

B.A. First Year
Political Science, Paper - I

**BASIC PRINCIPLES OF
POLITICAL SCIENCE**



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SYLLABI-BOOK MAPPING TABLE

Basic Principles of Political Science

Syllabi	Mapping in Book
UNIT-1: Political Science: Definition, Nature and Scope, Methods: Traditional and Modern, Relations with Other Social Sciences - Sociology, History, Economics, Psychology and Geography.	Unit-1: Introduction to Political Science (Pages 3-41)
UNIT-2: State - Essential Elements, Functions and Principles of Origin of State. Concept of Nation and Nationality, Theory of Sovereignty, Separation of Powers, Citizenship and Civil Society.	Unit-2: State, Sovereignty and Citizenship (Pages 43-105)
UNIT-3: Rights and Duties, Liberty and Equality, Justice, Constitution: Meaning and Types, Welfare State.	Unit-3: Rights, Liberty and Justice (Pages 107-145)
UNIT-4: Types of Government: Unitary and Federal, Parliamentary and Presidential, Theories of Democracy.	Unit-4: Types of Government (Pages 147-181)
UNIT-5: Political Parties: National and Regional, Pressure Group	Unit-5: Political Parties and Pressure Groups (Pages 183-218)



CONTENTS

INTRODUCTION

UNIT 1 INTRODUCTION TO POLITICAL SCIENCE 3-41

- 1.0 Introduction
- 1.1 Objectives
- 1.2 Definition of Political Science
 - 1.2.1 Nature and Scope of Political Science
- 1.3 Traditional Approach to Political Science
- 1.4 Modern Approaches to Political Science
- 1.5 Relationship with Other Social Sciences
 - 1.5.1 Relationship with Geography and Economics
 - 1.5.2 Relationship with Sociology
 - 1.5.3 Relationship with History and Psychology
- 1.6 Answers to 'Check Your Progress'
- 1.7 Summary
- 1.8 Key Terms
- 1.9 Self-Assessment Questions and Exercises
- 1.10 Further Reading

UNIT 2 STATE, SOVEREIGNTY AND CITIZENSHIP 43-105

- 2.0 Introduction
- 2.1 Objectives
- 2.2 Essential Elements and Functions of a State
- 2.3 Principles of the Origin of the State and Various Theories
- 2.4 Concept of Nation and Nationality
- 2.5 Theory of Sovereignty
 - 2.5.1 Features of Sovereignty
- 2.6 Separation of Powers
- 2.7 Citizenship and Civil Society
 - 2.7.1 Citizenship
 - 2.7.2 Civil Society
- 2.8 Answers to 'Check Your Progress'
- 2.9 Summary
- 2.10 Key Terms
- 2.11 Self-Assessment Questions and Exercises
- 2.12 Further Reading

UNIT 3 RIGHTS, LIBERTY AND JUSTICE 107-145

- 3.0 Introduction
- 3.1 Objectives

- 3.2 Rights and Duties: An Overview
- 3.3 Liberty
- 3.4 Equality
- 3.5 Justice
- 3.6 Constitution: Meaning and Types
- 3.7 Welfare State
- 3.8 Answers to 'Check Your Progress'
- 3.9 Summary
- 3.10 Key Terms
- 3.11 Self-Assessment Questions and Exercises
- 3.12 Further Reading

UNIT 4 TYPES OF GOVERNMENT

147-181

- 4.0 Introduction
- 4.1 Objectives
- 4.2 Unitary Form of Government
- 4.3 Federal Form of Government
- 4.4 Parliamentary Form of Government
- 4.5 Presidential System of Government
- 4.6 Theories of Democracy
 - 4.6.1 Classical Theory of Democracy
 - 4.6.2 Marxist Approach to Democracy
- 4.7 Answers to 'Check Your Progress'
- 4.8 Summary
- 4.9 Key Terms
- 4.10 Self-Assessment Questions and Exercises
- 4.11 Further Reading

UNIT 5 POLITICAL PARTIES AND PRESSURE GROUPS

183-218

- 5.0 Introduction
- 5.1 Objectives
- 5.2 Party System and Political Parties in India
- 5.3 National and Regional Parties
 - 5.3.1 Coalition Politics and its Prospects
- 5.4 Pressure Groups
 - 5.4.1 Role of Pressure Groups
 - 5.4.2 Types of Pressure Groups
 - 5.4.3 Pressure Groups and Political Parties
- 5.5 Answers to 'Check Your Progress'
- 5.6 Summary
- 5.7 Key Terms
- 5.8 Self-Assessment Questions and Exercises
- 5.9 Further Reading

INTRODUCTION

Introduction

Political science as a subject teaches us how to live together, collectively. A political theorist attempts to explain or define precisely ideas such as freedom, equality, democracy and justice. Ideas that may have a sound foundation or be backed by reasoned arguments or may even be based on misguided premises. According to John Dunn (1990) in *Reconceiving the Content and Character of Modern Political Community*, the purpose of political theory or science is to diagnose practical predicaments and show how best they can be confronted. He also believes that this can be done by developing the following three skills:

- (i) Ascertaining how one gets to know where one is and understanding why things are the way they are.
- (ii) Deliberating about the kind of world one wishes to live in.
- (iii) Judging how far, and through what actions, and at what risk, one can hope to move this world as it exists today towards the way one wishes it to be.

The study of political theory helps you to differentiate between legitimate functions of government and the arbitrary use of power. The political environment around the world has been moulded by the thinking and visions of famous thinkers like, Plato, Aristotle and Karl Marx. All their theories were based on philosophies, which covered subjects like, freedom, law, justice, rights, authority and property. These theories have set a base for triggering revolutions and global changes. The majority of political ideologies of the world owe their guidance to these thinkers. This book, *Basic Principles of Political Science*, deals with ideas like individualism, law, rights, political parties, pressure groups, democracy, sovereignty and so on, on one hand, and the theories and concepts of the evolution of states on the other.

The book is divided into five units. It is written in a self-instructional format where each unit begins with an Introduction to the topic followed by an outline of the Objectives. The content is then presented in a simple and easy-to-understand manner, and is interspersed with Check Your Progress questions to test the reader's understanding of the topic. A list of Self-Assessment Questions and Exercises is also provided at the end of each unit, and includes short-answer as well as long-answer questions. The Summary and Key Terms section are useful tools for students and are meant for effective recapitulation of the text.

NOTES



UNIT 1 INTRODUCTION TO POLITICAL SCIENCE

NOTES

Structure

- 1.0 Introduction
- 1.1 Objectives
- 1.2 Definition of Political Science
 - 1.2.1 Nature and Scope of Political Science
- 1.3 Traditional Approach to Political Science
- 1.4 Modern Approaches to Political Science
- 1.5 Relationship with Other Social Sciences
 - 1.5.1 Relationship with Geography and Economics
 - 1.5.2 Relationship with Sociology
 - 1.5.3 Relationship with History and Psychology
- 1.6 Answers to 'Check Your Progress'
- 1.7 Summary
- 1.8 Key Terms
- 1.9 Self-Assessment Questions and Exercises
- 1.10 Further Reading

1.0 INTRODUCTION

Political science is a vast and comprehensive subject. It is defined as an orientation that characterizes the thinking of a group or a nation. It basically studies the problems, activities, aims and objectives of the state and the government. It also explains the origin, nature, structure and functions of the state. As a major branch of political theory, political science is a social science discipline concerned with the study of the state, government and politics. Defined by Aristotle as the study of the state, it extensively deals with the theory and practice of politics, and the analysis of political systems and political behaviour. Political science helps in formulating the various concepts of democracy, liberty and equality, on the basis of political ideas or thoughts of political thinkers.

The field of political science also includes the study of political institutions, the nature of relationship between the individual and the state, and international relations. The discipline of political science is divided into three categories, namely orthodox political theory, liberal (broad-minded) political theory and Marxist political theory. It is also closely related to other social sciences, including sociology, history, economics, philosophy, psychology, anthropology, geography, statistics, jurisprudence and public administration.

Political science plays a vital role in explaining the history of political thought, use of technique of analysis, conceptual clarification and formal model building. It is scientific, philosophical and dynamic with a clear objective of achieving a better social order. In this unit, you will learn about the meaning, nature, scope of political science and its relationship with other social sciences.

NOTES

1.1 OBJECTIVES

After going through this unit, you will be able to:

- Understand political science and its nature and scope
- Explain the method and traditional approaches to political science
- Examine the modern approach to this field of knowledge
- Enumerate the relationship of political science to other social sciences

1.2 DEFINITION OF POLITICAL SCIENCE

Political science is an interdisciplinary endeavour. Its tradition, approaches, and styles vary but the impact is united by a commitment to theorise, criticize and diagnose the norms, practices, and organization of political action in the past and present, in our own places and elsewhere.

Study of State and Government

According to the Greek thinker, Aristotle, political science is the study of the state. It is also the study of the processes, principles, and structure of government and of political institutions. Thus, we can define political science as that branch of the social sciences that studies the state, politics, and government. Political science deals extensively with the analysis of political systems, the theoretical and practical applications to politics, and the examination of political behaviour. It focuses on the theory and practice of government and politics at the local, state, national, and international levels. Political scientists 'see themselves engaged in revealing the relationships underlying political events and conditions, and from these revelations they attempt to construct general principles about the way the world of politics works.'

The twentieth-century use of the terms 'Philosophy', 'Science' and 'Theories' is definitely not settled. It could not be precise because the interrelation between philosophy, science and theory is one of the fundamental problems in the present crisis of scientific thinking. This is not to say that there is complete disagreement about the use of the three terms. The term 'theory' had been derived from the Greek word '*theoria*' which means a well- focussed mental look taken at something in a state of contemplation with the intention to grasp or understand it. Karl Deutsch in his famous book *The Nerves of Government* (1963) defines theory as an attempt to explain, order and relate disjointed data, identifying what is relevant and therefore pointing out what is missing in any phenomenon predicted on the basis of observable facts. For the purposes of this book, the terms 'political science' and 'political theory' will be used interchangeably.

Distinction between Political Science and Other Fields of Study

Political science is often confused with terms like political philosophy, political ideology and political thought, etc. It needs a proper understanding of these related terms. Dwelling on the nature of political theory, George Catlin (*Political Quarterly*, March 1957) significantly observed: 'the theory (of politics) itself is

NOTES

divided into political science and political philosophy'. Political science and political philosophy play complementary roles in the realm of political theory. Significance of political theory may therefore be sought in both of these areas. The term political theory and political philosophy are often used interchangeably, but there is a recognizable difference between the theoretical work of political scientists and that of political philosophers.

Political theory contains all existing political philosophy and ideals propounded by various eminent and classic political scientists. Political science is a larger domain, which includes public administration, international relations, and contemporary political developments.

Political science helps in the control of social life. The knowledge of political science enables us to secure development of society from our human resources. Political theory also guides us to find remedies of political instability and various types of social crisis. Political theory helps in social criticism and reconstruction.

Various political paradigms given by political philosophers like Plato, Aristotle, St. Augustine, Machiavelli, Hobbes, Locke, Rousseau, Hegel, Marx, Mill and MacPherson give us ample insights into the possible ills of social life and their remedies. We can draw our own scheme of social reconstruction on the basis of these insights. Political theory also helps in the clarification of concepts. The tradition of political theory encourages a dignified debate between upholders of different points of view. It thereby encourages mutual respect and toleration. Political philosophy provides general answers to general questions, to concepts and theories such as justice, right, the distinction between is and ought and the larger issues of politics. Political philosophy is a part of normative political theory, for its attempt to establish the inter-relationships between the concepts. It would not be wrong to say that every political philosopher is a theorist, though not every political theorist is a political philosopher.

Political thought can be termed as the thought of the whole community. The writings and speeches of the articulate sections like professional politicians, political commentators, social reformers and ordinary persons of a community can be included in this category. It can also be in the form of political treaties, scholarly articles, speeches, government policies and decisions and poems and prose that express the anguish of the people's thought and is time bound. In a nutshell, political thought includes theory that attempts to explain political behaviour, values to evaluate it and methods to control it. On the other hand, political theory refers to the speculations by a single individual usually articulated in treatise(s) as modes of explanations. It consists of theories of institutions, including those of the state, of law, of representation, of election. Political theory relies on the comparative and explanatory mode of enquiry. Political theory attempts to explain the attitudes and actions arising from ordinary political life and to generalize about them in a particular context; thus political theory is concerned about/with the relationship between concepts and circumstances. Political philosophy attempts to resolve or to understand conflicts between political theories which might appear equally acceptable in the given circumstances.

Political ideology is also somewhat different from political theory. It is a systematic and all-embracing doctrine which attempts to give a complete and

NOTES

universally applicable theory of human nature and society, with a detailed programme attaining it. John Locke (1632–1704) has often been described as the father of modern ideologies. Marxism is a classic example of an ideology summed up in a statement that the purpose of philosophy is to change and not merely interpret the world. All political ideology is political philosophy though the reverse is not true. The twentieth century has seen many ideologies like Fascism, Nazism, Communism and Liberalism. A distinctive trait of political ideology is its dogmatism which, unlike political philosophy, recruits and discourages critical appraisal because of its aim of realizing the perfect society. Political ideology, according to Germino and Sabine is a negation of political theory. An ideology is of recent origin, and under the influence of positivism is based on subjective, unverifiable value preferences.

Broadly speaking, political theory consists of political science and political philosophy. These two branches of political theory taken together perform three functions which are recognized as the function of political theory: (a) description; (b) criticism; and (c) reconstruction. Political science mainly relies on empirical method, that is, the knowledge based on our practical experience which is supposed to be the most reliable. Hence it specializes in description. Political philosophy being concerned with value-judgment specializes in ‘criticism’ and ‘reconstruction’. Advocates of positivism, new-positivism (Logical Positivism) and behaviouralism wish to confine political theory to the sphere of political science. They argue that the question of value-judgment should be dropped from the purview of political theory altogether. However, since the advent of post-behaviouralism (1969) and consequent upon the revival of political philosophy in the 1970s and 1980s, there has been a renewed emphasis on values in the realm of political theory. It is now argued that value-judgment serves as an essential guide to social policy. Indifference to value-judgment will leave society in the dark. The emerging concerns with environmentalism, feminism, human rights and social justice for the subaltern groups, has called for exploring the new horizons of value-judgment. Thus, all the functions of political theory have now become very important and urgent in the present day world where most of our problems are assuming a global dimension and is being recognized as the problems of humanity as such.

According to George H. Sabine, every political theory could be scrutinized from two points of view: social philosophy and ideology. As ideology, theories were psychological phenomena, precluding truth or falsity. Theories were beliefs, ‘events in people’s mind and factors in their conduct’ irrespective of their validity or verifiability. Theories played an influential role in history and therefore, the task of a historian was to ascertain the extent to which the theories help in shaping the course of history. A theory had to be examined for its meaning, rather than for its impact on human actions, viewed from this perspective a theory comprised two kind of propositions: factual and moral. Sabine focused on factual rather than moral statements, for the latter precluded description of truth or falsity. George Sabine says the moral element characterized political theory which was why it was primarily a moral enterprise.

Political theory is a close relation of moral philosophy. Both are normative and evaluative and, although not all political values have moral origins (tradition, which Burke valued, and efficiency seem to be non-moral), they rely on moral

NOTES

language, since value is something we would consider good, and would prefer to have more, rather than less. Although an ideal such as democracy is primarily political, its supporting values, freedom and equality, are as pervasive in moral as in political philosophizing. This shared area of concern and similarity of language is appropriate, since both moral and political philosophy attempt to define the 'Good Life', the first on an individual level, the second for the community at large. So the importation of moral terms into political theory is both permissible and necessary. Is there a necessary connection between political theory and ideology? Ideology, as will be argued, is crucial in forming the political theorist's own view of the world. It would be convenient if we could distinguish clearly between ideology and theory—if we could label theory 'ideological' whenever values and prescriptive or persuasive elements are visible. But many ideological influences affect theory invisibly, pre-selecting which data the theory will explain, and dictating its conceptual vocabulary from the start. Likewise, much theory contains ideological bias without having ideology's express aim of persuasion. All political theory and theorizing is susceptible to greater or lesser ideological bias, and that a necessary task for commentators and students is to identify and evaluate that bias and, of course, their own bias.

Political science is an umbrella term. It comprehends the persuasive and normative doctrines called ideologies; it also embraces the analytical activity known as *political philosophy*, which styles itself 'value-free'. Rather than propounding grandiose theses about the nature of political society and the 'Good Life', this examines the units of which political theory, including ideology, is composed, the *concepts*. Hence, it is sometimes called 'conceptual analysis'. It has been held that its main endeavour is to 'clear up confusions' which result from non-clarity or inconsistency in the use of concepts such as freedom and equality by providing a clear and coherent account of their proper use. This activity often employs the methods established by the school of philosophy called 'linguistic analysis', which flourished for several decades after World War II but has more recently been generally rejected as too narrow and barren. A more normative and engaged kind of philosophy is now favoured. The other task of political philosophy is said to be to provide generally acceptable definitions of central political terms. These self-ascribed functions also rest on the conviction that even value-laden concepts are capable of a constant and definite meaning.

Political theory is a personal endeavour to understand and experience as the present political reality and also to evolve a mechanism in order to transcend the present imperfect society leading to perfection and a more just order. This includes a study of the evolution, nature, composition, need and purpose of the governmental apparatus, and also an understanding of human perception and nature, and its relationship with the larger community. The golden age of political theory was from Plato (428/27–347 BC) to Hegel (1770–1831 AD). Political science is one of the core ideas of political science. Political theory as an academic discipline has emerged recently. Before its emergence those engaged in enterprise were known as philosophers or scientists. The term political science, political theory and political philosophy are not exactly identical and a distinction can be made among them. This differentiation had emerged because of the rise of modern science that brought about a general shift in intellectual perceptions whereas political science

NOTES

tries to provide plausible generalization and laws about politics and political behaviour, political theory reflects upon political phenomena and actual political behaviour by subjecting them to philosophical or ethical criteria. It considers the question of the best political order, which is a part of a larger and more fundamental question, namely the ideal form of life that an individual should lead in a larger community. But it should be kept in mind that there is no tension between political theory and political science as they differ in terms of their boundaries and jurisdiction but not in their aim. Political theory supplies idea, concepts and theories for purpose of analysis, descriptions, explanation and criticism, which in turn are incorporated in political science.

