananooru. She is also credited as the most gracious and scholarly diplomat who undertook diplomatic missions for King Adhiyaman Neduman Anchi. Avvaiyar, a poetess and friend of King Adhiyaman, ruler of Tagadur, is supposed to have helped in avoiding war between two kingdom states.

King Thondaiman, ruler of Kanchipuram, had sent him a note declaring his intention to attack Thagadur Avvaiyar spoke "Oh Thondieman, how different indeed are your clean and shiny weapons from those of Adiyaman, always stained with blood and under repair."

Thondaiman had far less experience in war and was unlikely to win – she was making this clear under the guise of praise. Another famous Avvaiyar was from the Cholas age, around 10th Century AD(CE), who wrote moral universe for children and advocated ethical principles for all. Whilst her works Aathichoodi and Konraiventhan were rewritten for young children, Mooturai and Nalvazhi were written for older children.

### **Thirukkural**

All these classical works not only reveal the cultural and literary traditions of the ancient Tamils. They also serve as historical testimony to the nature of Tamil society, socio-cultural and religious beliefs, livelihood, vocations, professions, role and status of women, marriage, gender, class structure, origins of caste system, kinship, polity, governance, ideas of justice, wars, peace, diplomacy, naval warfare, maritime traditions, trade, commerce, shipbuilding and seafaring skills, economy, land, water systems, agriculture, art, dance, poetry, music, architecture and relationship with the neighbouring countries and far away places.

## Introduction

Politics intends to create change-oriented awareness in the society. It is not necessary to adopt and follow the existing social system which the present politics do. This awareness can be initiated by ideas and ideologies of society-laden thinkers.

With the advancement of civilization to the next stage through socio-economic and technocratic developments, emerging new ideas got stumbled by the existing belief system and functions followed until now. Albeit of these stumbling blocks, the constructive impact made by the thinkers and thinking is ever-lasting on the basis of mind-capturing of the people. Ideas are dangerous than the technocratic revolution, positively. Quite apart, pen is more powerful than sword.

**In your note draw three columns as given in the text book  
The definite part of thinkers is as follows:**

- ❖ Being the basis for the social changes and subsequent events including the change in the public minds;
- ❖ Having taken political decisions which had an impact on social turning points;
- ❖ Serving as best brains behind the major political decisions which has benefitted the diversified communities;
- ❖ To convert social ideas into common which assisted people's advancement belonging to various communities

New political ideas are supported by the activities of the political thinkers which kindles interest and rational thinking of the common people. The interaction of those thinkers with the contemporary society makes a new framework for the entire system. New political decisions which intend to create great changes for the emerging generations were undertaken. The day-to-day life of common people may be engulfed with many changes by the political decision of the thinkers. At world level these kind of thinkers made changes in the socio-political systems. Such great thinkers made their extraordinary presence throughout the past centuries in India in general and Tamilnadu in particular.

National political thinkers, Tamil political thinkers, Socialist thinkers, Thinkers of social justice are the different parts of modern categorization. In this part we can discuss about different political thinkers of Tamilnadu who made out-standing contribution for the social changes.

Political ideologies in Tamilnadu is rich with ideas, beliefs, opinions and attitudes towards society, polity and economy. This is evident from the ancient political ideas of Thiruvalluvar, where as Bharathiyar is a nationalist and Singaravelar is a communist. According to periyar, Dravidian ideology focuses on social justice. The political ideologies in Tamil Nadu are a combination of all three left, Right and centre ideologies.

## Ancient Political Ideas Thiruvalluvar

In Arathupal of Thirukkural, Valluvar was a great enunciator of morals; In Inbathupal, he has become a poet and in Porutpal, he is known to be a political philosopher. The political philosophy of Thiruvalluvar is applicable across time even today.

### Seven Parts in Porutpal

Porutpal consists of 7 parts, further it has 70 verses / couplets. They are Politics-25, Ministry-10, Defence-2, Wealth-1, Army-2, Friendship-17, and citizens-13 respectively.