Political science helps in explaining the history of political thought, use of technique of analysis, conceptual clarification and formal model building and thereby can be termed as theoretical political science. In a nutshell, it can be said that political theory is theoretical, scientific as well as philosophical and at the same time dynamic with a clear objective of attaining a better social order. It is a unique synthesis of the elements of 'theory', 'science', 'philosophy' and 'ideology' and 'thought'.

1.2.1 Nature and Scope of Political Science

The jurisdiction of political science can be understood by identifying its nature and concerns. Political science is a very wide and comprehensive subject. There is no agreement among the political scientists with regard to the scope of political science. A conference of political scientists, held under the auspices of the International Political Science Association in Paris in the year 1948, demarcated the scope of political science into different areas, such as political institution, political dynamics (parties, public-opinion, etc.) and international relations. But this demarcation of the International Political Science Association rather delimits the scope of political theory within the bounds of different areas. As the importance of political theory is increasing day-by-day, its scope is also increasing and becoming wide. We may explain the scope of political theory in the following ways:

(i) A Study of the State and Government

Political theory primarily studies the problems of the state and the government. The state is defined as a group of people organized for law within a definite territory. The state possesses four characteristics, viz., population, territory, government and sovereignty. Government is an agent of the state. Political theory studies the activities of the state and explains the aims and objectives of the state and the government.

If we carefully study political theory, we come to know that despite the differences found between the state and the government, the scope of one cannot be separated from that of the other. The state is the institution under which the government functions. The state is imaginary and it is the government that gives it a concrete shape. Therefore, one complements the other. The existence of the state is not possible without the government. This is the reason why Laski, Garner, Gettell, Gilchrist and others have included the study of both the state and the government in the scope of political theory.

NOTES

The primary aim of the study of political theory is to inculcate knowledge of the state, its origin, nature, structure and functions. Knowledge about the state is of great significance to modern man. Further, in democratic states, the citizens must possess at least rudimentary knowledge about political theory and its principles. This will make them conscious of the state. They will be able to keep a vigilant eye over the rulers and assert their supremacy over them. They will try to check the misuse of power.

The administrators, statesmen and diplomats, who conduct the affairs of the state, also require sound knowledge of political theory in order to perform their functions with efficiency. An administrator who has no knowledge of political theory is bound to be a failure. Consequently, all new entrants to the Indian Administrative Service have to undergo a course in political theory at the National Academy of Administration, Mussoorie.

(ii) A Study of Political Science

Political science is a major branch of political theory. On the basis of the political ideas or thoughts of political thinkers, political science formulates definitions of concepts like democracy, liberty, equality, grounds of political obligations, etc. A student of political theory must start his lessons with political science. Political science explains the rudimentary concepts of political theory. It also includes the study of political philosophy. Political speculations of political philosophers and some ideologies such as individualism, anarchism, communism, etc. are put together in one volume which is given the title of 'political science'. Here, the underlying assumption is that other parts of political theory on governmental organization, political parties and pressure groups, international relations, etc., are distinct from political theory. The danger of viewing political theory in such a way is that a special meaning is being attached to the word 'theory' and this will rule out the possibility of the existence of any theory in other segments of political science. One should be cautious about it.

(iii) A Study of Political Institutions

The field of political theory is rather vast. It includes the study of political institutions. This covers a study of constitutions and comparative government. It deals with the nature of different political institutions including government, explains their merits and demerits, their structure and working, and arrives at different conclusions by making a comparative study. Besides, the study of public administration and local government may be included in this area. However, the study of public administration has emerged as an independent subject in recent times.

(iv) A Study of Political Dynamics

The study of political dynamics became significant in the twentieth century. It has acquired more significance in the twenty-first century. It means the current forces at work in government and politics. It covers a wide range and includes the study of political parties, public opinion, pressure groups, lobbies, etc. A scientific study to the working of these political dynamics helps to explain the political behaviour of individuals and different groups.

NOTES

Political theory lays down principles which are to be followed in the conduct of public affairs. One who has no knowledge of politics is at a great disadvantage, and in one's own interests and in the larger interest of the society as a whole, it is advisable to have adequate knowledge of political theory. To know the national and international affairs, the condition of the various institutions, the nature and conduct of the government, the programmes and policies of political parties, pressure groups, lobbies and various other matters, a knowledge of political theory is indispensable.

(v) A Study of Adjustment of the Individual with the State

The scope of political theory also includes a study of the nature of relationship between the individual and the state. It examines how man should adjust himself with the society. Man is the root of politics. The process of adjustment of men with the society is an important aspect of political theory. The state guarantees certain rights and liberties to the citizens and at the same time imposes certain reasonable restrictions on them.

(vi) A Study of International Relations and International Law

The scope of political theory includes a study of international relations which has become significant since the first quarter of this century. It covers a wide range of subjects and includes diplomacy, international politics, international law, international organizations like the United Nations, etc. Because of scientific inventions and discoveries, the cooperation and contacts among the different nations of the world have become easier and the whole world turns to be a family. The above contents show the wide range of subjects that come under the fold of political theory.

(vii) Knowledge about the World

Apart from the utilitarian considerations, the acquisition of knowledge of political theory enriches one's mind and widens one's intellectual horizon. In order to know what is happening in the world around us, at least an elementary knowledge of political science is necessary. In the modern age, an individual cannot lead an isolated life. Each country has to maintain relations with other countries of the world. Those who specialize in the various fields of political science conduct researches to discover hitherto unknown principles underlying political phenomena and make a rich contribution to the realm of knowledge. In the ultimate philosophy, if human life is to enrich knowledge, then political science makes a major contribution to the storehouse of knowledge. Its study helps us a lot in understanding international relations. It explains the governmental system of the other countries. Henry Sidgwick observes, 'What, as students of political theory, we are primarily concerned to ascertain is not the structure or functions of the government in any particular historical community, but in the distinctive characteristics of different forms of government in respect of their structure or their functions; not the particular processes of political change in Athens or England but the general laws or tendencies of change exemplified by such particular processes.'

(viii) Creation of Democratic Values

The study of political theory has assumed special importance in modern times in all democratic countries. The success of democracy depends upon the political

consciousness of its people. The study of political theory makes people conscious of their rights and duties. It also makes them vigilant. Unless the citizens of a country are vigilant, alert, intelligent and patriotic, there is no possibility of successful working of democracy in that country. It is rightly said that 'eternal vigilance is the price of liberty'.

(ix) Creation of Good Citizens

The study of political theory is valuable for creating good citizenship and securing unity of the nation. It makes citizens conscious of national objectives and goals. Harold Joseph Laski said that good citizenship implies 'the contribution of one's instructed judgement to public good'. It can be developed by the study of political theory. Political theory teaches the lessons and virtues of good citizenship. It preaches the maxim, 'united we prosper, divided we fall'. A nation is destined to suffer, if there is no unity. The study of political theory helps to bring unity among the people. It makes the citizens aware of their rights, responsibilities and duties towards the society.

(x) Lesson of Cooperation and Toleration

Political theory also teaches the lesson of cooperation, adjustment and toleration. Society cannot prosper without cooperation. Man should learn how to cooperate and adjust with his fellow-beings. The study of political theory makes people conscious of the social objectives.

(xi) Knowledge of Political Theory is Indispensable

Thus, the study of political theory has special importance in all countries. Its study helps us to understand the mechanism and constitutional systems of modern government. The principles of government, the domestic and foreign policies of the nation, the legislature, executive and judiciary of different countries, etc., are studied in political science. The principles of liberty, equality and fraternity are also made clear by the study of political science. Hence, the study of political theory has immense practical utility.

Political Science: is it a Science or Art?

Aristotle considered political science as the supreme science. Similarly, Sidgwick and Bryce consider political science as a science. However, others believe that political science is not a science.

Political science as a science

Science is defined as a body of systematized knowledge. Thus, knowledge that has been accumulated by a systematic process is called a science. These may be physical sciences or social sciences. Physical sciences include chemistry, biology, physics, etc. On the other hand, social sciences include sociology, economics and political science. Political science is a science because it follows this scientific approach while studying social phenomena.

Political Science as an art

By art, we mean the 'practical application of knowledge for the achievement of a particular end'. For example, a scientist may know the chemical composition and

NOTES

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characteristic of colours, but when a painter uses that knowledge to make a painting it becomes an art. Similarly, the application of knowledge gained in political science is used to administer the day-to-day affairs of the state, in international relations, and so on. Thus, political science can also be branded as an art, if by art we mean 'practical application of knowledge for the achievement of a particular end.'

Political Science as both an art and science

Aristotle was the first thinker who viewed political science as a science. Bodin, Hobbes, Rousseau, Bryce, Bluntschli, Garner, Leacock, etc. all accept this claim. However, a majority of political theorists consider it both an art and science. Political science is an art in the sense that knowledge of political science is not of theoretical significance only. On the other hand, knowledge of political science has practical value. Hence, political science can be called both as a science and an art.

Check Your Progress

1. What do you mean by political science?
2. How does political science help us to understand international relations?

1.3 TRADITIONAL APPROACH TO POLITICAL SCIENCE

The growth and evolution of political theory can be elaborated in three major streams. These are:

- (i) Classical political theory
- (ii) Modern political theory
- (iii) Contemporary political theory

Characteristics of the Classical Tradition

The principal element which divides the classical or the traditional political theory from the modern political theory is 'science'. Philosophy dominates the classical tradition of political theory whereas science and its methodology dominate the modernist. The classical tradition can be traced back to the ancient Greek period. It flourished in the writings of Socrates, Plato and Aristotle. The classical tradition from these days lasted up to the beginning of the nineteenth century. A distinctive aspect of the history of political theory is the large number of classics known for their comprehensiveness, logical consistency and clarity. These works, rightly described as 'classics', address both local issues and contain principles of universal significance. They offer rival conceptual frameworks which enable us to choose and state our preference.

The principal subjects of these classics deal with the characteristics of human nature, functions and organization of political authority, political change and stability. During the periods of acute crisis or great transition, the classics in political theory generally emerge. They usually flourish in an age of transition from one era to

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another when a great churning occurs and issues are debated and discussed. The crisis by itself does not produce; instead it acts as a catalyst. However, there may be exceptions, for example, Indian society in the seventeenth and eighteenth centuries witnessed tumultuous changes marked by crisis. Therefore, a crisis has to be understood in the context of a framework of political values and institutional arrangements. The quest for a good life and good society, optimism and hope are the major inputs in a worthwhile project in political theory so far as the classical tradition is concerned.

The context of political theory is also to be understood with reference to a specific situation in order to comprehend the contents of the political philosophy of that period. A political theorist turns to the past with a view to analyzing the present and foreseeing the future. It is this defining element that makes a political tract of a particular period a master piece. Though there may be different reactions to a particular situation, one could also find similarities in the response patterns. The greatest political theories are those that have dealt with the immediate situation and issues effectively, while suggesting lessons which are valid for other times as well. Thus, the relevance of classical work is perennial.

The classics

The great classics were composed by political exiles or by failed politicians like Plato, Machiavelli, Hugo Grotius, Sir John Fortescue, Hobbes and Locke. Sometimes political theory emerged out of a revolution or indication of an impending one. Plato and Aristotle sought to recreate the magic and pre-eminence of the Greek city state which were fast fading into the past. Besides Italian unification, Machiavelli focussed on the various dimensions of the newly emerging commercial society. Hobbes and Locke addressed questions relating to the crisis of political authority in times of civil war.

Sheldon Wolin identifies some principal characteristics of the classical tradition which can be mentioned as follows:

- (i) It sought to identify politics with the public.
- (ii) It aimed at acquiring reliable knowledge about matters concerning the people.
- (iii) It laid emphasis on order, balance, equilibrium, harmony and stability.
- (iv) It tried to project an ideal form of government.
- (v) It laid stress on comparative studies and dealt with concepts like law, citizenship, justice and participation.
- (vi) It was largely ethical in perspective.

The classics in political theory explain politics, its meaning and value. Besides being influential, a classic in political theory contains a wealth of information, ideas and values that cumulatively enriches human thought and action. A great theorist is one who articulates logically with rigour, insight and subtle nuances the dilemma of his age, and dissects the problems that confront the generation to which he belongs. Every age is characterized by its own problems and dilemmas, and classical works deal with these situations. But such localism should not be considered as a hindrance to the essential richness of a classic as demonstrated by Aristotle's politics. It justified the prejudices of its time (like slavery), but was able to offer brilliant

NOTES

insights into the basic issues of politics like, stability, revolutionary change, and the importance of family and property in sustaining the state.

George H. Sabine identifies two major periods when classical tradition of political theory flourished. The first period was during Plato and Aristotle in the fifth century BC and the second during the English Civil War of 1641 till the glorious revolution of 1688 in the seventeenth century when Hobbes and Locke were the two outstanding theorists who contributed to political theory. Sabine links fundamental developments in political theory to the shifts that take place from one set of formation to another. In other words, innovation in political theory occurs when the older institution becomes inoperative and a newer one emerges. Crisis and tumultuous changes have a catalytic effect on political theory. Dante Germino pointed out that there are certain characteristics of an authentic political theory which are common to all classics from Plato to Hegel. These are openness, theoretical intention, focus on universal perennial problems, realism, acknowledging the limits of knowledge, and intellectual honesty and integrity.

Another political thinker, Andrew Hacker, points out that great classical works in political theory should be preserved. These great books, according to him, are relevant not only to the period in which they are written but also in the contemporary times. He has classified the great classical books into ten categories which can be mentioned below:

1. Capital and carbuncles: Essentially biographical in nature
2. Hero worshippers: Takes into account all the writings of a single author
3. Intellectual plagiarism: Tells us of the indebtedness of a theorist to his predecessors and contemporaries
4. Who said it first: For example, Aristotle was the father of political science
5. The mind readers: Gives us an idea of what the theorist really desired to convey
6. The camera eye: Offers us the thoughts some had during certain historical periods
7. Influencing the intelligentsia: It is similar to intellectual plagiarism, with the difference that some theorists like Bernard Bosanquet become important because of Hegel and Greens' influence on his writings
8. Influencing the masses: Directly linked to political events
9. The logic book: Logical in nature
10. Timelessness: Explains the continuing relevance of the classics

However, the classical tradition is not free from its limitations. Hegel rightly pointed out that every thinker is a child of his time and this is reflected in their perception too. For instance, Plato and Aristotle addressed the situations in which they lived. Their contribution was forgotten in the immediate context of the post-Aristotelian philosophies of stoicism, Epicureanism and cynicism. Machiavelli's prescription could not anticipate the reformation in the Christian church. Thomas Hobbes' portrait of the human nature to be universal was not correct. Hegel glorified the state at the cost of civil society. Marx's criticism of capitalism has its limitations also. J. S. Mill also miscalculated that representative democracy will be successful

everywhere except backward and/or heterogeneous societies. Thus, every thinker and classical work has its own shortcomings.

The classical tradition is also criticized for its gender biasness. Many of the great political scientists have either ignored or dismissed the position and status of women. Many of them have retreated, justified and defended women's subordination on the alleged natural and biological differences between the sexes, and have also pointed to the inherent physical and mental superiority of the male. For example, philosophers like Aristotle, Rousseau and Hegel believed that a woman's rightful place was her home, and that being burdened with household chores, she did not have sufficient time for politics, philosophy, art or science. In a nutshell, they portrayed and reinforced the stereotypical image of the woman. Another criticism of the great classical tradition is its Eurocentrism. Many political scientists of the great classical tradition were also Eurocentric and dismissed non-western civilization as unchanging and unhistorical.

Once David Easton pointed out that there has been no outstanding political philosopher after Marx and J. S. Mill. However, since the seventies, there has been a resurgence in political theory largely due to the efforts of Habermas, Nozick and Rawls. The themes that figure prominently since its revival are broadly social justice and welfare rights theory within a deontological perspective, utilitarianism, democratic theory and pluralism, feminism, post modernism, new social movements and civil society, and the liberalism-communitarian debate.

Let us discuss in detail various traditional approaches to political science. These are as follows:

1. Deductive and inductive approach

To study the concepts of state, government and law, Plato and Aristotle adopted the deductive and inductive approaches, respectively. Plato laid emphasis on universal values and reasoning. He had his own concept of the ideal state which was the embodiment of morality, justice and truth. He drew his conclusions on the basis of the first major premise. In other words, Plato proceeded from the universal to the particular which is the main characteristic of the deductive approach. Aristotle, on the other hand, used the inductive approach in the study of political theory. He preferred to proceed from a particular to a general conclusion. First of all, he observed, analyzed and compared different constitutions of city-states and then drew the model of an ideal constitution. In this case, the general conclusion was established from particular facts. This is the inductive approach.

Aristotle was the first political philosopher who adopted this approach in the study of political science. Since the early days, both deductive and inductive approaches are being popularly used in the field of the study of political theory. Besides these two approaches, the other approaches used for the study of political theory are historical, comparative, philosophical, observational, experimental, psychological, statistical, sociological and juridical methods. These are known as the traditional approaches used for the study of political theory.

In the deductive approach, one proceeds from a more general proposition to an equally general or less general proposition. The deductive approach is concerned with implication, and here, one may proceed from the general to the

NOTES

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particular. All valid reasoning and universal truth are arrived at by the deductive method. Here, the conclusion only makes explicit what is implied by the premise and one does not bother about the material truth or falsity of the premise or the conclusion. In the deductive approach, the formal truth is accepted and it is applied to different political situations. Political action is considered as right or wrong on the basis of the general conclusion. This approach puts emphasis on universal values and reasoning.

Inductive approach

When one proceeds from a particular to a general conclusion or from a less general proposition to a more general proposition, the approach is called inductive. Here, a scholar arrives at a conclusion by a process known as generalization from the particular fact observed within the range of his experience. The inductive approach is defined as 'the legitimate derivation of universal laws from individual cases'. In political science, the inductive approach is used to draw general principles from particular experiences. One examines here various facts, experiences and findings. Political science is such a vast subject that the problems of various individuals, groups and the states may be studied and certain generalizations can be made.

The inductive approach is scientific and rational as it establishes a general truth of principle by observation, experimentation or reasoning from particular examples. Its findings are mostly correct and it takes reality into consideration. While the deductive method is said to be dogmatic, the inductive approach is pragmatic.