“ ஸ்றைகுடி கூழ் அறமச் சநட் ிரண் ஆறும்  
உறையொன அரெருள் ஏறு “ (குறை: 381)

“ An army, people, wealth, a minister, friends, fort; six things  
Who owns them all, a lion lives amid the kings”

(Kural: 381)

Thus, in porutpal, at the first verse itself Valluvar differentiated the six categories essential for a state. Thus, different parts of government are ministry, army, wealth, people, friendship and citizens, which determines the rule of a king. Moreover, these components are categorized for king in a separate way, thus contributing a lot of ideas regarding administration of a state and assets for a king.

### Nature of a king - 25 Chapters

In porutpal, Valluvar mentioned about nature of a king in detailed manner in 25 chapters starting from Qualities of ruler (Iraimatchi - chapter 39) to idukkan azhaiyaamai (Unfazed in the face of trouble - chapter 63) in 25 chapters, in the name of “Arasar”, “Vender”, “Nilan Aandavar” “Mannavar” he has indicated 46 times about the king.

The King must possess the leadership qualities such as, Education (40), Listening Ability (42), Wisdom (43), Fending off Faults (44), Seeking the company of great men (45), Avoiding mean-minded (46) Rationality (47), Priority for time for action (51), Assessing and Assigning tasks (52), Embracing the Kin (53), Doing duty without forgetting (54), Justice (55), Knowing the right place (50), Refraining from Terrifying Deeds (57), Compassion (58), Espionage (59), Spirit (60), To avoid laziness (61), Perseverance (62) and Determination (63) which should be the requisites of a king. These above-mentioned qualities may also be possessed by good people.

### Ideas on Democracy

Valluvar lived in the period of monarchy. However, his ideas and ideals are also applicable for the present leaders of democracy. He also indicated the nature of state and government in the king's rule. The words of Valluvar regarding government and state is applicable and suitable to all over the period as well as every organization in the world.

### **Welfare state and King**

To put it in simple words, Valluvar's political system is based on welfare state. For instance, in Iramatchi (Qualities of a ruler), he says

முறைசெய்துகாப்பாற்றும்மன்னவன்மக்கட்கு  
இறையென்றுவைக்கப்படும். (குறள்: 388)

Who guards the realm and justice strict maintains,  
That king as god over subject people reigns.

(Kural: 388)

If a king delivered justice by doing the duties honestly, he may be regarded as a God. Ideal path and welfare - arrived kings can be respected and kept on par with divine. This kind of view is not only applicable to monarchical period but it also applicable to present democratic period.

### **Features of State**

The characteristics of a state is to maintain ethics, the eradication of wrong doing activity, mandating impartiality of justice and protection of honour.

அறனிழுக்காதல்லவைநீக்கிமறனிழுக்கா  
மானம்உடையதரசு (குறள்: 384)

Kingship, in virtue failing not, all vice restrains,  
In courage failing not, it honour's grace maintains.

(Kural: 384)

King's path is the peoples' path, king should act as a guide for his subjects, if he does harm or evil activities, it may influence all. It is because of his position as a leader, his discipline and private life will spread to all in the kingdom. Moral and ethical life is quite essential for the ruling kings. Indicating "Respect" in a broad manner relating it with nation, Valluvar gave priority for great honour which may be equated with the courage. He stressed that king must be loyal to the nation, it is the honour of nation.

### **Ideal State and Welfare of people**

In the monarchical rule, the integrity and ideal governance for all periods were advocated by Valluvar. People of all regions expect rain for their growth; likewise, citizens of a nation expect integrity and ideal rule of the king.

வானஊக்கிவாழும்உலகெல்லாம்மன்னவன்  
கஊல்நோக்கிவாழங்குடி. (குறள்: 542)

All earth looks up to heaven where raindrops fall;  
All subjects look to king that ruleth all.

(Kural: 542)

In this couplet Valluvar indicates "Kol" as ideal rule which not only applies for monarchy but also for democracy.