The inductive approach takes into consideration various complex factors in actual life. While advocating empirical investigation, it studies different factors or variables causing such complexities. Its approach is dynamic as it takes changing factors into consideration. In the modern age, Bacon is a great advocate of the inductive approach. The inductive method of study of political theory has given rise to the behavioural approach in recent times. According to the behavioural approach, the unit of analysis is the individual person in a political situation. A behaviouralist studies the behaviour of those persons whose interactions influence group actions and he arrives at conclusions on the basis of actual findings. The inductive approach also suffers from some defects. It is a difficult method because collection of data is time taking. It is also expensive. Lot of time and money are wasted in observation and collection of data.

There are certain limitations while applying the inductive method in the study of political phenomena. The primary limitation is that the subject of study, that is, human beings are unpredictable.

2. Historical Approach

The historical approach is a very popular method to study social science. Political theory is also studied through this method. Every political idea or institution has its birth, growth and decay. Historically, one can study the origin, growth and decay of an institution. It is through the study of past history of political institutions that the political scientists try to understand the present political situations. Political scientists cannot neglect the past. The past has its influence over the present and the future. The study of political theory aims not to repeat the mistakes of the past.

Only the study of history will enable men to avoid the mistakes of the past. Thus, the historical method is a very popular method in the study of political theory.

The common method of studying political phenomena is historical. Montesquieu, Burke, Seeley, Maine, Freeman and Laski are some of the eminent exponents of this method. Professor Gilchrist has very aptly observed, 'The source of the experiment of political science is history; they rest on observation and experience'. The study of political science, according to Laski, 'must be an effort to codify the results of experience in the history of states'. It is correct to say that history serves as a guide to the present and future. History provides the best kind of laboratory for political science. It is the store house of events pertaining to human life. This is the reason why one should seek the aid of history, when one studies the origin, development and the present nature of such important political institutions as the state and the government. The chief method of experimentation in political science, writes Professor Gilchrist, 'is the historical method'. To understand political institutions properly, one must study them in their origin, their growth and development. History not only explains institutions but it also helps us to make certain deductions for future guidance. It is the pivot around which both the inductive and deductive processes of political science work. Sir Frederic Pollock supports this method. 'The historical method', says Sir Frederic Pollock, 'seeks an explanation of what institutions are and are tending to be more in the knowledge of what they have been and how they have been and how they come to be, what they are, than in the analysis of them as they stand.'

3. Comparative Approach

The comparative approach is a popular one in the study of social science. Political systems and institutions can be compared with different political institutions of different countries. Different political institutions in different countries are related to one another. These institutions can be compared and their utilities can be studied from the comparative point of view. It is by the comparative study of the existing political institutions that the principles of political theory can be formulated with a good deal of precision. A political scientist may derive his conclusion by comparing various ideas and institutions of different countries. The comparative approach is therefore a popular approach in the study of political theory.

Aristotle, the father of political science, used this approach. James Wilford Garner cautioned us against the danger of the comparative approach. 'The danger of the comparative approach' writes Garner, 'lies in the liability to error to which it is susceptible in practice since the effort to discover general principles, the diversity of conditions and circumstances such as differences of temperament and genius of the people, economic and social conditions, moral and legal standards, political training and experience are apt to be ignored or minimized.' A comparison of America and India with regard to democracy would be useless. Herbert Spencer compared the state to a living organism and arrived at certain conclusions. His conclusions were erroneous because while considering a living organism, he tried to establish an analogy between the functions of the state and those of a living organism. In spite of all these limitations, the comparative approach has proved to be a very useful method to study political theory, provided it is employed with great care and caution.

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4. Philosophical Approach

In this approach, the study of state, government, power and man as a political being is inextricably linked with the pursuit of certain goals, morals, truths or principles which is supposed to be underlying all knowledge and reality. Rousseau and Hegel used this method in their studies. This method implies that principles should be deduced from a series of general truths or assumptions. It admits 'an abstract ideal and draws deductions from it concerning the nature functions and aims of the State'. A certain view of human nature is taken for granted and deduction about the nature of political institutions are made. This approach is not strictly realistic because a political philosopher may lose sight of actual facts and may roam in darkness. *The Republic* by Plato and *Utopia* by Moore are the products of philosophical imagination. Philosophy deals with the ideals and aspirations of a society. An accurate knowledge of the political life of people can, as a matter of fact, be acquired with the help of a combination of the actuals and ideals in life.

5. Approach of Observation

The next approach of dealing with the political phenomena is the method of observation. This approach was first adopted by Plato and Aristotle, and afterwards by Montesquieu and Lord Bryce. Lord Bryce emphasized the use of this method. He used this approach in the preparation of his two great books—*The American Commonwealth* and *Modern Democracies*. He travelled several countries and collected the data after having studied personally the psychology of the political institutions. Lowell is also of the view that 'politics is an observational and experimental science'. The main laboratory for the actual working of political institutions, writes Lowell, 'is not library but outside world of political life'. One may observe the behaviour of the human beings and deduce conclusions. This can be done either through the deductive or inductive method. When one proceeds from the particular to the general, it is the inductive method. But when one proceeds from the general to the particular, it is known as deductive method. Thus, both inductive and deductive methods are included in the method of observation, which is becoming more popular. Political scientists are studying the behaviour of human beings and arriving at different conclusions.

6. Experimental Approach

Experimental approach is usually used in the study of physical science. A scientist in the laboratory arrives at different conclusions through experiments. This approach can also be used in the study of social sciences. Often this approach is used in the study of political theory. A change in administration or in government may be made on an experimental basis. New ideas and institutions can be introduced for the sake of experiment. Panchayati Raj in India had been introduced on an experimental basis. Sometimes different administrative reforms are also introduced on an experimental basis. It is said that governments are always making experiments on the community. Through the process of experiment, government may adopt new policies and approaches. It is true that social conditions cannot be artificially created and experiments as in the physical sciences are not possible in approaches. However, even with handicaps, experiments in political theory can be conducted. Every change in the form of government, every new legislation passed in a year, is an experiment in political theory. These are materials for political theory, just as,

say carbon, is material for chemistry. If the laboratory is the field of activity of the researchers in the natural science, the entire world consisting of the states or political associations is the laboratory of the political scientists. The government can adopt a new line of action or policy or administrative method on an experimental rather than a permanent basis. Only if the experimental line of action is successful, it can be put on a permanent basis.

7. Psychological Approach

Psychological approach helps to deal with the role of emotions, habits, sentiments, instincts, ego, etc., which constitute the essential elements of human personality. This approach is a new approach which is adopted in studying political theory. A branch of psychology, which is known as social psychology, helps to explain the political behaviour of individuals. The leaders behave in certain ways and manners. Their behaviour and actions can be studied from the psychological point of view. Thus, psychologically, the actions and political motivations of the leaders and politicians can be studied. That is why this method is becoming popular in recent times.

8. Statistical Approach

In the modern age, statistics occupies an important place in the study of social sciences including political science. The statistical method believes in the collection of data, compilation of figures and analysis of political events and facts, on the basis of those data or figures. This approach helps in the study of general elections and public opinion. The government makes plans to improve the conditions of the people on the basis of various facts and figures. The statistical method is becoming more popular in recent times and it makes the study of political science scientific and definite.

9. Sociological Approach

Sociological approach is comprehensive in nature because it studies society in all its aspects and then seeks to link politics with those sociological forces. Thus, this approach emphasizes that social context is necessary for the understanding and explanation of political behaviour of the members of a community. It regards the state as a social organism and individuals are considered to be the component parts of this organism. The method observes that the state possesses the same qualities and attributes of individuals who compose it. The students, guided by this method, study the state organs and institutions by applying the theory of evolution. This method is also becoming increasingly popular in modern times and it has given birth to a new subject known as political sociology.

Check Your Progress

3. List the major streams of political theory.
4. What, according to George H. Sabine, are the two major periods when the classical tradition of political theory flourished?
5. List one reason why the classical tradition of political theory is criticised.
6. What do you mean by deductive and inductive approaches to political science?

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1.4 MODERN APPROACHES TO POLITICAL SCIENCE

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The modern approaches to the study of political theory have been described in this section. The following are the modern approaches to study political theory:

1. Behavioural Approach

A new trend in the study of political theory was clearly visible in the twentieth century, particularly since the end of World War II. This was due to the increasing attention given to the study of political behaviour, not only of important persons exercising political power, but also of ordinary people. This new movement was started by a group of political scientists, mostly in the US who strongly expressed their dissatisfaction with the traditional approaches to political theory.

The underlying principle of the behavioural method in political theory is its central focus on 'political behaviour'. As Heinz Eulau observes, 'The study of political behaviour is concerned with the acts, attitudes, preferences and expectations of man in political contexts.'

2. Post-Behavioural Approach

Post-behaviouralism was a reform movement in behaviouralism. Post-behaviouralists wanted to have a federation of social scientists to identify major issues of the day to lay down objectives in order to study alternative solutions to the problem faced by the society and press those rigorously in the political sphere. They believed in action-oriented research related to social conditions. They believed in 'relevance' and 'action'. David Easton has given seven major traits of post-behaviouralism. Considering these seven features, he believed that substance must have precedence over technique, political science should put emphasis on social change, research in social science must stay in touch with reality, study should accord value and should also be future oriented, etc. He opined that excessive obsession for scientism should be discarded because at no cost, social science cannot be pure science. Therefore, we can say that post-behavioural approach gives more importance to substance than technique. It is an attempt to develop a practical, social change oriented approach to political science. In fact, the post-behavioural approach refines the behavioural approach and tries to make it acceptable.

3. Power Approach

Recently, the idea of power has become very important in the realm of political theory. Earlier, politics was defined as the study of state and government. Today, it is defined as the study of power. The significance of power was highlighted by Machiavelli in the Medieval Age, and later by Hobbes and Nietzsche. In the modern times, Max Weber, Catlin, Merriam, Lasswell, Kaplan, Treitschke and Morgenthau have brought out the importance of this concept. The 'Power Theory State' was first advocated in Germany in the nineteenth century by historians like Heinrich von Treitschke and philosophers like Friedrich Nietzsche. Power is the primary objective of foreign policy.

NOTES

The state plays an important role in social life. Thus, a group or class (or even, in some cases, an individual) that can control the various agencies of the State is potentially very influential in terms of politics, economy and ideology. This is why we need to understand the various theories regarding the nature and distribution of power in any society.

(a) Pluralist theory of power

According to the pluralist theory, power seems to be held by different groups in society (with some being more powerful than others), who compete with each other. As no one group or class is capable of dominating all other groups, there emerges a 'plurality' of competing interest groups, political parties, and so on.

(b) Elite theory of power

According to this theory, it is not that there is a simple plurality of competing groups in society; instead, there are a series of competing elites—powerful groups who are capable of imposing their will upon the rest of society. There are two basic forms of elite theory:

- (i) **The theory of 'circulating elites'**: A conservative form of theorizing developed by writers like Mosca and Pareto.
- (ii) **Power elite theory**: A more radical form of theorizing developed by Charles Wright Mills.

(c) Ruling class theory of power

According to the ruling class theory, power is basically lodged with the owners and controllers of economic production (i.e., the bourgeoisie). Political power is derived from economic ownership leading to the emergence of a ruling class. The ruling class not only controls the means of production, distribution and exchange in capitalist society but also dominates and controls the institutions of political power. There are two main forms of Marxism which will be considered:

- (i) **Instrumental Marxism**: Associated with the work of Ralph Miliband, this type of Marxism attempts to demonstrate empirically the nature of ruling class domination in society.
- (ii) **'Structuralist' Marxism**: Associated with the work of writers like Poulantzas and Althusser, this type of Marxism concentrates more upon the structural arrangements of capitalist society. Structuralists try to show how a ruling class is capable of dominating the rest of society economically, politically and ideologically without the necessity of its members individually overseeing the workings of the state.

4. System Approach or System Analysis

The system approach is the study of inter-related variables forming one system, a unit, a whole which is composed of many facts, a set of elements standing in interaction. This approach assumes that the system consists of discernible, regular and internally consistent patterns, each interacting with another, and giving, on the whole, the picture of a self-regulating order. System analysis is considered to be the pioneering model of political analysis. David Easton was the first major political scientist to develop a systematic framework on the basis of the system-analysis

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approaches for the study of politics. System analysis conceives politics in terms of the political system. Easton has selected the political system as the basic unit of analysis and concentrated on the intra-system behaviour of various systems.

5. Structural Functional Approach

Several approaches have been used for the proper study of politics. One of these is the structural functional approach which was developed by Gabriel Almond. This approach aims to find out which political structures perform what basic functions in the political system as a whole. The whole concept revolves around two things, namely 'structure' and 'function'. In the words of Robert T. Halt, 'Structural functional analysis is a distinguishable approach primarily because of the selective aspects of social reality that it seeks to describe, explain and predict.' It describes social reality largely in terms of structures, processes, mechanisms and functions.

6. Communication or Cybernetics Approach

Communication or cybernetics approach is one of the derivatives of the system analysis. Karl Deutsch is the main advocate of the cybernetics model. Cybernetics refers to the 'science of communication and control'. It focuses on 'the systematic study of communication and control' in organizations of all kinds'. It suggests that all organizations are identical in certain basic characteristics and that every organization is held together by communication or information.

As 'governments' are organizations, it is there where information processes are largely represented. So are developed Deutsch's concepts in his Cybernetics approach, especially information, communication and channels. Information is a patterned relationship between events. Communication is the transfer of such patterned relations. Channels are the paths or associative trails through which information is transferred. According to Deutsch, the political system is nothing but a network of communication channels.

The communications theory draws heavily on the working models in existence, especially in the field of communications engineering where transfer of extremely small amounts of energy in relatively intricate patterns can, sometimes, produce very large change in the 'receiver' of the 'message'.

7. Decision-Making Approach

According to Professor Snyder, the state is the prime actor in international politics and its behaviour should always be understood in terms of the objective realities of its position in the world. Its goals and sources of behaviour can be traced to geographical, historical, political and technological circumstances. The goal of the state and its national interests are largely conditioned by the objective circumstances in which the state is situated at a particular time in history.

Check Your Progress

7. What is behavioural approach to the study of political science?
8. List various theories regarding the nature and distribution of power in any society.

1.5 RELATIONSHIP WITH OTHER SOCIAL SCIENCES

Let us now discuss the relationship of political science with other social sciences.

1.5.1 Relationship with Geography and Economics

Let us first discuss the relationship of political science or theory with geography.

Political Science and Geography

Some writers believe that national life of the people, character and their political institutions are greatly influenced by the physical and geographical conditions. The first modern writer who dwelt upon the relationship between geography and political science was Bodin. Rousseau also tried to create a relationship between various forms of government and the climatic conditions of a particular nation. According to Rousseau, cold climates are conducive to barbarism, warm climates to despotism and moderate climates to a good polity. Another French scholar, Montesquieu also put emphasis on the influence of physical environments on the forms of liberty of the people and the government.

In his *History of Civilisation*, the English historian Henry Thomas Buckle maintained that 'the actions of men, and therefore of societies, are determined by reciprocal interaction between the mind and the external phenomena.' He believed that the actions of the societies and the individuals are influenced by the physical environments, particularly food, soil, climate and the 'general aspects of the nature.' He did not believe in the idea which was generally accepted that the free will of man determines the action of the society and the individual.

However, it is important to note that geographical location is an important factor in moulding the destiny of every state. Geographical location also influences the national and international policies as well as the political institutions. Consequently, a new discipline of geo-politics has been developed that would fathom the impact of geographical factors on the political life of the nation, particularly in relation to its foreign policy.

The geographical location of some countries, for example, Germany, which is located in the centre of the Europe and without natural boundaries, makes it a great military power. 'Our historical-political destiny', wrote Professor Hintze, 'lies in our geographical location'. The geographical conditions of a particular nation always influence the national policies in considerable measure. The character of the political institutions are also influenced by geographical location.

Bryce has aptly said that 'in any country, physical conditions and inherited institutions so affect the political institutions of a nation as to give its government distinctive character.' The obvious reference is to Great Britain and Switzerland.

Political Science and Economics

The relationship of economics and political science can be understood through the concept of political economy. Political economy refers to a specific approach to study social and political events where economics and politics are not seen as

NOTES

NOTES

separate domains. It is based on the belief that the two disciplines have an intimate relationship and the hypothesis that this relationship unfolds in diverse ways. These assumptions constitute important explanatory and analytical frameworks within which social and political phenomena can be studied. The phrase *économie politique* (in English, political economy) was first used in 1615 by the French scholar Antoine de Montchrétien in his book *Traité de l'économie politique (A Treatise on Political Economy)*.

Adam Smith, David Ricardo and Karl Marx were some of the exponents of the political economy approach. In contemporary scholarship, the term 'political economy' indicates the amalgamation of two different disciplines: political science and economics. However, it must be noted that the evolution of economics and politics as separate disciplines of study itself is a modern phenomenon. The distinction between the subject matter of political science and economics was unknown until the Renaissance and Industrial Revolution in Europe. The ancient Indian scholar Kautilya described statecraft in his famous work *Arthashastra* (Economics).

On the other hand, Aristotle considered economic questions in his book *Politics*. Among classical political economists, Adam Smith considered political economy as 'a branch of the science of a statesman or legislator'. Karl Marx often referred to the 'critique of political economy' in his writings; however, it was Friedrich Engels, the co-author of *The Communist Manifesto* along with Karl Marx, who defined the term 'political economy'. According to Engels, studies of 'the laws governing the production and exchange of the material means of subsistence' are part of the political economy. Similarly, the Russian economist I. I. Rubin, who authored *Essays on Marx's Theory of Value*, stated that 'Political economy deals with human working activity, not from the standpoint of its technical methods and instruments of labour, but from the standpoint of its social form. It deals with production relations which are established among people in the process of production'.

Thus, the political economy approach provides an economic interpretation of political consequences. It seeks to study the social relations that evolve between people in the process of production, distribution, exchange and consumption. This approach assumes that political systems are merely expressions of the economic requirements of the society and social groups and that the changes in the economic system automatically lead to changes in the political system. This approach can be divided in two major perspectives—Liberal and Marxist.