குடிதழீஇக்கஊலோச்சம்மாநிலமன்னன்  
அடிதழீஇநிற்கும்உலகு. (குறள் 544)

Whose heart embraces subjects all, lord over mighty land  
Who rules, the world his feet embracing stands.

(Kural: 544)

This means that for a King, who protects his citizens with love and affection, his feet will be embraced by his subjects with love. This is an everlasting phrase propounded by Valluvar related to good governance.

### Against Tyranny

In the chapter "Kodungonmai", (Cruel Scepter) Valluvar explained it in negative words. The suppressive and exploitative rule of evil king may kindle unknown and indefinite agonies among the people. Those tears are most powerful and may annihilate the entire kingdom.

அல்லற்பட்டுஆற்றாதுஅழுதகண்ணீரன்றே  
செல்வத்தைத்தேய்க்கும்படை (குறள் 555)

His people's tears of sorrow past endurance, are not they  
Sharp instrument to wear the marches wealth away.

(Kural: 555)

Sad tears of suffering citizens may dethrone and destroy the entire government, says Thiruvalluvar. Tears were equated with army, thus Valluvar's visualization stands unique among others.

Autocrats and Dictators like Hitler, Mussolini and Czar were the negative players for whom, Thirukkural served as a funeral sound.

### Government's Budget

A king should be an able handed administrator in increasing the income of government. Further he should be an expert in handling the budget.

In Iramatchi, he said,

இயற்றலும்ஈட்டலும்காத்தலும்காத்த  
வகுத்தலும்வல்லதரசு. (குறள் 385)

A king is he who treasure gains, stores up, defends,  
And duly for his kingdom's weal expends.

(Kural: 385)

At first point, a king should search for the different sources of income. For this, he calls it as "Iyatral". Then, the second point is that, all such resources should be put together, which is called as "Ettal". Third, the resources thus collected must be protected with all precautionary measures which is called as "Kaathal"

Fourth one, is most important (i.e) allotting the resources to various sectors for the welfare of the people, this he called it as "Vagutthal". Thus iyatral, eettal, kaathal and vagutthal are the four ways of utilizing the income to be expertise by the king of nation. It is a primary duty of the king.

These innovative and practical ideas were accepted by political and as well as economic exponents as the basic idea of socialistic society.

### Relevance of Thiruvalluvar

The Educational qualities that are indicated by Valluvar for a king may also apply to the citizens. Thus, he used the words "Idukkan Ariyamai", "Kalvi" for "Vazhum Uyirku", "Maandharkku" which is for all the people.

The political ideas advocated by Valluvar in porutpal highly circumvent around morals and noble principles. "People's-welfare" is the basic foundation of his contribution.

To put it in a different way, Valluvar's contribution to politics is applicable to the present democratic governance for the welfare of all the people.

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To put it in a different way Valluvar’s contribution to politics is majorly applicable to the present democratic governance for the great welfare of all the people.

#### Thirukkural – A truly secular book

The very first observation about the Kural is the fact that it is a secular book. During the days of Valluvar many religion existed in India. There were Buddhists, Jains, Sikhs, Hindus as well as agnostics and atheists. But secularism as a concept was unknown. Valluvar himself was a believer and he has devoted one chapter to praise of God. He must have observed a particular religion. But in his book he advocates no religion, he does not even refer to any religion.

The ancient Indian law-giver Manu and the ancient Greek philosophers Plato and Aristotle maintained with absolute certainty that human beings were not born equal. This popular view is accepted in all civilizations over centuries. Valluvar, the philosopher poet, held a radically different view. He says:

“ All human beings are equal by birth; but differ as regards characteristics because of the different qualities of their actions.” (Kural 972)

#### Nationalism Subramaniya Bharathiyar (1882 – 1921)

We shall not look at caste or religion, All human beings in this land, whether they be those who preach the vedas or who belong to other castes are one.

-Subramaniya Bharati

C. Subramaniya Bharathiyar was a poet, freedom fighter and social reformer from Tamil Nadu. He was known as Mahakavi Bharathiyar and the laudatory epithet Mahakavi means a great poet. He is considered as one of India’s greatest poets. His songs on nationalism and freedom of India helped to rally the masses to support the Indian Independence Movement in Tamil Nadu.

#### Bharathi: A poet and a Nationalist

“We may have thousand ofsects; that, however, does not justify a foreign invasion.”

Significantly, a new age in Tamil literature began with Subramaniya Bharathi. Most part of his compositions are classifiable as short lyrical outpourings on patriotic, devotional and mystic themes. Bharathi was essentially a lyrical poet. “Kannan Pattu” “Nilavum Vanminum Katrum” “Panchali Sabatham” “Kuyil Pattu” are examples of Bharathi’s great poetic output.

Bharathi is considered as a national poet due to his number of poems of the patriotic flavour through which he exhorted the people to join the independence struggle and work vigorously for the liberation of the country. Instead of merely being proud of his country he also outlined his vision for a free India. He published the sensational “Sudesa Geethangal” in 1908.

Bharathiyar's "Panchali Sabatham" (The vow of Draupadi) is an iconic work that pictures India as Draupadi, the British, the Kauravas and the freedom fighters as Pandavas. Through Draupadi’s struggle, he euphemised the struggle of mother India under British rule.

### **Bharathi as a Journalist**

Many years of Bharathi’s life were spent in the field of journalism, Bharathi, as a young man began his career as a journalist and as a sub-editor in “Swadesamitran” in November 1904. “India” saw the light of the day in May, 1906. It declared as its motto the three slogans of the French Revolution, Liberty, Equality and Fraternity. It blazed a new trail in Tamil Journalism. In order to proclaim its revolutionary ardour, Bharathi had the weekly printed in red paper. “India” was the first paper in Tamil Nadu to publish political cartoons. He also edited and published 'Vijaya', a Tamil daily “Bala Bharatha” an English monthly, and 'Suryothayam' a local weekly of Pondicherry.

It is not surprising therefore that soon a warrant was waiting at the door of the “India” office for the arrest of the editor of the magazine. It was because of this worsening situation in 1908 that Bharathi decided to go away to Pondicherry, a French territory at that time, and continue to publish the “India” magazine. Bharathi resided in Pondicherry for sometime to escape the wrath of the British imperialists.

In Madras, in 1908, he organised a mammoth public meeting to celebrate ‘Swaraj Day’. His poems ‘Vanthe Matharam’, ‘Enthayum Thayum’, ‘Jaya Bharath’ were printed and distributed free to the Tamil People.

Subramaniya Bharathiyar was born on 11th December 1882, in a village called Ettayapuram in Tirunelveli District in Tamil Nadu and his childhood name was Subbiah.

His father was Chinnaswamy and his mother was Lakshmi Ammal.

At the age of seven, he started writing poems in Tamil. When he was eleven, he wrote in such a way that even learned men praised him for his great knowledge and skill. In the eleventh year, Subbiah felt that he had to establish his credentials. He threw a challenge to the eminent men in the assembly of scholars that they should have a contest with him in a debate on any subject without any previous notice or preparation. The contest was held at a special sitting of the Ettayapuram Durbar at which the Rajah (the ruler) himself was present. The subject chosen was "Education". Subbiah efficiently won the debate. This was a memorable moment in Subbiah's life. The boy who was till then referred to as "Ettayapuram Subbiah" came henceforth to be known as "Bharathi", and later he was respectfully referred to as "Bharathiar" by nationalists and by millions of Tamil lovers all over the globe.

In June 1897, Bharathi was hardly fifteen when his marriage took place, and his bride was Chellammal. Bharathi left for Benaras which was also known as Kashi and Varanasi. He spent there the next two years with his aunt Kuppammal and her husband Krishna Sivan. Speedily gaining a fair knowledge of Sanskrit, Hindi and English, he duly passed with credit the Entrance Examination of the Allahabad University. The Banaras stay brought about a tremendous change in Bharathi's personality. Outwardly, he sported a moustache and a Sikh turban and acquired a bold swing in his walk.