Liberal Perspectives

The liberal perspective emerged as a critique of the comprehensive political control and regulation of economic affairs which had dominated European nation building in the sixteenth and seventeenth centuries, i.e., the Mercantilist school of thought. Liberals rejected theories and policies which subordinated economics to politics. They wanted a free market which was not limited by any monopoly or an economy that was not disassociated from the interest of the poor and of the community as a whole. The core ideas of the Liberal perspective stresses on the fact that the individual, being a rational individual actor, will find his or her way to progress through the process of free trade as there will be mutual exchange of goods and

services. They say that the market being the main source of progress, cooperation and prosperity should not have any political interference or state regulation as they are uneconomical and retrogressive and lead to conflict.

Adam Smith, David Ricardo, Paul Samuelson, J.M Keynes, etc. are often regarded as leading exponents of the liberal perspective of the political economy approach. Adam Smith, the author of *Wealth of Nations*, believed that the market tended to expand spontaneously for the satisfaction of human needs – provided that the government did not interfere. He advocated the ‘Laissez faire’ policy where free individuals were best equipped to make social choices. David Ricardo argued that free trade benefited all the participants as it led to specialization which increased efficiency and thus productivity. It was through this rationale that Ricardo developed ‘the law of comparative advantage’. Paul Samuelson summarized the argument by stating that trade will be mutually profitable when the region which has a comparative advantage of specializing the product, specializes and makes the region more efficient. There has been a recurring debate among economic liberals about the extent to which political interference by governments may be necessary. The different views of how much the state should interfere have led to the development of the different strands of economic liberalism, namely- classical Laissez Faire doctrine, Keynesian concept and Neo-liberal perspective.

Classical Laissez Faire Doctrine: The *Laissez Faire* doctrine was introduced in the eighteenth century, though the origin of the term remains unclear. According to popular belief, the term entered common vocabulary when Jean-Baptiste Colbert, who controlled the finances in the regime of Louis XIV of France questioned industrialists as to what the government could do to help them. The reply of the industrialists was ‘*laissez-nous faire*’ which can be roughly translated as ‘let us be’ or ‘leave us be’. Later, physio-crats, a group of French economists of the eighteenth century, popularized the term. Adam Smith, a British economist, became a major proponent of the theory. The early economic liberals called for the *laissez faire* doctrine, i.e., the freedom of the market from all kinds of political restriction and regulation. They advocated for minimal interference of the government in a market economy although Laissez faire doctrine did not necessarily oppose the state’s provision for a few basic public goods which was necessary for the market to function properly. The rationale of the doctrine is that if everyone is left to their own economic devices instead of being controlled by the state, then the result would be a harmonious and more equal society of ever-increasing prosperity.

Keynesian Concept: Keynesian concept is based on the idea that the market may not work according to the belief of efficiency and mutual gain and lead to instances of market failure. John Maynard Keynes, the leading economist of the early twentieth century, argued that the market economy was a great benefit to people but it also entailed potential evils of ‘risk, uncertainty and ignorance.’ Therefore, the market had to be improved through the political management of the state. In other words, the state should play a positive role in providing directions for the economy so that any market failure in the state can be averted and help to improve the situation if it occurs. The Keynesian view became popular in the decades after the Second World War as the state took up the responsibility of building the war torn economy through public planning of the state.

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Neo-liberal Perspective: In the latter part of the twentieth century, especially since the late 1980s, occurrence of globalization, privatization and liberalization has brought back the classical *laissez faire* doctrine in the form of neo-liberalism. It describes the political economy approach from the perspective of the market to economic as well as social policy, which is based on neo classical theories of economics. It stresses on the efficiency of private enterprise and the need to liberalize trade through open markets, in order to maximize the role of the private sector and determine the political and economic priorities of the state. Economic liberals argue that the market economy, being an autonomous sphere of society, operates according to its own economic laws. The market maximizes benefits for rational self-seeking individuals, households and companies that participate in the market exchange. The economy is a sphere of cooperation for mutual benefit among the states as well as individuals. Thus, the economy should be based on free trade.

Marxist Perspectives

The Marxist perspective of political economy believes that economics forms the base of society and the political system. Marxist scholars hold that except in primitive communism, every other society has been divided along the classes of 'haves' and 'haves-not'. For Marxists, human history is a history of class struggle. They see the capitalist state as a tool to legitimize human exploitation and class inequality. The Marxist school of political economy has been led by Karl Marx, followed by other thinkers such as Engels, V.I. Lenin, Rosa Luxemburg, Trotsky, Kautsky, Bukharin and others. There have been various stances in the Marxist perspectives which you will study in subsequent units. However, we can identify some common features of the Marxist perspective as follows:

- States are driven by the ruling class and are not autonomous. Capitalist states are primarily driven by the interest of their respective bourgeoisie and the conflict between states should be essentially seen in its economic context of competition between capitalist classes of different states. In other words, class conflict is more fundamental than conflict between states.
- The economic system of capitalism is expansive. As there is a never ending search for markets and profits, capitalism has expanded across the globe; first in the form of imperialism and colonization and in the contemporary world after the colonies have gained independence, it is led by the giant transnational corporations in the form of economic globalization. That is why class conflict is not confined to states, but rather cuts across state borders.
- According to V.I. Lenin, the process of capitalist expansion must always be unequal or uneven. He alluded to how Britain was ahead of Germany during the eighteenth and nineteenth century, while in the twentieth century, Germany wanted a revision of the international spheres of influence which led to war between Germany and England. This is the 'law of uneven development' which leads to disparities and cause conflict under the capitalist conditions.

1.5.2 Relationship with Sociology

Political sociology lies at the intersection of the disciplines of political science and sociology. Giovanni Sartori, an acclaimed Italian political scientist, had suggested

that there was an ambiguity in the term 'political sociology' because it could be construed as a synonym for 'sociology of politics'. Due to this ambiguity, it became difficult to be precise concerning the objects of study and the approaches of inquiry within the field of political sociology. Therefore, there arose the need for clarification.

For Sartori, such a clarification would be possible only 'when the sociological and 'politico-logical' approaches are combined at their point of intersection.' This point of intersection is a site of interdisciplinary studies. However, to understand the dynamics of such a site, one must delineate the contours of the two parent disciplines—political science and sociology. Although the discipline of political science traces its history back to Aristotle, it evolved into an academic field of study in the United States of America. According to Lipset, one of the earliest usages of the term 'political science' occurred with the founding of the Faculty of Political Science at Columbia University, New York in the late 19th century. A few years later, in 1903, the American Political Science Association was founded, and, not much later, the first issue of the *American Political Science Review* was published, which is now more than a century old.

Gradually as the 20th century unfolded, political science acquired many a focus. It included a historical study of political thought, an analytic and comparative study of distinct polities as well as a normative approach to politics. Notwithstanding such a broad scope, if one were to narrow down the object of study of the discipline of political science to a single theme, it would be the State. If political science is largely focussed on the study of the State, sociology may be understood as the study of society. The latter discipline was the consequence of the Enlightenment—an intellectual epoch in the history of Europe that awarded primacy to the critical application of human reason as opposed to blindly following the dictates of human and divine authorities.

Political sociology seeks to understand the process of interaction between government and society, decision-making authorities and conflicting social forces and interests. It is the study of interactions and linkages between politics and society; between the political system and its social, economic and cultural environment. It is concerned with problems regarding the management of conflict, the articulation of interest and issues, and political integration and organization. The focal point in all these concerns is the independence of the interplay of sociocultural, economic and political elements.

The perspective of political sociology is distinguished from that of intuitionism and behaviouralism. The institutionalists have been concerned primarily with institutional types of political organization, and their study has been characterized by legality and formality. The behaviouralists have focussed on the individual actor in the political arena; and their central concern has been the psychological trait, namely, motives, attitudes, perception and the role of individuals. The task of political sociologists is to study the political process as a continuum of interactions between society and its decision-makers, and between the decision-making institutions and social forces.

Political sociology provides a new vista in political analysis. Yet it is closely linked with the issues which have been raised in political philosophy. Political philosophy, as we know, has a rich and long tradition of political thought that

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began with the ancient Indian and Greek philosophers, and that has amply followed since Machiavelli, who made a bold departure from Greek idealism and medieval scholasticism. It was Karl Marx, however, who brought into sharp focus issues concerning the nature of political power and its relationship with social or economic the foundation for the sociology of politics. Marx was, however, neither the first nor the only thinker to conceive of government as an organ of the dominant economic class. The Arabian scholar Ibn Khaldun and several European predecessors of Marx had argued that ideology and power were superstructures of economy.

The early origins of sociology are often traced to Auguste Comte's six-volume work *Cours de Philosophie Positive* (1830–42). This work offered an encyclopaedic treatment of sciences. It expounded positivism, and initiated the use of the term sociology to signify a certain method of studying human societies. Comte proposed a historical law of social development, and according to this scheme, human societies pass from an initial stage of interpreting phenomena theologically to an intermediate stage of metaphysical interpretation before arriving at the final stage of positivist interpretation. This idea of a historical development of human societies obeying laws of nature was adopted by Karl Marx.

The work of Marx, which emphasized the role of capitalist mode of production, and Marxism in general were important stimuli for the development of sociology. The early Marxist contribution to sociology included the works of Karl Kautsky on the French Revolution; Mehring's analysis of art, literature and intellectual history; and Grunberg's early studies on agrarian history and labour movements. It is important to note that Marxist studies of society also developed independent of universities as it was intimately related to political movements and party organizations.

In the decades following the death of Marx, sociology was gaining ground as an academic discipline, and the critics of Marxism had an important role to play in its development. The most notable critics were Max Weber and Emile Durkheim. Weber's work on capitalism, the State, and methodological writings were largely directed against historical materialism. In the later works of Durkheim, an attempt was made to distinguish the social functions of religion from the explanation provided by historical materialism.

Given the inevitability of political role in society, a body of thinkers from Aristotle to Tocqueville has rightly emphasized the point that instead of deploring the evils of human nature or social circumstances, it is more prudent and worthwhile to accept the 'given' and improve it for the good of man and society. It is wiser to face it and to manage it so as to achieve reconciliation and accommodation. Conflict, though apparently an evil, is a condition of freedom, as it prevents the concentration of power. This kind of political realism recognizes the necessity and utility of the political management of conflict through compromise and adjustment among various social forces and interests. Political sociology aims at understanding the sources and the social bases of conflict, as well as the process of management of conflict.

The broad aim of political sociology is to study and examine the interactions between social and political structures. The determination of the boundaries of what is social and political, however, raises some questions. The relevant question

in delineating the scope of political sociology is that of the kinds of groups which form part of the study of the discipline of political sociology. Some scholars believe that politics depends on some settled order created by the State. Hence, the State is political, and is the subject matter of political sociology, and not the groups.

There is another school according to which politics is present in almost all social relations. Individuals and small groups try to enforce their preferences on their parent organizations, family, club, or college, and thus indulge in the exercise of 'power'. Sheldon, S. Wolin takes quite a reasonable view of the word 'political', which according to him, means the following three things:

- A form of activity that centres around the quest for competitive advantage between groups, individuals, or societies.
- A form of activity conditioned by the fact that it occurs within a situation of change and relative scarcity.
- A form of activity in which the pursuit of advantage produces consequences of such a magnitude that they affect, in a significant way, the whole society or a substantial portion of it.

Two groups of scholars have discussed the scope of political sociology in two different ways. According to Greer and Orleans, political sociology is concerned with the structure of the State; the nature and condition of legitimacy; and nature of the monopoly of force and its use by the State; and the nature of the sub-units and their relation with the State. They treat political sociology in terms of consensus and legitimacy, participation and representation, and the relationship between economic development and political change. By implication, whatever is related to the State is alone held as the subject matter of political sociology. Andreu Effrat takes a broader view of the picture and suggests that political sociology is concerned with the causes, patterns and consequences of the distribution and process of power and authority 'in all social systems'. Among social systems, he includes small groups and families, educational and religious groups, as well as governmental and political institutions.

Lipset and Benedix suggest a more representative catalogue of topics when they describe the main areas of interest to political sociologists, as voting behaviour, concentration of economic power and political decision-making; ideologies of political movement and interest groups; political parties, voluntary associations, the problems of oligarchy and psychological correlates of political behaviour; and the problem of bureaucracy. To Dowse and Hughes, one area of substantive concern for the political sociologist is the problem of social order and political obedience.

Richard G. Braugart has pointed out that political sociologists are concerned with the dynamic association among and between: (a) the social origin of politics, (b) the structure of political process, and (c) the effects of politics on the surrounding society and culture. Political sociology should include four areas that are as follows:

- Political structures (social class/caste, elite, interest groups, bureaucracy, political parties and factions).
- Political life (electoral process, political communication, opinion formation, etc.).

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- Political leadership (bases, types and operation of community power structure).
- Political development (concept and indices of its measurement, its social bases and prerequisites and its relationship to social change and modernization).

To illustrate, it can be pointed out that on one hand, sociologists focus their attention on the sub-areas of the social system, and political scientists concentrate on the study of law, local, state and national governments, comparative government, political systems, public administration and international relations. On the other hand, political sociologists ought to be concerned with topics of social stratification and political power: socio-economic systems and political regimes, interest groups, political parties, bureaucracy, political socialization, electoral behaviour, social movements and political mobilization. A significant concern of political sociology is the analysis of socio-political factors in economic development.

There are four main areas of research that are important in present-day political sociology. They are as follows:

- The socio-political formation of the modern state.
- How social inequality between groups (class, race, gender, etc.) influences politics.
- How public personalities, social movements and trends outside of the formal institutions of political power affect politics.
- Power relationships within and between social groups (e.g., families, workplaces, bureaucracy, media, etc.). Contemporary theorists include Robert A. Dahl, Seymour Martin Lipset, Theda Skocpol, Luc Boltanski and Nicos Poulantzas.

This introductory purview of the disciplines of political science and sociology should allow us to now characterize the field of political sociology. The latter may be understood as the study of the varied and multiple relationships between the State and society. In this sense, political sociology evolved into an interdisciplinary field lying between the academic disciplines of political science and sociology.

Some Early Approaches

Modern political sociology has existed for more than a century. According to Ronald Chilcote, the early political sociologists were interested in studying political and social life by incorporating data based on empirical research and an examination of informal institutions and processes. Some of them went beyond the Marxist conception, wherein employers and the propertied class wield political power. Gaetano Mosca in his *Elementi di Scienza Politica* (1896) distinguished between elites and masses. Mosca's elites comprised of civil servants, managers and intellectuals. These elites formed the political class in parliamentary democracies. However, this class underwent transformation through recruitment of members from the lower strata and new social groups leading to a phenomenon known as the circulation of elites. Vilfredo Pareto sought to differentiate between governing and non-governing elites in his work *Cours d'Economie Politique* (1896-1897).

Max Weber in his *The Protestant Ethic and the Spirit of Capitalism* (1921) examined the entrepreneurial drives of individuals in capitalist economies. In his other works, he also analysed the impact of science, technology and the bureaucracy in the evolution of Western civilization. The works of these early political sociologists influenced the studies of American political scientists of the 20th century.

The historical context

Now let us take a look at the historical contexts from which political sociology experienced an evolution as important field of interdisciplinary scholarship. Peter Wagner has sketched a history of political sociology within the larger process of modernity. This sketch is relevant in so far as it allows us to locate the work of political sociologists within intellectual and political contexts. Wagner's scheme comprises three phases:

- Classical sociology and the first crisis of modernity
- Organized modernity and the consolidation of sociology
- The second crisis of modernity and the renewed debate on the possibility of sociology

Let us look at the first phase, which outlines the political context of those writings that is now known as 'classical sociology'. In the century after the American and French revolutions, intellectual debates were determined by theories based on the philosophy of liberalism. Nonetheless, towards the end of the 19th century, scholars began to realize the inadequacies of liberal theories. These inadequacies contributed to the first crisis of modernity. What were these inadequacies?

Although in theory, liberalism sought to establish principles liberty, equality and democracy, the reality was different in practice. Women, workers and non-European peoples were not actually 'free and equal citizens'. In fact, many intellectuals of the first half of the 19th century did not even advocate a totally inclusive liberal society. The ideas of liberalism were restricted largely to male property owners, who were believed to be reasonable and free. Thus, market relations were restricted to economic ties between these individuals.

As this century was drawing to a close, there occurred a gradual erosion of the elements that constituted this society. Migration, growth of industrial cities, struggles for suffrage and the increased strength of the workers' movements altered the social structure, and consequently, the traditional social identities as well. The ideology of socialism, trade unions and labour parties strengthened the new collective identity of the working class. The works of Durkheim, Weber and Pareto were produced within this context of changing social identities and politics.

Wagner's sketch highlights certain currents that created discontinuities within the sociological tradition in Europe and the United States following the disillusionment of intellectuals with liberalism. The following points are to be considered:

- The rise of the 'philosophy of the deed', which emphasized a strong man and his willpower to rejuvenate the nation.
- The growth of empirical social research towards acquiring strategically useful knowledge about a certain populace.

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- The political philosophy of John Dewey, which was linked to the social theory of George Herbert Mead, and the empirical sociology of the Chicago School also reinforced the belief in the human ability to create and recreate one's own life, both individually and collectively.
- American sociology witnessed a shift of hegemony from the Chicago School to the Columbia School, and the focus shifted to social policy research in the 1960s.

According to Peter Wagner, 'the social sciences in general, and sociology in particular, were consolidated and modernized in the decades following World War II.' The goal of the modernizing paradigm was to explain how traditional societies could be modernized, while maintaining societal coherence the same time. This process was called development and its goal is the establishment of a modern society. The works of Talcott Parsons, Gabriel Almond and Sidney Verba are prime examples of the modernization paradigm.

Parsons appropriated elements from classical European intellectual heritage to create a theory of modern societies, which were represented as systems. Each social system, according to this theory, was comprised of subsystems. To maintain stability of the system, Gabriel Almond and Sidney Verba argued that restricted political participation and exclusion of social actors voluntarily or otherwise was a legitimate objective for the sake of societal coherence. They recognized that liberal ideals such as liberty and autonomy were not always conducive for stability and coherence of societies.