During his exile, Bharathi had the opportunity to mingle with many leaders of the militant wing of the independence movement such as Aurobindo, Lajpat Rai and V.V.Subramaniam who had also sought asylum in the French ruled Pondicherry. The most profitable years of Bharathi's life were the ten years he spent in Pondicherry. From Pondicherry, he guided the Tamil youth of Madras to tread in the path of nationalism. This increased the anger of the British towards Bharathi's writings as they felt that it was his writings that induce and influence the patriotic spirit of the Tamil youth. Bharathi met Mahatma Gandhi in 1919 in Rajaji's home at Madras. Bharathi entered British India near Cuddalore in November 1918 and was promptly arrested. Even in prison, he spent his time in writing poems on freedom, nationalism and country's welfare.

In his early days of youth he had good relations with Nationalist Tamil Leaders like V.O.Chidambaram, Subramanya Siva, Mandayam Thirumalachariar and Srinivasachari. Along with these leaders he used to discuss the problems facing the country due to British rule. Bharathi used to attend the Annual sessions of Indian National Congress and discuss national issues with extremist Indian National Leaders like Bipin Chandra Pal, B.G. Tilak and V.V.Subramaniam. His participation and activities in Benaras Session (1905) and Surat Session (1907) of the Indian National Congress impressed many national leaders about his patriotic fervour. Bharathi had maintained good relations with some of the national leaders and shared his thoughts and views on the nation and offered his suggestions to

strengthen the nationalist movement. Undoubtedly, his wise suggestions and steadfast support to the cause of nationalism rejuvenated many national leaders. Thus Bharathi played a pivotal role in the freedom of India.

### **Bharathiyar as a social reformer**

Bharathi was also against caste system. He declared that there were only two castes-men and women and nothing more than that. Above all, he himself had removed his sacred thread. He had also adorned many scheduled caste people with sacred thread. He used to take tea sold in shops run by Muslims. He along with his family members attended church on all festival occasions. He advocated temple entry of Dalits. For all his reforms, he had to face opposition from his neighbours. But Bharathi was very clear that unless Indians unite as children of Mother India, they could not achieve freedom. He believed in women's rights, gender equality and women emancipation. He opposed child marriage, dowry system and supported widow remarriage.

His meeting with Sister Nivedita, Swami Vivekananda's disciple, added women's rights to his already wide repertoire of social issues from caste to Independence to spiritualism. He took up the symbolism of Shakthi as the image of modern women; powerful, strong, independent and equal partners to men.

"World will prosper in knowledge and intellect, if both men and woman are deemed equal."

-Subramaniya Bharathiyar

### **Bharathiyar - A Visionary**

Bharathi as a poet, journalist, freedom fighter and social reformer had made a great impact not only on the Tamil society but also on the entire human society. He followed what all he preached and it is here that his greatness is manifested. His prophecy during the colonial period about the independence of India came true after two and half decades after his demise. His vision about a glorious India has been taking a shape in the post-Independence era. Bharathi did not live for himself but for the people and nation. That is why he is respectfully called as Bharathiyar. Even today, after many decades, Subramaniya Bharathiyar stands as an undying symbol of Indian freedom and vibrant Tamil nationalism.

Bharathiyar passed away on 11th September 1921. It was a travesty that only 14 people attended his funeral, fearing repercussion from the British and caste ostracisation.

The emergence of Swadeshi and Home rule movement in India in the initial part of 20th century aroused the thirst for freedom. Reforms were made in Hindu religion in accordance with the existing society. These movements played a key role in creating the feeling of Indianness and Nationalism in the political Scenario.