The work of these systems theorists occurred during a phase described by Peter Wagner as 'organized modernity'. This phase was marked by an unprecedented growth of production and consumption accompanied by a relative stability of authoritative practices. This meant that this period saw limited restrictions to political liberties when compared to other epochs. The presence of economic growth, political stability and nominal liberty was treated as the final goal of all social change. Thus, modernization was defined as the process leading to the achievement of this goal. These circumstances would later provide the ground for an increased faith in those ideologies that proclaimed the 'end of history'.

As organized modernity placed restrictions on human freedom created by the boundaries of convention, certain intellectuals directed their efforts at creating ambivalence in the social structure instead of seeking a well-ordered society. Order, for them, meant placing limitations on human endeavour. So, they worked towards de-conventionalization. This questioning of the goal of a regimented society created a crisis, which Wagner denominates as the second crisis of modernity. This second crisis provided the context for the emergence of the post-modern sociological discourse.

Contemporary Views

Political sociology came into its own especially since the decade of the 1960s with the publication of a few notable books that have turned out to be classics in the field. Lipset's *Political Man* (1960) that highlighted the social bases of politics; Domhoff's *Who Rules America?* (1967) that renewed interest in the power of capitalism; and, Petras and Zeitlin's *Latin America: Reform or Revolution* (1967),

which focussed on the role of labour movements are some such examples. *Bringing the State Back* in 1985 brought the state and the institutional apparatus back into the research agenda of political sociology. Briefly put, a new kind of political sociology was coming into being in the last quarter of the 20th century.

This 'new political sociology' was a result of empirical and theoretical changes. The most important empirical change has been the decentring of the State as the principal object of politics. This was a consequence of the globalization, the increased power of transnational actors, and the consequent reduction in the autonomy of the State. Another empirical change is the rise of social movements within States and across the globe. Certain social movements like environmental, feminist, gay and transgender movements have radically altered identities, and hence the politics of individuals, groups and States. The theoretical conclusions derived from the work of a variety of scholars across disciplines, but particularly those in the fields of culture studies, epistemology, hermeneutics and philosophy, since the 1960s have altered the traditional theoretical landscape.

1.5.3 Relationship with History and Psychology

The relationship between political theory and history is very close. The two are complementary to each other. The intimacy between political theory and history is well brought-out in the following couplet of Seeley, an eminent English historian, who wrote – 'History without Political Science has no fruit, Political Science without History has no root.' The affinity between history and political science is so close that freedom goes to the extent of saying that 'history is past politics and politics is present history.' Willoughby writes, 'History gives us the third dimension of political theory'. History provides the necessary raw-materials for political theory. According to James G. Gilchrist, 'We must trace the history of various institutions, not for the sake of history but to enable us to form conclusions of our science. In so much as history not merely records events but analyses causes and points out tendencies. It overlaps political theory. Political theory, however, goes further. It uses historical facts to discover general laws and principles; it selects, analyses and systematizes the facts of history in order to extract the permanent principles of political life. Political theory, further, is teleological, that is to say, it deals with the state as it ought to be, whereas history deals with what it has been.' The political scientist goes back to the past in order to explore the future. 'So conceived history', writes Burns, 'will be made something more than the luxury of a scholar. It will be the inspiration of honest politician; it will be the real basis for criticism of the present and modification of the future'.

Political Science and Psychology

Psychology is the science which deals with the behaviour of man. 'Psychology', says Woodworth, 'is the science of the activities of individual in relation to the environments.' It is defined as a science of mind or a science of conscious experience. It is the 'science of social consciousness and deals with the rational and irrational aspects of human life.' As political science deals with the political side of human life, it is closely related to psychology which deals with all the aspects of human behaviour.

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Check Your Progress

9. What is the relationship between political science and economics?
10. How and when was the Laissez Faire doctrine introduced?
11. What does political sociology seek to understand?
12. How is the relationship between political theory and history very close?

1.6 ANSWERS TO 'CHECK YOUR PROGRESS'

1. Political science can be defined as that branch of the social sciences that studies the state, politics and government.
2. In order to know what is happening in the world around us, at least an elementary knowledge of political science is necessary. In the modern age, an individual cannot lead an isolated life. Each country has to maintain relations with other countries of the world. Those who specialize in the various fields of political science conduct researches to discover hitherto unknown principles underlying political phenomena and make a rich contribution to the realm of knowledge. In the ultimate philosophy, if human life is to enrich knowledge, then political science makes a major contribution to the storehouse of knowledge. Its study helps us a lot in understanding international relations. It explains the governmental system of the other countries
3. The growth and evolution of political theory can be elaborated in three major streams. These are:
 - (i) Classical political theory
 - (ii) Modern political theory
 - (iii) Contemporary political theory
4. George H. Sabine identifies two major periods when classical tradition of political theory flourished. The first period was during Plato and Aristotle in the fifth century BC and the second during the English Civil War of 1641 till the glorious revolution of 1688 in the seventeenth century when Hobbes and Locke were the two outstanding theorists who contributed to political theory. Sabine links fundamental developments in political theory to the shifts that take place from one set of formation to another. In other words, innovation in political theory occurs when the older institution becomes inoperative and a newer one emerges.
5. The classical tradition is criticized for its gender biasness. Many of the great political scientists have either ignored or dismissed the position and status of women. Many of them have retreated, justified and defended women's subordination on the alleged natural and biological differences between the sexes, and have also pointed to the inherent physical and mental superiority of the male. For example, philosophers like Aristotle, Rousseau and Hegel believed that a woman's rightful place was her home, and that being burdened with household chores, she did not have sufficient time for politics, philosophy, art or science. In a nutshell, they portrayed and reinforced the

stereotypical image of the woman. Another criticism of the great classical tradition is its Eurocentrism. Many political scientists of the great classical tradition were also Eurocentric and dismissed non-western civilization as unchanging and unhistorical.

6. In the deductive approach to political science, one proceeds from a more general proposition to an equally general or less general proposition. The deductive approach is concerned with implication, and here, one may proceed from the general to the particular. All valid reasoning and universal truth are arrived at by the deductive method. Here, the conclusion only makes explicit what is implied by the premise and one does not bother about the material truth or falsity of the premise or the conclusion. In the deductive approach, the formal truth is accepted and it is applied to different political situations. Political action is considered as right or wrong on the basis of the general conclusion. This approach puts emphasis on universal values and reasoning.

The inductive approach is scientific and rational as it establishes a general truth of principle by observation, experimentation or reasoning from particular examples. Its findings are mostly correct and it takes reality into consideration. While the deductive method is said to be dogmatic, the inductive approach is pragmatic. The inductive approach takes into consideration various complex factors in actual life. While advocating empirical investigation, it studies different factors or variables causing such complexities. Its approach is dynamic as it takes changing factors into consideration. In the modern age, Bacon is a great advocate of the inductive approach.

7. The behavioural approach to the study of political science was a new trend in the study of political theory was clearly visible in the twentieth century, particularly since the end of World War II. This was due to the increasing attention given to the study of political behaviour, not only of important persons exercising political power, but also of ordinary people. This new movement was started by a group of political scientists, mostly in the US who strongly expressed their dissatisfaction with the traditional approaches to political theory. The underlying principle of the behavioural method in political theory is its central focus on 'political behaviour'. As Heinz Eulau observes, 'The study of political behaviour is concerned with the acts, attitudes, preferences and expectations of man in political contexts.'
8. Theories regarding the nature and distribution of power in any society are as follows:
 - (a) Pluralist theory of power: According to the pluralist theory, power seems to be held by different groups in society (with some being more powerful than others), who compete with each other. As no one group or class is capable of dominating all other groups, there emerges a 'plurality' of competing interest groups, political parties, and so on.
 - (b) Elite theory of power: According to this theory, it is not that there is a simple plurality of competing groups in society; instead, there are a series of competing elites—powerful groups who are capable of imposing their will upon the rest of society. There are two basic forms of elite theory:

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- (i) The theory of 'circulating elites': A conservative form of theorizing developed by writers like Mosca and Pareto
 - (ii) Power elite theory: A more radical form of theorizing developed by Charles Wright Mills
 - (c) Ruling class theory of power: According to the ruling class theory, power is basically lodged with the owners and controllers of economic production (i.e., the bourgeoisie). There are two main forms of Marxism which will be considered:
 - (i) Instrumental Marxism: Associated with the work of Ralph Miliband, this type of Marxism attempts to demonstrate empirically the nature of ruling class domination in society.
 - (ii) 'Structuralist' Marxism: Associated with the work of writers like Poulantzas and Althusser, this type of Marxism concentrates more upon the structural arrangements of capitalist society.
9. Political economy refers to a specific approach to study social and political events where economics and politics are not seen as separate domains. It is based on the belief that the two disciplines have an intimate relationship and the hypothesis that this relationship unfolds in diverse ways. These assumptions constitute important explanatory and analytical frameworks within which social and political phenomena can be studied. The phrase *économie politique* (political economy) was first used in 1615 by the French scholar Antoine de Montchrétien in his book *Traité de l'économie politique* (*A Treatise on Political Economy*). Adam Smith, David Ricardo and Karl Marx were some of the exponents of the political economy approach. In contemporary scholarship, the term 'political economy' indicates the amalgamation of two different disciplines: political science and economics. However, it must be noted that the evolution of economics and politics as separate disciplines of study itself is a modern phenomenon.
10. The *Laissez Faire* doctrine was introduced in the eighteenth century, though the origin of the term remains unclear. According to popular belief, the term entered common vocabulary when Jean-Baptiste Colbert, who controlled the finances in the regime of Louis XIV of France questioned industrialists as to what the government could do to help them. The reply of the industrialists was '*laissez-nous faire*' which can be roughly translated as 'let us be' or 'leave us be'. Later, a group of French economists of the eighteenth century, popularized the term. Adam Smith, a British economist, became a major proponent of the theory. The early economic liberals called for the *laissez faire* doctrine, i.e., the freedom of the market from all kinds of political restriction and regulation. They advocated for minimal interference of the government in a market economy although *Laissez faire* doctrine did not necessarily oppose the state's provision for a few basic public goods which was necessary for the market to function properly.
11. Political sociology seeks to understand the process of interaction between government and society, decision-making authorities and conflicting social forces and interests. It is the study of interactions and linkages between

politics and society; between the political system and its social, economic and cultural environment. It is concerned with problems regarding the management of conflict, the articulation of interest and issues, and political integration and organization. The focal point in all these concerns is the independence of the interplay of sociocultural, economic and political elements.

12. The relationship between political theory and history is very close. The two are complementary to each other. The intimacy between political theory and history is well brought-out in the following couplet of Seeley, an eminent English historian, who wrote – ‘History without Political Science has no fruit, Political Science without History has no root.’ The affinity between history and political science is so close that freedom goes to the extent of saying that ‘history is past politics and politics is present history.’ Willoughby writes, ‘History gives us the third dimension of political theory’. History provides the necessary raw-materials for political theory.

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1.7 SUMMARY

- Political science is an interdisciplinary endeavour. Its tradition, approaches, and styles vary but the impact is united by a commitment to theorise, criticize and diagnose the norms, practices, and organization of political action in the past and present, in our own places and elsewhere.
- According to the Greek thinker, Aristotle, political science is the study of the state. It is also the study of the processes, principles, and structure of government and of political institutions.
- We can define political science as that branch of the social sciences that studies the state, politics, and government.
- The scope of political theory includes a study of international relations which has become significant since the first quarter of this century. It covers a wide range of subjects and includes diplomacy, international politics, international law, international organizations like the United Nations, etc.
- Political theory primarily studies the problems of the state and the government. The state is defined as a group of people organized for law within a definite territory. The state possesses four characteristics, viz., population, territory, government and sovereignty.
- The study of political theory has special importance in all countries. Its study helps us to understand the mechanism and constitutional systems of modern government.
- The principal element which divides the classical or the traditional political theory from the modern political theory is ‘science’. Philosophy dominates the classical tradition of political theory whereas science and its methodology dominate the modernist.
- George H. Sabine identifies two major periods when classical tradition of political theory flourished. The first period was during Plato and Aristotle in

NOTES

the fifth century BC and the second during the English Civil War of 1641 till the glorious revolution of 1688 in the seventeenth century when Hobbes and Locke were the two outstanding theorists who contributed to political theory.

- To study the concepts of state, government and law, Plato and Aristotle adopted the deductive and inductive approaches, respectively. Plato laid emphasis on universal values and reasoning.
- The common method of studying political phenomena is historical. Montesquieu, Burke, Seeley, Maine, Freeman and Laski are some of the eminent exponents of this method.
- Political systems and institutions can be compared with different political institutions of different countries. Different political institutions in different countries are related to one another.
- Experimental approach is usually used in the study of physical science. A scientist in the laboratory arrives at different conclusions through experiments. This approach can also be used in the study of social sciences.
- Sociological approach is comprehensive in nature because it studies society in all its aspects and then seeks to link politics with those sociological forces. Thus, this approach emphasizes that social context is necessary for the understanding and explanation of political behaviour of the members of a community.
- A new trend in the study of political theory was clearly visible in the twentieth century, particularly since the end of World War II. This was due to the increasing attention given to the study of political behaviour, not only of important persons exercising political power, but also of ordinary people.
- Post-behaviouralism was a reform movement in behaviouralism. Post-behaviouralists wanted to have a federation of social scientists to identify major issues of the day to lay down objectives in order to study alternative solutions to the problem faced by the society and press those rigorously in the political sphere.
- Recently, the idea of power has become very important in the realm of political theory. Earlier, politics was defined as the study of state and government. Today, it is defined as the study of power.
- Several approaches have been used for the proper study of politics. One of these is the structural functional approach which was developed by Gabriel Almond. This approach aims to find out which political structures perform what basic functions in the political system as a whole.
- According to Professor Snyder, the state is the prime actor in international politics and its behaviour should always be understood in terms of the objective realities of its position in the world.
- Some writers believe that national life of the people, character and their political institutions are greatly influenced by the physical and geographical conditions. The first modern writer who dwelt upon the relationship between geography and political science was Bodin. Rousseau also tried to create a

relationship between various forms of government and the climatic conditions of a particular nation.

- Political economy refers to a specific approach to study social and political events where economics and politics are not seen as separate domains. It is based on the belief that the two disciplines have an intimate relationship and the hypothesis that this relationship unfolds in diverse ways.
- Adam Smith, David Ricardo, Paul Samuelson, J.M Keynes, etc. are often regarded as leading exponents of the liberal perspective of the political economy approach. Adam Smith, the author of *Wealth of Nations*, believed that the market tended to expand spontaneously for the satisfaction of human needs – provided that the government did not interfere.
- The Marxist perspective of political economy believes that economics forms the base of society and the political system. Marxist scholars hold that except in primitive communism, every other society has been divided along the classes of ‘haves’ and ‘haves-not’.
- Political sociology lies at the intersection of the disciplines of political science and sociology. Giovanni Sartori, an acclaimed Italian political scientist, had suggested that there was an ambiguity in the term ‘political sociology’ because it could be construed as a synonym for ‘sociology of politics’.
- As the 20th century unfolded, political science acquired many a focus. It included a historical study of political thought, an analytic and comparative study of distinct polities as well as a normative approach to politics.
- Political sociology provides a new vista in political analysis. Yet it is closely linked with the issues which have been raised in political philosophy.
- It can be pointed out that on one hand, sociologists focus their attention on the sub-areas of the social system, and political scientists concentrate on the study of law, local, state and national governments, comparative government, political systems, public administration and international relations.
- Modern political sociology has existed for more than a century. According to Ronald Chilcote, the early political sociologists were interested in studying political and social life by incorporating data based on empirical research and an examination of informal institutions and processes.
- Peter Wagner has sketched a history of political sociology within the larger process of modernity. This sketch is relevant in so far as it allows us to locate the work of political sociologists within intellectual and political contexts.
- Political sociology came into its own especially since the decade of the 1960s with the publication of a few notable books that have turned out to be classics in the field.
- The affinity between history and political science is so close that freedom goes to the extent of saying that ‘history is past politics and politics is present history.’

NOTES

NOTES

- Political theory, however, goes further. It uses historical facts to discover general laws and principles; it selects, analyses and systematizes the facts of history in order to extract the permanent principles of political life.
- As political science deals with the political side of human life, it is closely related to psychology which deals with all the aspects of human behaviour.

1.8 KEY TERMS

- **Logical Positivism:** Later called logical empiricism, and both of which together are also known as neo-positivism, logical positivism was a movement in Western philosophy whose central thesis was the verification principle.
- **Political Ideology:** In social studies, a political ideology is a certain set of ethical ideals, principles, doctrines, myths or symbols of a social movement, institution, class or large group that explains how society should work and offers some political and cultural blueprint for a certain social order.
- **Cybernetics:** It is a trans-disciplinary approach for exploring regulatory systems—their structures, constraints, and possibilities. Norbert Wiener defined cybernetics in 1948 as “the scientific study of control and communication in the animal and the machine.”
- **Liberalization:** This is a process whereby a state lifts restrictions on some private individual activities. Liberalization occurs when something which used to be banned is no longer banned, or when government regulations are relaxed.
- **Behaviouralism:** This is an approach in political science that emerged in the 1930s in the United States. It represented a sharp break from previous approaches in emphasizing an objective, quantified approach to explain and predict political behaviour.
- **Classical Sociology:** This is the systematic study of human society and social life in its earliest period that led to its establishment as a scientific discipline
- **The Circulation of Elite:** This is a theory of regime change described by Italian social scientist Vilfredo Pareto.
- **Epistemology:** This is the branch of philosophy concerned with the theory of knowledge. It is the study of the nature of knowledge, justification, and the rationality of belief.
- **Laissez Faire:** This is a French phrase that translates to ‘leave it alone.’ It refers to a political ideology that rejects the practice of government intervention in an economy.

1.9 SELF-ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Write a short note on the nature and scope of political science.
2. What is the difference political ideology and political science?
3. What is the Post-Behavioural Approach to political science?
4. Enumerate on the relationship between political science and geography.

Long-Answer Questions

1. Discuss in detail the various tasks of political science.
2. Analyse the significance of the historical approach to political science.
3. Examine the various modern approaches to political science.
4. Discuss the significance of the relationship of political science with other social sciences.