But these movements are religious in nature. Moreover, those who participated in these movements are from upper social class. Freedom sought by these people are political in nature neglecting the interests and economic upliftment of farmers and labourers. This affected the majority Indians who are poor and belong to farmers community. Further, caste discrimination existed within Congress Party. Particularly, in Tamilnadu there existed a clear difference between brahmins and non-brahmins.

In this context, Singaravelar played a pivotal role in spreading rational ideas and scientific perception in to politics. He also played a key role in connecting welfare of farmers and workers in to freedom struggle and spreading socialist thinking in to politics.

### **Impact of Singaravelar's Ideas on Congress Party**

The British empire which exported the raw materials in the initial stages started industries later in India as the demand increased. This worsened common people's life standards. They are ready to work even for meagre wages. Hence, those who are employed were treated as slaves. Even a minor protests by the employees were suppressed with iron hands. More labour organizations emerged to protect the rights of working class. These organizations were headed by Thiru.V.Kalyanasundaranar and D.Varadharajalu in the Madras presidency. It was Singaravelar who took major efforts in the emergence of labour organizations in Madras presidency.

Singaravelar wanted to sensitize the workers on politics and wanted to engage them in the freedom struggle. But Congress Party did not accept this idea of Singaravelar. Singaravelar criticised it vehemently and send telegraphs to Congress high command, following this, he wrote a letter to Mahatma Gandhi. Further, he also wrote about this issue on the popular dailies Swadesamitran, The Hindu, and magazines like Navasakthi. He also propagated this among congress workers. In this juncture, he participated in the Congress Committee (1922) meeting as a representative of Tamilnadu, there also he explained the following demands and sought support from Congress members.

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- ❖ Indian freedom includes economic freedom of workers and farmers.
- ❖ The welfare of farmers and labourers should also be the motto of Congress party.™™
- ❖ Farmers and labourers must be included in the Indian national movement.™™
- ❖ Congress leaders should help to raise masses from different organization.

In consequent with this, in 1922, Indian National Congress, passed a resolution to raise people from various organizations. A six member committee was constituted, in which M. Singaravelar was appointed as a member. In addition to this, he also fought for the protection of labour rights. He emphasized this demand by writing in all popular

dailies. As an outcome, labour protective law was passed in 1926, in India. Moreover, he advised for speaking in vernacular languages. Only then, he believed that the ideas will reach all the people. So, that leaders and people can maintain good relations. He is also determined to speak in Tamil, when speaking about the issues of Tamilnadu people.

In 1918, a resolution regarding this was passed during Chennai Presidency Association Conference. Singaravelar and Periyar were the dignitaries in this conference.

### **Singaravelar's Impact on Self-Respect and Communist Movements:**

When Periyar resigned from Congress Party citing the existence of Brahmin and Non-Brahmin divide and discrimination in the party, Singaravelar supported the action of Periyar. After visiting USSR, Periyar was influenced by the Communist ideals. He changed the name of self-respect movement to Self-Respect Social Justice Party. Singaravelar made his contribution in framing the policies and principles of the movement. He also wrote extensively in Periyar's Republic magazine against superstitious beliefs. These writings were simple and can be understood easily.

Singaravelar has a deep faith in the philosophy of Communism. He urged the Congress party to support labour organizations. In the name of Madras Socialists, he telegraphed Congress High Command. In all the Congress Committee meetings he argued as a Communist representative.

In 1923, it was he, who organized the first May Day celebrations in Chennai. In the same day, he announced the formation of labour-farmer political party. The demands of his new political party are

TM™

- ❖ Eight hours work
- ❖ Right to form union
- ❖ Right to strike as a last resort to pressure labour demands.
- ❖ Three level committees for reviewing the demands.
- ❖ Minimum wages
- ❖ Shelter with basic amenities
- ❖ Medical and life Insurance
- ❖ Provident fund facility
- ❖ Earned leave
- ❖ Free Medical assistance
- ❖ Maternity leave
- ❖ Put an end to contract basis

### **For Farmers**

- ❖ Free water for agriculture™™
- ❖ Abolition of Zamindari system

### **For People**

- ❖ Voting rights for all

- ❖ Right to contest in elections for poor, labour and farmer communities.

First socialist conference was headed by Singaravelar in 1925, in Kanpur. He spoke about socialism without violence. Also, he resolved for adopting Communism according to Indian circumstances. A socialist should play a role by being in the member of Congress Party, he advised. Eventually, Socialist block was formed inside the Congress Party.

### **Life and Services**

Since his childhood Singaravelar did not believe in the Varna System and superstitious belief. As a result of this, he established Buddhist Association and propagated against Varna System and superstitious beliefs during 1880 itself.

Born in a rich family and well versed with law, he served as a member in Chennai Municipality and also in health sector. Due to the endemic diseases in the down-trodden areas, he gave priority to health and education. He also fought for rights of labourers. Based on this, he played active role in Congress Party. Later, he joined in Periyar's Self - Respect movement. Though he entered into politics after he crossed the age of 50, he actively propagated and wrote about communist ideas for more than thirty years. He was fondly remembered and called as the first communist of south India.

### **Dravidian Ideology Periyar (1879-1973)**

#### **Introduction**

Periyar E.V.Ramasamy is regarded as the best political thinker in Tamilnadu. This is because he is the foremost reformist in our state. Let us see about him in detail in this lesson.

The original name of Periyar is E.V.Ramasamy. He was born in the year 1879 in an affluent business family in Erode. Even during his youth, Periyar criticized the superstitious beliefs in his family and surroundings. He did not enter politics at the early stages of his career. But still, he occupied posts like chairman of Erode municipality.

Periyar fought against superstitious beliefs, enslavement of women and social backwardness which existed in Tamilnadu from time immemorial based on his wisdom and self-respect throughout his life. It is because of this, he is fondly called as 'Thanthai Periyar'. Various scholars on Social Justice say that the Dravidian ideology enunciated by Periyar on cultural lines shines all around our country.

Periyar was attracted towards Gandhi's entry into politics and hence joined congress and became actively participating in freedom movement and social reforms. During that period in 1920's Congress was dominated by upper class people. But Periyar took Congress to the down trodden and successfully organized temple entry movements as a true Congress man. Periyar was very much disgruntled by the practice of

Varnashrama in Congress party and left it. He joined Justice party and formed the self respect movement later. After this, the contributions and activities of Periyar became inseparable from the politics of India and Tamilnadu in particular.

In the name of nation, if a group of people exploit other groups that is not the real freedom which a nation fought for, said Periyar alias E.V. Ramasamy. Periyar vociferously criticized against Nation, Race and Nationalism at various levels. All Nation, nationality and nationalism are similarly related concepts. All these differentiations indicate the “Self Respect” of the entire population of a country. If anybody speaks about nationalism in Tamilnadu, I wonder, that will they think about “welfare or botheration about people” questioned Periyar.

### **Nationalism as exploitation**

There are people who may not bother about Indians, Tamilians and the self-respect of the people. They deceive people to believe in nation and nationalism for their own welfare and betterment. If self-respect is submerged in the name of nation and nationalism that will be the crime against India, stated Periyar.

### **An iconoclast and rationalist social reformer**

#### **His work and his legacy**

For the average Tamil, Periyar today is an ideology. He stands for a politics that foregrounded social equality, self-respect, and linguistic pride. As a social reformer, he focused on social, cultural and gender inequalities, and his reform agenda questioned matters of faith, gender and tradition. He asked people to be rational in their life choices. He argued that women needed to be independent, not mere child-bearers, and insisted that they be allowed a equal share in employment. The Self Respect Movement he led promoted weddings without rituals, and sanctioned property as well as divorce rights for women. He appealed to people to give up the caste suffix in their names, and do not mention caste. He instituted inter-dining with food cooked by Dalits in public conferences in the 1930s.

Over the years, Periyar has transcended the political divide as well as the faultlines of religion and caste, and come to be revered as Thanthai Periyar, the father figure of modern Tamil Nadu.