1.10 FURTHER READING

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UNIT 2 STATE, SOVEREIGNTY AND CITIZENSHIP

*State, Sovereignty
and Citizenship*

NOTES

Structure

- 2.0 Introduction
- 2.1 Objectives
- 2.2 Essential Elements and Functions of a State
- 2.3 Principles of the Origin of the State and Various Theories
- 2.4 Concept of Nation and Nationality
- 2.5 Theory of Sovereignty
 - 2.5.1 Features of Sovereignty
- 2.6 Separation of Powers
- 2.7 Citizenship and Civil Society
 - 2.7.1 Citizenship
 - 2.7.2 Civil Society
- 2.8 Answers to 'Check Your Progress'
- 2.9 Summary
- 2.10 Key Terms
- 2.11 Self-Assessment Questions and Exercises
- 2.12 Further Reading

2.0 INTRODUCTION

While, the origin of the word 'state' can be traced back to Greeks, Romans and medieval period, in 16th century Machiavelli used the word '*stato*' for state. Moreover, in any political analysis, state has always been central so much so that that politics is often understood as the study of the state. Over the years, the meaning of state has transformed significantly. It is now commonly defined as a community of persons, occupying a definite territory, possessing an organized government which administrates law over all people within its jurisdiction. This shows that a state must consist of four elements: Population, territory, Government and sovereignty. The last element signifies the supremacy of the state over all individuals and associations within it and the independence of the state from external control. Absoluteness, Universality, Permanence and Indivisibility are characteristics of sovereignty.

Political philosophers through different ages have brought in various theories to explain state. According to the Force Theory, the state came into existence as a result of the forced subjection of the weak to the strong. Social Contract Theory addresses the questions of the origin of society and the authority of the state over the individual. Thomas Hobbes, John Locke and Rousseau are the exponents of Social Contract Theory.

Then there are idealist, Marxist and Liberal theories which explain the nature and the role of the state. Plato and Aristotle are considered to be founders of the idealist theory. Ideal state is the ethical institution and therefore an end itself. For Marxist thinkers, the state as an instrument of exploitation in the hands of the dominant class. However, Max Webber rejected Marx's class theory and stressed

NOTES

on the autonomy of state power. Exponent of liberal theory adopt a liberal attitude towards the rights and privileges of the citizens. It favours limited government or limited state. According to philosophers, kinship, religion, industry and war are the four forces in state building.

In addition to explaining the origin, elements, functions and theories of state and sovereignty, this unit also discusses in detail the concepts of nation and nationality, citizenship and civil society.

2.1 OBJECTIVES

After going through this unit, you will be able to:

- Understand essential elements and functions of the state
- Explain the principles of the origin of the state
- Analyse the concepts of nation and nationality
- Examine the theory of sovereignty
- Discuss the concept of citizenship

2.2 ESSENTIAL ELEMENTS AND FUNCTIONS OF A STATE

The term 'state' originates from the Latin words *stare* which means 'to stand' and *status* that means 'a standing or condition'. The term 'state' was used for the first time by the famous Italian philosopher Machiavelli in his book *El Principe*. He used the term to mean a community with a definite territory under a common ruler.

The meaning of the term 'state', however, has transformed through the years to mean government, nation or society. Following are some of the definitions given by famous political philosophers:

- **Aristotle:** 'A union of families and villages having for its end a perfect and self-sufficing life, by which we mean a happy and honourable life.'
- **MacIver:** 'The state is an association, which acting through law was promulgated by government endowed to this end with coercive power, maintains within a community, territorially demarcated the universal external conditions of social order.'
- **Woodrow Wilson:** 'A people organized for law within a definite territory.'
- **Schulz:** 'The state is the union of a living people in a collective personality under a supreme power and a definite constitution for the realization of all common purposes, especially the establishment of the legal order.'
- **Bluntschli:** 'The state is a combination or association of persons in the form of a government and governed, on a definite territory, united together into a moral, organized masculine personality.'
- **Oppenheimer:** 'State exists when a people is settled in a country under its own sovereign government.'

From these definitions, it becomes clear that when a group of people are permanently settled on a definite geographical area and form a government of their own, free from any kind of external control, then that group of people constitute a state. Thus, in the formation of states, people (population), territory, government and sovereignty play vital roles. These four elements are discussed in detail.

1. Population

In the formation of state, population is considered to be the most vital element. According to the various definitions mentioned above, it becomes clear that there will be no state in an unpopulated region. For instance, Antarctica is a territory, but without population; hence, it cannot be considered as a state. The residents of a state may be either its citizens or aliens. While fixing the number of people needed to constitute a state, various thinkers have given different opinions.

According to the ancient Greek philosopher Plato, an ideal state should comprise 5040 free citizens. Aristotle, a student of Plato and another remarkable Greek philosopher has maintained that the state should neither be too large nor too small. It should be large enough to manage itself and small enough to sustain itself. If the population is too large it will be unwieldy and uncontrollable, and if the population is too small, it will neither be self-sufficient nor large enough to be well governed. According to the 18th century French philosopher, Rousseau, there should be a proportion between the population of the state and the area of its territory. He fixed the population at 10,000 and the size of the territory to be adequate enough to nourish the inhabitants.

2. Territory

The second important element in formation of a state is territory. The importance of territory would become clearer with the example of the Jews. The Jews did not form a state until they settled in Palestine. Thus, territory is considered to be an integral part of a state. According to Bluntschli, 'As the state has its personal basis in the people, so it has its material basis in land. The people do not become a state until they have acquired a territory'. It is not essential or important that the state's territory should either be compact or contiguous. It may consist of far-flung areas.

Philosophers have not stressed on any definite size for a territory. The territorial expansion of a state should be commensurate to its population. Some political philosophers believed that territory was not an important element for state formation. According to them, the population of a state was more important. According to 20th century political philosopher, Hall, 'Abstractly, there is no reason why even a wandering tribe or society should not feel itself bound as stringently as a settled community by definite rules of conduct towards other communities.' According to Seeley, 'What holds a state together is not territory, but the principal government.'

3. Government

The third important element of a state is its government. For the formation of sovereign will, every state requires a government. It is the duty of governments to formulate laws and enforce order to maintain peace and harmony in the state. In the absence of a government, there will be lawlessness and chaos in a state.

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Government plays a crucial role in state administration, regulating all its policies and procedures and performing its common functions.

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4. Sovereignty

The supreme and independent authority over a definite territory with a defined population controlled by a valid government is termed as sovereignty. In the absence of sovereignty, a politically organized community cannot be considered a state. It is sovereignty which differentiates a state from other organizations and communities.

In a state, sovereignty has two aspects—internal and external. The internal aspect of sovereignty pronounces that the state has supreme power over all its subjects. The famous 16th century jurist and philosopher, Jean Bodin maintains ‘Sovereignty means the supreme power over citizens and subjects unrestrained by law’. The external aspect of sovereignty ascertains that the state is independent and free from ‘the control of any outside authority’. A good example of the importance of sovereignty is seen in India. Prior to 15 August 1947, even though the three other elements were present, India was not considered a state, because it had no sovereignty.

Besides these four elements, the famous thinker Burgess considers exclusiveness, comprehensiveness and permanence as important elements of a state. According to some other political philosophers, international recognition should be considered as one of the elements of the state. Most philosophers and thinkers were restrained in attaching undue importance to international recognition as they felt that only a newly formed state needs to be recognized internationally.

History is replete with evidence that the early nomads generally divided themselves into smaller groups due to excessive economic disparity and decline. The smaller groups of people established their own independent city-state. As their size grew in terms of population and economic activities, they again split and created similar types of city-states in their neighbouring territory. Thus, we find that the city-state is different from tribal state. They are different in terms of size, patriotism, exclusiveness and obsession for independence. Thus city-states are the smaller, independent units formed out of a large tribal settlement. In a political system, a city-state is considered to be an independent city which has its own sovereignty within a definite territory. As far as the origin of city-states is concerned, there is no single, common theory. Some philosophers maintain that the term city-state has its origin in 19th century England. Others maintain that the term was first given to a political form of grouping practiced in the ancient Greek civilization.

Functions of a State

Like all social institutions, the state has a set of social functions. Its primary functions maintaining law, order and stability, resolving various kinds of disputes through the legal system, providing common defence, and looking out for the welfare of the population in ways that are beyond the means of the individual, such as implementing public health measures, providing mass education and underwriting expensive medical research.

According to the political theorist and author Lean Mayher, the functions of the state are as follows:

1. Limiting internal power struggles between different classes or groups to maintain internal peace in society.
2. Bringing power to bear on other societies in defence of national interest or in expanding and building empire.
3. Controlling the population of the society so as to bind them to the pursuit of collective objectives.
4. Recognizing and implementing the interests and demands of various groups.

*State, Sovereignty
and Citizenship*

NOTES

Origin of the City State

The political fluidity and ethnic complexity of the eastern Mediterranean region had been considerably increased by the dramatic downfall of the Minoan Empire in the middle of the second millennium BC. Migrants from the north were drawn into the political and economic vacuum created by the demise of thalassocracy that for long had controlled the seas between the coasts of Egypt and Greece.

During this period, the eastern Mediterranean region was dominated by feuding tribal states that wanted to dominate the land between the Mediterranean and the Persian Gulf. It was here that the first imperial state was established. Among the migrants who moved to eastern Mediterranean were the Philistines. They eventually settled along the strip stretching between modern Tel Aviv and Gaza. They were the first to have founded the recognizable city-state as their basic form of political organization. The success of the first true city-state led to the development of several other city-states across other ancient civilizations.

Greek City-States

The Greek city-states may be taken as models of ideal city-states in the ancient world. A Greek city-state, known as a *polis*, was an administrative centre of a limited territory. The political experiments carried on in these states became the stepping stones for future civilizations. Political philosophers have laid major emphasis on the study of the political systems of these city-states. The main features of these Greek city-states were as follows:

- These were independent and self-governed. In fact, the emergence of city-states was a big experiment in self-governance.
- These led to the development of self-sufficiency and regionalism.
- These were typical examples of direct democracy.
- The emergence of city-states led to the direct participation of citizens in the functions of civil and military life.

Thus, original city-states were small in size. When the Greeks settled down in Europe, they were divided into clans and tribes. These clans and tribes settled on small pieces of land near water bodies that helped them in becoming a seafaring nation. With the passage of time, they organized themselves politically and consolidated into independent states. The city-states had independent jurisdiction over their small population. People were proud of their culture, civilization and independence and did not take kindly to outsiders. The citizens of the city-states were highly attached to their state and were conscious of their duties and

NOTES

responsibilities towards it. They would go to any extent for defending their independence. In a city-state, every citizen was a warrior, judge and member of the ruling assembly.

Each city-state had its own walled town, own Gods, own traditions, customs and their own government. Athens, Sparta, Corinth, Argos and Thebes were a few famous ancient city-states in Greece. Though the city-states experimented with various forms of government, monarchy was the order of the day. They started with monarchy which gave way to aristocracy, which, in turn, gave way to polity. The city-states finally adopted democracy as the form of government. However, since every member of society was a part of the active political system, democracy turned into mobocracy, a government controlled by a mob. When democracy failed to survive the test of time, the city-states went back to monarchy again. In spite of a high degree of political excellence achieved by the Greek city-states, these also suffered many drawbacks.

The citizens did not think about expanding their territory because they had a deep conviction that small states were happy and efficient. The size of these city-states was deliberately small with a small number of people so that people could directly participate in government functions. Members of the city-states were concerned for its development and took active interest in formulating developmental policies and rules. In the Greek city-states, slavery was at its peak. The Greeks considered slaves to be an important part of their civilized society.

The city-states lacked certain qualities like patience, discipline, tolerance and humanity. They were arrogant, ego-centric and pleasure-loving. These attitudes led to constant in-fighting between sections of society. The ancient Greek philosophers and thinkers were concerned with this lack of humane virtues in the citizens. They warned the citizens that such indiscipline would soon lead to their downfall once a united force attacked them. With the rise of the Romans and Macedonians in the Ancient Age, the city-state system disintegrated.

Imperial State

An imperial state existed as part of an empire. An empire was deemed to be a group of countries under the direct or indirect control of a foreign power or government, which shaped their political, economic and cultural development. Here, the entire population did not have right of voting but only some special officials were chosen for adult suffrage in the state. Rulers held various important privileges and rights. They were allowed to formulate laws for their states without imperial interventions. They were also permitted to exercise certain regal powers, including the power to gather taxes, a monopoly over gold and silver mines and the power to issue money. In addition, they were permitted to formulate treaties and enter into alliances with other imperial states and with foreign nations. Thus, we can say that an imperial state was an autonomous state with the supreme authority vested in a foreign power. Their imperialistic power exerted control and influence over foreign entities either through military force or through political policies and economic pressure. Imperialists believed that their political, cultural and economic superiority justified control over other states, and such control was for the greater good of mankind. An imperial state was either ecclesiastic or secular.

An ecclesiastic state is led by religious leaders like the Archbishop, Bishop, etc., while the secular state was led by imperial princes like the Grand Duke, Duke, Counts, etc.

*State, Sovereignty
and Citizenship*

Theocratic State

Theocracy may be described as the 'rule of the deity'. The word 'theocracy' has been derived from the Greek word *theokratia* composed of two smaller words, *theos* which may be defined as 'god' and *kratein* which means 'to rule'. Thus, theocracy is a form of government in which all political authorities and responsibilities are vested in the hands of religious leaders or a theologically trained elite group. In other words, a theocratic state is one where priestly order directly administers the state according to what it believes are divine law. In such a state, the religious and political orders are identical. The main objective of a theocracy is to uphold divine law through its policies and practices. It recognizes no legal separation of Church and state. Flavius Josephus, a Jewish historian, was the first to coin the term 'theocracy' while explaining the organization and political system of the Jewish commonwealth between the period c. 37–100 CE. Josephus discussed theocracy vis-à-vis other forms of government like monarchy, oligarchy and republic. According to him, 'Our legislature had no regard to any of these forms, but he ordained our government to be what, by a strained expression, may be termed a theocracy, by ascribing the authority and power to God, and by persuading all the people to have a regard to him, as the author of all good things.'

According to the Shorter Oxford English Dictionary on Historical Principals, 'Theocracy is a system of government by sacerdotal order, claiming divine commission. It is a state in which priests exercise political power, or more precisely, a state ruled by ministers.' The concept of the theocratic state is found to be present since historical times. It existed in ancient Egypt where the king represented a deity. Indian American civilizations, such as the Toltec, Natchez, Maya and Aztecs were prominent examples of Theocratic States. Examples of theocratic states were also found in Muslim empires and in Europe.

There are two forms of theocratic states; in the first, power was shared by secular government leaders devoted to the principles of the dominant religion. English politics, for example, was determined by the Anglican Church. When Puritans migrated to New England, a theocratic government was founded during the 1630s. In fact, for the Puritans, theocracy was considered the best form of government in a Christian commonwealth because only such states could acknowledge Christ as the sole ruler of the people. They believe that their aim is not to vest their ministers with political powers; but that they should govern according to God's word and will.

The other form of theocratic state is one where power is shared by a secular ruler, such as king, or by a religious leader, such as Pope or an Ayatollah. In modern times, the Islamic Republic of Iran, as Ayatollah Khomeini aspired to run it, or the State of Afghanistan run by the Taliban (1996–2001) provide the best example of a theocratic state. The imams and other political leaders are the central legal authority in such states with all powers vested in them. Such fundamentalist regimes help in developing society as per the Islamic religion or sharia.

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NOTES

If the Indian State was to be run by an elite class of Brahmins in accordance with *the Dharmashastras*, then India would also be a theocratic state. Such a theocratic state must be distinguished from a state that establishes the practice of a particular religion. In such a state, the religion is granted formal or legal recognition. In fact, there is an official alliance between the state and the religion. However, a priestly order does not directly govern such states. In case it does, religious institutions are distinct from political institutions. The two institutions perform different functions. For instance, the Church or the religious order is meant to help people follow the path of humanity.

The political order exists in order to maintain peace and order, primarily in temporal matters. This disconnection between religious and political institutions is also referred to in some contexts as Church–state separation. This goes hand in hand with an overall ideological connection. For example, in the last instance, both sets of institutions share common goals. The state is subordinate to religious ends even though it has its own function, internal norms and power structure. Because of this first order connection of the ultimate goals, there is an automatic third-order connection at the level of law and policy. In such states, religion is a natural object of law and policy. For instance, the revenue collected by the state may be available for religious purposes. The state may enact laws compelling individuals to congregate for religious purposes. The disintegration of the theocratic state began with the downfall of the Roman Empire from the 17th century onwards.

Check Your Progress

1. What is the origin of the term ‘state’?
2. How did Aristotle and McIver define state?
3. What are the four elements of state?
4. List the functions of the state as enunciated by Lean Mayher.
5. What were the main features of the Greek city-states?

2.3 PRINCIPLES OF THE ORIGIN OF THE STATE AND VARIOUS THEORIES

While discussing various theories of the state, we consider the state as a whole without distinguishing its two aspects (law and politics). The conception of the state, its basis, its principal elements (the people, the country), its rise, its end or aim, the chief forms of its constitution, the definition and the division of sovereignty (*Statsgewalt*) form the subjects of the theory of the state in general, and this in turn is at the base of the two special political sciences: public law and politics. There are various theories of the state, they are discussed in detail in the following sections.

I. Divine Origin of State

The theory of the divine origin of the state is one of the oldest theories in political science. According to it, the State was created by God and governed by His deputy or Vicegerent. The ruler of the state was a divinely appointed agent and he

was responsible for his actions to God alone. As the ruler was the deputy of God, obedience to him was held to be a religious duty and resistance a sin. Thus, according to this theory, the ruler of the state was above the people as well as law. There is a lot of historical evidence to suggest that the earliest states were based on this conception of the state. The ruler was divinely ordained who was all powerful and considered the representative of god on earth.

II. Force Theory

The force theory of the state stresses the origin of the State in the subordination of the weak to the strong. The theory suggests that man, apart from being a social animal is bellicose by nature. There is also a lust for power in him. Both these desires prompt him to exhibit his strength and in the early stages of the development of mankind a person physically stronger than the rest captured and enslaved the weak. He collected in this way a band of followers, fought with others, and subjugated the weak. Having increased the number of his followers, over whom he exercised undisputed authority, he became a tribal chief. A clan fought against a clan and a tribe against a tribe. The, powerful conquered the weak and this process of conquest and domination continued till the victorious tribe secured control over a definite territory of a considerable size under the sway of its tribal chief, who proclaimed himself the King. The theory argues that the State is primarily the result of forcible subjugation through long continued warfare, among primitive groups. At present, this theory is not considered to be accurate by political theorists.

III. Social Contract Theory

1. Hobbes' Theory

(a) Laws of Nature and the Covenants

In Hobbes' opinion, it is natural law which prompts men to abandon the state of nature and to establish law and government. Natural law consists of the following rules of self-preservation: (a) everybody should aim at securing peace; (b) man should be willing, in concert with others, to give up their natural rights; (c) man should keep their contracts; (d) man should show gratitude or return beneficence for beneficence. Thus, the requirements of self-preservation itself created a sense of duty in the mind of men which prompted them to form the state. Hobbes says there is one thing that all men fear and that is death since avoiding death is an absolute condition of satisfying their other, more various desires, peace, which renders premature deaths less likely, must be sought by all rational men: 'all men agree on this, that peace is good, and therefore also the way, or means of peace'.

According to Hobbes, in a state of nature, individuals enjoy complete liberty, including a natural right to everything, even to one another's body. The natural law dictates reason. It is not synonymous with 'laws' or 'commands'. However, subsequently he argued that the law of nature was also a proper law as they were 'delivered in the word of God'. He called it counsel of prudence. He differs with *Stoics* on the meaning of natural law. Unlike *Stoics*, natural laws to Hobbes do not mean internal justice, perfect morality or standard to judge existing laws. It also does not imply the existence of common good, for they merely created the common conditions which were necessary to fulfil each individual good. These laws were

NOTES

NOTES

immutable. To him, there were nineteen natural laws which he called *Article of Peace*.

There were three important natural laws among them such as: (a) seek peace and follow it; (b) abandon the natural rights to things; and (c) that individuals must honour their contracts. The other laws of nature demonstrate how peace and justice are to be achieved in society. The laws of nature may be summarized by the precept: 'Act towards others in a manner in which you would want them to act towards you.' However, this precept is presented in a negative form by Hobbes, who argues that, the precept: 'Do not act towards others in a manner in which you would not want them to act towards you' is the most intelligible method of evaluating moral conduct. He argued that the laws of nature are rules of reason which are contrary to the natural instincts of human beings. The laws of nature to him is the theorem of peace. In his opinion 'a law of nature is a precept of general rule, found out by reason, by which a man is forbidden to do, that, which is destructive of his life or take away the means of preserving the same; and to omit that by which he thinks it may be preserved. Law and rights, differ as much as obligation and liberty, which in one and the same matter, are inconsistent.

Hobbes said that natural law may be revealed by civil law, and civil law may be revealed by natural law. However, natural and civil law may differ in whether or not they may be changed by a sovereign. Unlike civil law, natural law is immutable and is the eternal law of God. Natural law may be known by reasoning, but judgments concerning civil law may depend on both the ability to reason and the ability to interpret natural law.

Civil law, according to Hobbes is written, and that natural law is unwritten. He also contends that ignorance of the laws of nature is not an excuse for disobeying them, because these laws may be known by anyone who is capable of clear reasoning, and because the laws of nature may be summarized by the precept: 'Do not act towards others in a manner in which you would not want them to act towards you'. He also argued that ignorance of civil law may be an excuse for breaking a law only if the law is unclear or equivocal. In other cases, in which a law is clear and unequivocal, ignorance of the law is not an excuse for breaking the law. He declared that natural laws are also moral laws. These laws include: equity, justice, mercy, humility, and the other moral virtues. These moral laws are also known as 'divine laws'. The laws of the kingdom of God are divine laws, which may be known by reason, by revelation, and by faith. According to him, the kingdom of God is a commonwealth where God is Sovereign, and where God reigns eternally. Obedience to divine law and faith in God are all that is necessary to be saved from pain and sorrow, from sin and death. Thus, an eternally perfect and spiritual commonwealth may be found in the kingdom of God.

The law of nature for Hobbes meant a set of rules according to which an ideally reasonable person would pursue his own advantage, if he was perfectly conscious of all the circumstances in which he was acting and was quite unswayed by momentary impulse and prejudice. Since he assumes that in the large, men really do act in this way, the law of nature states hypothetical conditions upon which the fundamental trades of human beings allow a stable government to find it. They do not state values but they determine casually and rationally what can be a given value in legal and moral systems.

NOTES

Absolute authority in Hobbes' account is followed by a set of limits on the obligation of subjects to obey and on the proper use of law and punishment. These limits are new in *Leviathan*: they do not appear in Hobbes' earlier works, *The Elements* and *De Cive*. Although certain natural rights are understood as non-renounceable in these works, the idea is not developed into anything corresponding to the 'true Liberty' of *Leviathan*. Nor is there anything in these works suggesting limits to the proper exercise of authority, since a great deal of Part Two of *Leviathan* Chapters 21 through 28 is either absent in the earlier works or else discussed only obliquely. The discussion of law in *Leviathan* especially as regards the limits of obligation and the exercise of authority is a significant revision in Hobbes' political theory.

As Hobbes says, it is wrong to punish the innocent because this violates the laws of nature, those which require equity and which forbid ingratitude and revenge. Hobbes does not specify natural laws for any of the other limits he mentions but it is clear that the same three laws of nature would forbid the sovereign from outlawing or punishing the exercise of true liberties in all cases. Such acts are committed 'without injustice,' with no violation of the obligation owed to the law and by subjects who are fully law-abiding; to outlaw or punish such acts would be iniquitous, ungrateful and vengeful. Thus, the sovereign has a duty to respect each subject's natural rights.

Hobbes talks of covenant which individuals opted for to emerge out of state of nature. Now, you might want to ask why and how individual of the state of nature wanted to enter into a covenant. Since the first law of nature requires individuals to seek peace, the only way to attain it was through a covenant leading to an establishment of a state. Individuals, thus, agree to enter into a covenant and surrender all their powers through a contract to a third party who was not a party to the contract. This third party which became the sovereign, received all the powers surrendered by the individuals. Thus, 'the commonwealth' was constituted when the multitude of individuals were united in one person, when every person set to the other, 'I authorize and give up my right of governing myself to this man, or this assembly of men, on this condition, that thou give up thy right to him, and authorize all his actions in like manner'.

(b) Covenants and the Sovereign

As discussed earlier, individuals renounced the state of nature and enter into a covenant out of which an independent sovereign power emerged. The sovereign power was not a party to the contract but he was a beneficiary of that. The third party, the sovereign which was a consequence of the contract was an artificial person distinct from the natural individual. Individuals gave up all their natural rights to all the things through a common consent to a person or body of persons. Thus, they confer all rights on the sovereign for enforcing the contract by using force. They authorize the sovereign all their action as their own. The sovereign had no obligation. The sovereign was not the common will of all but it was only a substitute for conflicting individual will, as that would guarantee unity among multitude within a common wealth. Hobbes said that the contract created an artefact in the sovereign authority whereby each individual gave up his right of governing himself on the condition that others did likewise. All the individuals were guaranteed

NOTES

basic equality with every other member by consenting to a set of rules. This implies no one possessed more rights than other. The sovereign must treat all the individuals equally in matter of justice and laving taxes.

According to Hobbes, justice means equality in treatment and equality in rights. He also equated justice with fairness which means treating others as one would expect to be treated. The Sovereign was bestowed with all the powers. The contract was made by each with the other. The contract made by the individuals was a social and political contract. This contract created a civil society and political authority. According to Hobbes, a commonwealth or sovereign can be established by two methods: *acquisition*, and *institution*. When individuals get threatened into some mission, the method of acquisition is adopted whereas when individuals of their own impulse united, agreeing to transfer all their natural powers through a contract to a third party of one, few or many, the method of institution is adopted. Both the methods are contractual.

Thus, the social contract brings a sovereign into existence who enjoys supreme and absolute authority. Hobbes visualizes sovereign power as undivided, unlimited, inalienable and permanent. He created unlimited political obligation. Both the state and government was created simultaneously by the contract. Everywhere, individual in the society, except the sovereign himself became his subjects. As earlier stated, all natural rights of man are surrendered to the sovereign ones for all. The individual cannot withdraw the power conferred on the sovereign, because if they chose to revive their natural rights, they will have to go back into the state of nature which is characterized by anarchy and insecurity. This is the reason why Hobbes did not grant the people right to revolt. He condemned the Civil War of 1642, because of this reason.

The contract made by the individuals was perpetual and irrevocable. It means individuals cannot change the sovereign. By creating a civil society, the individuals limited their sovereignty voluntarily. Hobbes preferred a monarch to be sovereign. He preferred monarchy against aristocracy or democracy for the following reasons: (i) The self-indulgence of one compared to that of many would be cheaper; (ii) The existence of an identity of interest between the king and his subjects; and (iii) less intrigues and plots, which were normally due to personal ambitions and envy of members of the ruling elite. Since the state and society came into existence together through a single contract, repudiation of the contract would result not only in an overthrow of the government but also a disintegration of society itself. This is the reason why Hobbes made the power of the sovereign beyond any question. In a way, thus, he justifies an absolute government or monarchy. However, absolute power enjoyed by sovereign was not derived from the notion of kings. It was essentially derived through a contract based on individual consent.

Hobbes made the sovereign (*Leviathan*) the soul source and interpreter of laws. He alone is the interpreter of divine and natural laws. Sovereign of Hobbes was not bound by divine and natural laws. Even the sovereign is not subject to civil laws. Like Jeremy Bentham and John Austin, Hobbes defined the laws as a command of the sovereign. Since a law was command of the sovereign it could be wrong, unjust or immoral. The sovereign administers as well as enforces the law.

His theory of sovereignty was a forerunner of Austin's monistic theory of sovereignty. As individuals surrendered all their powers, sovereign gained absolute power. He talked about absolute sovereign power only because of his through-going individualism. The absolute sovereign represented the individuals, and was constituted by them for providing order and security, and averting the worst of all evils, civil war. He did not recognize any pre-political order of society based on kinship, religion and other associations, which normally contributed to sociability in the individual. He was quite unsympathetic towards customs, tradition and other moralities that existed outside the purview of the sovereign law. On this basis, he proclaimed that law was not derived from the social institutions of people but was the command of the sovereign. He ruled out private beliefs and divisions and multiplicity of authority which is antithetical to a stable political order. In his opinion, authority has to be unitary. He placed sovereign above the law.

In *Leviathan*, sovereign of Hobbes has some rights and duties. These include: to govern and conduct policy, protect civil society from dissolution, limit or restrict freedom of expression, opinions and doctrines, control subject's property, reserve all conflicts through the right of judicature, make war and peace with other nations, confer owners and privileges, determine artificial religion and the form of its worship and prevent excess to subversive literature, etc. The will of the sovereign is absolute and the individual has no appeal against it. Hobbes visualized a unified sovereign authority. He did not give the subjects of the right to change the form of the government. The contact was not between the individual and the sovereign. It was among the individuals themselves. Thus, as stated earlier elsewhere sovereign was not party to the contract. Hence, the individuals cannot be freed from the sovereign's authority rather the individuals have a duty and obligation to obey the sovereign.

Hobbes' sovereign was characterized by the position rather than the person who commanded it. He provided a comprehensive theory of political absolutism and reconciled legitimate political authority with conflicting yet justified human demands. He also stipulated that for ensuring civil peace, lesser association could exist only with the permission of the sovereign. He gave a subordinated status of the church against the sovereign. The sovereign enunciated by Hobbes stood outside the society. It was only fear and interest that supplied the reason for the existence of sovereign but the authorized sovereign had some limits. It is bound by the law of nature to ensure peace and safety. There were some duties to be performed by the sovereign towards the subject. One of the foremost duties was to protect the subject from rebellion. To achieve this Hobbes has seven injunctions: (a) patriarchic commitment to the status quo; (b) to resist demagogues; (c) to respect the established government; (d) the specific need for civil education; (e) the importance of decline that was inculcated in the home; (f) the law and order, to abstain from violence, private revenge, disowner to person and violation of property; (g) right attitudes would bring about the right behaviour.

Hobbes' account of authority in *Leviathan*—in contrast to his earlier works, has a two-tiered structure, one in which absolute authority is inscribed with recognizable limits upon its proper use. As a consequence of this absolute authority, the sovereign could declare any exercise of 'true liberty' illegal and punishable. But sovereigns might by the same authority cede certain essential rights of

NOTES

NOTES

sovereignty or declare that the moon is made out of green cheese. These would all have the same legal force; they are all equally authoritative but equally improper. As a result, a command which forbids the exercise of 'true liberty' could be known to be authoritative only in terms which implied that it could not be a proper law. Any 'punishment' on this basis would instead be an act of hostility—a recognizable misuse or abuse of the sovereign's proper authority.

He placed great emphasis on the fact that the sovereign is never obligated to subjects because as a non-party to the social contract, the sovereign is understood to have remained in the state of nature, i.e., the sovereign's authority is derived from being a third party beneficiary of the social contract. We may perhaps understand Hobbes to mean that the sovereign's authority to use coercive power to frame the will of subjects arises in the amoral context of the state of nature, a context which persists even under the social contract and becomes manifest in the various instances where he specifies that the subject's inalienable right of defence limits the sovereign's authority.

In the case of the sovereign's right to punish, he is quite clear that this right derives from the right of nature which only the sovereign retains as a non-party to the social contract. Political authority is justified by the social contract because subjects create civil society by laying down or transferring the right of nature in the proprietary sense. But, since subjects can never be understood to transfer, or lay down their right of self-defence, in cases of capital punishment, any obligations arising from the social contract which would require subjects to forbear acts of resistance are suspended, i.e., the condemned subject and sovereign are understood to be in a pre-civic amoral relationship.

2. Locke's Theory of Social Contract and Civil Society

Locke proceeded to derive civil society from the consent of its member. The consent, by which each person agrees with other to form a body politic, obligates him to submit to the majority. The compulsion to constitute a civil society was to protect and preserve freedom and to enlarge it. The state of nature was one of liberty and equality but it was also one where peace was not secured being constantly upset by the 'corruption and viciousness of degenerate men'. It led to three important wants: The want of an established, settled, known law; the want of a known and indifferent judge; and the want of an executive power to enforce just decisions. Through a contract, individuals consented to submit to the majority rule and organized themselves as a community or civil society. Locke says men being by nature all free, equal and independent, none can be put out of this estate (state of nature) and subjected to political power of another without his own consent. This is the reason why the problem was to form a civil society by common consent of all men and transfer their right of punishing the violators of natural law to an independent and impartial authority.

After the formation of civil society, this common consent becomes the consent of the majority. As a result of the contract, all men unanimously agree to incorporate themselves in one body and conduct their affairs by opinion of the majority. They surrender their powers partially, namely the three specific rights that constituted the natural right to enforce the laws of nature. At first, individuals establish a civil society, and then they establish a government to act as a judge in

the nature of a 'fiduciary power' for promoting certain ends. Thus, Locke envisioned two contracts, one by which the civil society is established and the other which creates the government.

According to Jeremy Waldron, contract and consent have three stages in Locke's description: First, man must agree unanimously to come together as a community and pull their natural powers so that they can act together to uphold one another's right; second, the members of this community must agree by a majority vote to set up legislative and other institutions; third, the owners of property in a society must agree, either personally or through their representatives to pay the taxes that are imposed on the people.

Locke's depiction of several stages of contract was a clear departure from Hobbes's depiction. In Hobbes theory, state and society were formed together but in Locke's theory, they were created in different steps. In the first stage, civil society was found and in the second stage, only government was established. This is the reason why, when a government is dissolved society remains intact. By drawing a distinction between the process of formation of society and the state, Locke places the government under the control of society, so there is no scope for absolutism unlike Hobbes.

The relationship between society and the government is expressed by the idea of trust because it obviates making the government a party to the contract and giving it an independent status and authority. Within the government, the legislative power was supreme, since it was the representation of the people, having the power to make laws. There was also an executive which concedes to usually one person who has the power to enforce the law. According to Locke, the executive which included the judicial power had to be always in session. It enjoyed prerogatives, watched subordinates and was accountable to the legislature. He also advocated for the separation of power between executive and legislature. Besides the legislature and executive, there was a third wing of the government, which is called the federative power. It means the power to make treaties and conduct external relation.

Unlike Hobbes, he created a limited sovereign and rules out political absolutism. He advocated that a good state is the one which existed for the people who formed it and not vice versa. The government has to be based on the consent of the people subject to the constitution and the rule of law. Government will act as a trustee of the people's right. Powers of the government are derived from the people. Natural laws and individual rights act as a limitation on the government's power. He also advocated that supreme power resided in the people, and the people as a community had the inalienable right to institute and dismiss a government. He justified resistance to unjust political power. After overthrowing a government, an individual can establish a new one.

3. Jean Jacques Rousseau's Theory

Jean Jacques Rousseau is considered as the greatest thinker that France has ever produced. Not only in France but in the entire history of political theory, he was the most exciting and most provocative. By the very magic of his style no other political thinker could come anywhere near him. He was a genius and a keen moralist who was ruthless in his criticism of 18th century French society. He was

NOTES

NOTES

one of the most controversial thinkers, as evident from the conflicting, contradictory and often diametrically opposite interpretations that existed of the nature and importance of his ideas. He was a philosopher, writer and composer of 18th century *Romanticism*. He was born in Geneva, Switzerland on 28 June 1712. During that period, Geneva was a city-state and a protestant associate of the Swiss Confederacy. He rose to fame with his prize winning essay *Discourse on the Science and Arts*. In this essay, he rejected progress based on the Arts and Sciences, as he did not elevate the moral standards of human beings. He traced the rise of inequality and the consequent fall of the human individual. He wrote a novel namely *La Nouvelle Heloise* in 1761. In this novel, the themes of his early essays reappeared, and his preference for nature and the simple pleasures of country life became evident. It is only after his death that his *Confessions* was published. He accomplished many things during his lifetime which included writing on music, politics and education. His fame primarily rested on his writings. He also composed some operas. He remained mainstay of the Paris opera for years to come. He also wrote a dictionary of music and devised a new system of music notation. He wrote *The Social Contract*, his most famous book in Paris. He died in 1778.