Courtesy ; Arun Janardhanan, The New Indian Express, 13.3.2018.

Nationalism is an unreal feeling. Since National feeling is nothing but a conspiracy framed by rich and power-centered, people who deceive the other people by controlling

the negative emotions. It is a false assumption, propagated by these upper rich communities in order to curtail the rights of the poor community.

Nationalism has become a buzz word of addictiveness and emotionalist for the people, he exclaimed.

### **Global Nationalism - A Denial**

Periyar in his speech in Sri-Lanka, opposed strongly against Nation and Nationalism when others used 'Indian Nationalism' as a weapon, Periyar spoke against these factors. He has also shown about other nations, nationalistic feeling apart from Indian Nationalism.

It is to treat people as scapegoat, Capitalist Class along with other similar people, Patriotic feeling was misused, said Periyar.

For instance, if rich communities in U.K have any clash with USA or vice-versa they may give clarion call as "Oh ! Britons, Patriots, our nation is under threat". Such kind of false words is only for their economic advancement and not for the poor communities.

Erstwhile, Russia has many races and cultural groups, but there is no discrimination in that nation. He also supported communist revolution. These nations which are free of nationalism, religion and God may not be affected with luxurious life styles, poverty and exploitation by rich community. Those people may not stick upon with national and godly attachments. Equality and egalitarian society is the only priority of that place. There will not be any discrimination like rich-poor, owner-worker, powerful-powerless in that region. Those people of high value and egalitarian-longing are not equal to the nation which gives priority for God and Nationalism.

By showing other nations as evidences, Periyar also criticized Indian nationalistic feelings and patriotism. Because these feelings are exploited as weapons by certain dominant groups.

### **India - A Land of Diversities**

Whether "Nation" as a concept is suitable for India? Periyar raised a pertinent question and answer as well.

"Madras is not a separate nation and cannot function separately," says some of our friends. Once 'Madras' was a nation. Also now, "Dravidam" it is. The culture and other practices are different from Bengal and Mumbai. English language is the main base for the familiarly among these different nations in India. If British Empire and its language is relieved from India, Hindi may become the national language. Instead of calling India as a nation, Dravida Nadu, Andhra, Bengal can be separately called as nations respectively. For instance, Dravidian nation had its culture, language, civilization and rule for

thousands of years on accordance with historical facts. Undoubtedly it is known to all the people.

“Dravidian Nationalism” proposed by Periyar was to a large extent against religious dominations.

### **On Language**

Each and everyone have their own rights to protect their languages. These rights can be protected and provided under Dravida, Socialist Republic Rule. No language can be enforced.

Language should not be misused as weapon for separatism. If people are dependent upon Central rule for all kinds of amenities, there is no outcome in it. If languages are officialised at Central level, will the poor people relieve out of hunger?

To put it in clear way, are Tamil labourers exploited only by the Tamil speaking owner class?

### **Casteless Society**

Periyar’s protests and speeches always centre around, “Tamilnadu for Tamils and Dravidian nation for Dravidians.” His ideologies include Common plan, common work plan, Islamic conversion, separate Dravidian nation for which he fought against the dominant communities.

His argument was that the dominant communities misused Tamil, Tamil nationalism, Tamil race for sustaining the power in Tamilnadu. It is with the help of Tamil leaders, they injected Tamil nationalism in the minds of the people for holding the power for a long time he said. Consequently, Periyar put an end to the demand of separate Tamilnadu and upheld the ideal of casteless society.

Thus, casteless society has become the top most priority for Periyar. Other ideals like separate Dravidian nation, abounding dominant communities, distortion of capitalist class became secondary priorities for Periyar.

This may be the only ambition and goals for Dravida Kazhagam, claimed Periyar. “The caste feeling, thus divided the Dravidian race and Dravidians became slaves for Aryans” stated Periyar in his writings published in the 1950’s in Tamilnadu.