(a) Revolt against Reason

More than most men, Rousseau projected the contradiction and mal-adjustments of his own nature upon the society about him and sought an anodyne offer his own painful sensitivity. For this purpose, he adopted the familiar contrast between natural and the actual current in all the appeals to reason. But he did not appeal to reason. On the contrary, he termed the contrast into an attack upon reason. Against intelligence, the growth of knowledge, and the progress of science, which the enlightened believes to be the only hope of civilization, he said amiable and benevolent sentiments, the good. He criticized the idea of enlightenment since his early period.

In his prize winning essay *Discourses on the Science and Art*, he depicted the drawbacks of science and arts including its impact on morality. According to him, science had brought moral degradation among men. He criticized the idea that science has brought progress. He termed it as an illusion. It was not progress and in fact was regression. The advancement of science and modern civilization has made individual life unhappy. It had made him less virtuous. He advocated for a simple society. He said virtue can be prevalent only in a simple society.

In his criticism of modern advancement society, he alleged that man has been growing corrupt day by day. With the advancement of the civilizations, man has become corrupt. He advocated that the abundance in the world has brought more evil than good. According to him, luxury is the fertile source of corruption. It not only negatively impacts man but also undermines the nations. He cited the example of Athens. It is because of its luxury, wealth, science and elegance that brought vices which led to its downfall in the long run. He also cited the example of Rome. As long as Rome was simple and devoid of luxury, it had respect all over the empire but the time it embraced luxury and wealth it began to decline. He severely criticized the advancement of art and science. He argued that the minds

of human beings have been corrupted in proportion as the arts and science have advanced through the ages.

To Rousseau the much-vaunted politeness, the glory of civilized refinement was a 'uniform perfidious veil' under which he saw jealousy, suspicion, fear, wildness, reverse, fraud and hate. Science brought intelligence and knowledge revolution. The supporter of enlightenment eulogized it. But he against this notion gave preference to amiable and benevolent sentiments, the reverence and goodwill. He preferred sentiments and conscience to reason. He argued intelligence was dangerous because it undermined reverence. He termed science as destructive because it undermined faith. Reason was bad to him because it undermined morality. For Rousseau, morality is nothing other than the ability to see oneself through the eyes of others and act appropriately. This is a fascinating description of morality. Learning to live with others is the essence of morality. Humans have the capacity to act morally but it is not natural in the sense of being fully fixed in all humans from birth. It is capacity that has to be developed, educated and nurtured.

(b) Critique of Civil Society

Rousseau maintained that liberty in the state of nature was a great boon. However, with the increasing population and the depletion of the treasures of nature it was no longer possible for man to enjoy natural liberty as before. Thus, in the changed circumstances, the natural liberty was threatened when the forces of nature no longer sustains them, they have to consolidate their own force to save themselves. They, therefore, create a civil society to maintain their freedom. According to him, vanity among human beings and difference in property and possessions led to inequality. The rich became richer and poor became poorer. Laws were enacted to protect property rights. Civil society degenerated into a state of war, extreme inequality, ostentation, cunning, ambition and enslavement. Through laws and other political devices, the rich were able to corner power and dominate, while the poor descended into slavery. Civilized man was born a slave and died as one.

In the state of nature, man was a 'noble savage'. He lived in isolation and had limited desires. According to him, it was neither a condition of plenty nor scarcity. There was no conflict for cooperative living. Individuals had no language or knowledge. They had no idea of any art or science. He argued in this type of situation that man was neither happy nor unhappy. He had no conception of just and unjust, vice and virtue. He was not guided by reason, but guided by self-love or the instinct of self-preservation. This state of nature was not perennial. Gradually individuals discovered the utility and usefulness of labour. Man began to collaborate and created a provisional order. It led to a patriarchal stage when man began to build shelter for themselves and families stayed together. He began to use language and reason. The division of labour came into being. It led him from the subsistence economy to an economy of productive development. Individuals learned metallurgy and agriculture. It gave him iron and corn and made him civilized. However, it ruined humanity and morality. The growth of agriculture and division of labour created the idea of property. Rousseau famously stated that 'the first man who after fencing of a piece of land, took it upon himself to say this belongs to me and found people simple minded enough to believe was the true founder of civil society'.

NOTES

NOTES

Man's talents and skills created inequality among the people. The longing for possession and wealth led to enslavement of some people and led to conflict and competition. It is this conflict, which led a demand for a system of law to ensure order and peace. Especially the rich people demanded it to save their possession and wealth. Thus, the social contract envisioned by the rich was to maintain their status and position. As a result of this demand and social contract, the civil society and law was originated. It brought ban to the poor and boon to the rich. It destroyed natural liberty.

According to Rousseau, the emergence of civil society degenerated human society. He argued that the natural man lost his ferocity once he began to live in society. As a result, he became weak. He lost natural independence as his desires were expanded and comforts became a necessity. He became dependent which created problems in human relationship as they became vain and contemptuous. Their vanity brought various social ills. Vanity overpowered man and guided his actions which degenerated individual's mind and the society. He also severely criticized enlightenment which believes in human progress of reason through science and technology. It brought down moral improvement which thereby led to human unhappiness in his book *Emile*. He stated that though God has made all things good, it was man who meddled with them and made them evil.

It is in his *The Second Discourse on the Origins of Inequality* that he developed his views which expressed earlier in his prize-winning essay *Discourses on the Science and Arts*. In this work, he narrated the fall of man. He highlighted how nature got twisted, warped and corrupted with the emergence of civil society. The civil society was necessitated by the rise of the institution of private property and the need to defend it by institutionalizing social inequality through law. Thus, he underlined the difference of 'natural man' and 'civilized man'. He appreciated the natural man and criticized severely the civilized man who was created as a result of the emergence of civil society.

(c) General Will

The creation of popular sovereignty by vesting it in the General Will was a unique contribution of Rousseau which led the foundation of modern democracy. The concept of General Will is the central theme of Rousseau's doctrine. It is distinguished from other types of human will. According to him, the General Will is always right, that is the will that one has as a citizen when one thinks of the common good and not of one's own particular will as a private person. Many later thinkers have used the distinction between actual will and real will in order to explicate Rousseau's distinction between particular will and General Will. The existence of these two types of will is a source of conflict within the minds of men. Actual will is motivated by his immediate, selfish interest whereas real will is motivated by his ultimate collective interest. Actual will is concerned with his ordinary self, whereas real will with his better self. The satisfaction of his desire is the aim of his actual will but real will induces him to acts of reason. The characteristic of actual will can be termed as transient, unstable and inconsistent whereas real will is stable, constant, consistent and determinant. The actual will is detrimental to human freedom. Thus, to attain freedom, the individuals should follow the direction of the real will. His real freedom is reflected by the real will. The real will is concerned with the interest

of the community and subordinates his self-interest. The problem is that individuals at times may not be able to discriminate between his actual will and real will. This problem can be eliminated by the transition from the 'particular' to 'general' will. The general will is the harmonization of the interest of each with those of all. However, it is not a 'compromise' or the lowest common factor. It is an expression of the highest in every man. It reflects the true spirit of citizenship. Unlike particular will, the General Will always guides individual through a proper way.

Rousseau believed a unified collective view would emerge for two reasons. First of all, he envisaged a relatively simple society of farmers and artisans with no rich or poor (though he railed against property, he never advocated its abolition), a situation that it is the duty of the sovereign to maintain. All are equal and consequently there would be few conflicts and what is good for society would be relatively simple, a situation in which it would be easy inculcate love of the community. According to him, the General Will would be the source of all laws. The human being would be truly free if he followed the dictates of the law. Civil liberty meant freedom from the assault of others, from following the arbitrary will of another person, and obedience to one's notion of liberty.

Of course, if one had to be free then one had to obey one's own will which meant that one's will, and the laws of a state would have to be in harmony. The free-state would be a consensual and participatory democracy. He categorically said that the General Will could emerge only in an assembly of equal law makers. It could not be alienated. The 'executive will' could not be the 'general will'. Only the legislative will, which was sovereign, could be the General Will. For Rousseau, it was the direct democracy that embodied the legislative will. The individual participated in the articulation of the General Will, for citizenship was the highest that one could aspire for. The General Will could not be the will of the majority. In fact, it did not represent the will of all; it was the difference between the sum of judgments about the common good and the more aggregate of personal fancies and individual desires. It would always aim and promote the general interest and will of its members.

According to Rousseau, submission to the General Will creates freedom. He spoke of a total surrender but not to a third party. Unlike Hobbes, he vested sovereign power in the political community. He created a sovereign which was inalienable and indivisible. But it was not vested in a man or a group of men, rather it was vested in a body politic. The people cannot give away, or transfer, to any person or body their ultimate right of self-government, of deciding their own destiny. Thus, he expounded the concept of popular sovereignty. His concept of inalienable and indivisible sovereignty does not permit people to transfer their legislative function, the supreme authority of the state to the organs of government unlike Locke. So far as the judicial and executive functions are concerned, they have to be exercised by special organs of the government, however, they are completely subordinate to the sovereign people. Sovereign power cannot be represented. He maintained that representative assemblies ignore the interest of the community and are often concerned with their particular interest. This is the reason why he advocated direct democracy. Sovereignty originated with the people and stayed with them. For him, government and sovereign were different. According to him government was

NOTES

NOTES

the agent of the General Will which is vested in the community. Sovereign to him was the people, constituted as a political community through social contract.

It would be pertinent to mention here that Rousseau, in his book *The Discourse on Political Economy*, first coined the term General Will. He points out in the book that General Will tends always to the preservation and welfare of the whole end of every part, and is the source of the laws, constitute for all the members of the state in relation to one another and to it, the rule of what is just and unjust. It is an outcome of the moral attitude in the heart of citizens to act justly. Here an individual sacrifices his private interest and embraces the public interest. The General Will is emerged from all and applied to all. It comprises rational will of all the members of the community. He pointed out that if someone refuses to obey the General Will he can be compelled to do so. He famously advocated that man can be forced to be free. When a man is being compelled to obey the General Will, it essentially means that he is being asked to follow his own best interest because it is by obeying the General Will that he can express his moral freedom. Obedience to the General Will is not the corrosion of their liberty because obedience to the General Will essentially implies obedience to part of their own selves.

In a nutshell, Rousseau advocated a policy that would aim for the general rather than the particular interest of its members. The freedom that the noble savage enjoyed in the state of nature would be possible under the right kind of society governed by the 'General Will'. Society and the individual, in his theory were complementary.

IV. Evolutionary Theory

The Evolutionary Theory of the state is now considered the most widely accepted theory on the origin of the state. According to it, the state is neither the work of god, nor the mere extension of the family. Rather, it is the product of growth, a slow and steady evolution extending over a long period of time and ultimately shaping itself into the complex structure of a modern state. According to the evolutionary theory, there are basically five factors responsible for the evolution of the state. These are discussed below:

- (i) **Kinship:** This is the most vital factor on the origin of the state and was based upon blood relationship. Family constituted the first connection in the process of the evolution of the state with the expansion of the family arose new families and the multiplication of families led to the formation of clans and tribes.
- (ii) **Religion:** The second connection that helped unify society was religion. The worship of a common ancestor and common goods created a sense of social solidarity.
- (iii) **Force:** Force also played a vital part in the origin of a state. Force helped create and expand empires.
- (iv) **Property and Defence:** These also played a critical role in state formation, especially amongst nomads and tribal. According to Laski, the need to protect property ultimately compelled the ancient people to establish the state.

- (v) **Political consciousness:** This arose from the fundamental need for the protection and order. When people settled at a particular place, they felt a desire to secure it from encroachers.

*State, Sovereignty
and Citizenship*

Thus, it can be said that no one factor was responsible for the formation of the state, rather it was a multitude of factors that were responsible.

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Check Your Progress

6. What did law of nature mean for Hobbes?
7. List the various injunctions of Hobbes to protect the subject from rebellion.
8. What is Locke's Theory of Social Contract and civil society?
9. Why is Jean Jacques Rousseau so famous?
10. What, according to the evolutionary theory, are the five factors responsible for the evolution of the state?

2.4 CONCEPT OF NATION AND NATIONALITY

In recent times, the word 'state' has often been combined with the word nation to form the entity called nation-state or state-nation. Although these two words, nation and state, are often used interchangeably in everyday conversation, they are two quite different concepts.

Differences between Nations and States

A nation is a group of people who share a common symbolic identity, history, religion, and often, culture.

Key features of a nation

- A nation has boundaries, territories or both.
- It is an integral unit.
- A nation is a self-contained state, sovereign, or at least aiming for sovereignty.
- The government of a nation needs to serve the interests of the people.
- The people are actively involved in collective affairs of the nation.
- A nation is characterized by a blend of language, traditions, culture, principles and thinking.
- The residents of a nation are of a common descent and share the same history.

A state is a particular type of political structure distinct from a band, chiefdom and tribal society. It is hierarchical, bureaucratic, centralized, and has a monopoly on the legitimate use of force to implement its policies.

Key features of a state

- A state is a sovereign power superior to all other associations and groups within it. It has the supreme power of the land.

NOTES

- As opposed to other associations, foundations of a state are either *private* or *public*. While a private body helps in running businesses and forming trade unions that realize common people's aspirations, public bodies help in accomplishing collective decisions.
- The decisions of a state are binding on its people as these are made for their common good.
- The state is vested with the right to enforce laws and rules. It also reserves the right to punish anyone who violates the law.
- From an international perspective, a state is considered to be an autonomous body with geographically defined boundaries. It has a territorial jurisdiction over all its subjects; its laws encompass citizens as well as outsiders residing within its boundary.

In informal practice, the term nation and state are used in such a manner that they both are synonyms of each other, but in formal practice the two are of different. Nation indicates a people who share a common tradition, foundation and record. However, a state is a community settled on a large territory with an active government with complete sovereignty.

Nation-State

A state that has a defined territory and residents with identical racial and cultural background is termed a nation-state. According to the *Oxford English Dictionary*, 'nation-state is a sovereign state of which most of the citizens or subjects are united also by factors which define a nation, such as language or common descent'. Thus, we can say that the people of a nation-state share the same set of culture, language and national values. They practice similar religions and hold identical religious beliefs. Excellent examples of nation-states are Japan and Iceland. Both these nations are considered as ideal nation-states. Japan is considered a nation-state because the citizens of Japan have a sense of national identity and share a common language. Nation-states have a unique national identity enforced through its policies. For nation-states, regionalism is more important than national sentiments.

As for Iceland, it is an almost ideal nation-state because the rate of immigration to the country is very low. These examples show that despite sharing a common language and culture, the formation of a nation-state is dependent on the rate of immigration. The countries which have higher rate of immigration do not fall in the category of nation-state. In fact, most of the countries cannot be treated as nation-states because once the country opens its doors to immigrants the residents no longer share the same traditions, culture and religion.

Formation of nation-states

Philosophers have always debated the origin of nation-states. Nationalists believe that nations came first and nation-states followed. Most philosophers attribute the origin of nation-states to the 19th century European phenomenon of spreading of mass media and mass literacy. Some maintain that the invention of the printing press was also partly responsible for bringing people closer to each other. Benedict Anderson, Professor Emeritus of International Studies at Cornell University,

propounded that before the printing press was invented, elite languages like Greek or Latin were inaccessible to common people. With the invention of the printing press, these languages united common man and created a bond that transformed into regionalism.

In terms of language, race and ethnicity, the development of the nation-state took place since the middle of the 19th century. In France, the creation of nation-states started during the French Revolution when half of its population spoke almost the same language, shared the same racial and ethnic backgrounds. It was France where the notion of nation-states spread early and rapidly. After France, the idea of the nation-state spread over other parts of the world like Japan, Iceland and Ireland. Nation-states were formed in two completely different ways. The first was when responsible people staying within a definite territory formed a common government. This was the peaceful method of forming a nation-state. A good example of this type of state formation is found in the Dutch Republic and the United States of America. The second method, wherein an army defeats a province and forms a nation-state of his own, is more oppressive. The foreign leader basically imposes his will on the people who were part of the conquered nation and forcibly rule over them. Legitimacy of a nation-state is dependent on its citizen's appreciation of its government. A nation-state should change with changing developments in socio-political economic situations, development in science and technology, etc.

Political power, whether legitimate or not, eventually rests on the undisputed control of the military potential. Contemporary history proliferates in illustrations that, outside old established communities that have reached a certain level of prosperity, the power holders have to rely for the possession and maintenance in power on the loyalty of the military establishment. Neither Hitler nor Mussolini could have established themselves without the involvement or at least the tolerance of the armed forces.

Nationality

Nationality is a legal relationship between a state and an individual. The concept allows the state jurisdiction over the individual and affords the person the protection of the state. The rights and duties of an individual varies from state to state. It is the right of every state to determine who its nationals are. This can be done through a state's nationality law. However, in some cases, determinations of nationality are also governed by public international law-for example, by treaties on statelessness and the European Convention on Nationality.

Check Your Progress

11. What are the key features of a state?
12. How did mass media and mass literacy contribute to the growth of nation-state?

2.5 THEORY OF SOVEREIGNTY

Sovereignty is a legal concept. Among all the four elements of the state, sovereignty is the most important one. It denotes the ultimate supremacy of the state. The

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NOTES

word 'sovereignty' has been derived from the Latin word *superanus* which means 'supreme'. J. W. Garner, in his *Introduction to Political Science*, defines sovereignty as 'characteristics of the state in virtue of which it cannot be legally bound except by its own will or limited by any other power than itself.' Thus, most of the classical definitions of sovereignty stress on supremacy of the state in both legal and political sphere.

Whether a monarch or an assembly, the basic principles of a sovereign is to enact laws, take legal decisions, issue political commands in favour of public interests. Thus, the sovereign issues laws, commands and decisions *at his own will*, not with the approval of any other individual or association. In its pure form, sovereignty is more befitting a monarch than an assembly or constitutional set-up but it has to be applied to various systems so long as it is accepted as a universal characteristic of the state. Moreover, it is through the notion of sovereignty that the state achieves supreme legal authority. In fact, this authority of a state is found in both the internal and external sphere. Internally, it establishes state supremacy over all association and individuals of the state. Externally, it maintains that each sovereign state is equal to every other in international law, regardless of its population, area and fiscal wealth.

Since sovereignty attributes supreme power to the will of the sovereign, it is by nature an absolute power. This is not intended to be exercised without reason, without invoking one's conscience or sense of justice or without regard to public interests. The idea behind the absolute nature of sovereignty is that the sovereign is not obliged to consult any other individual or group whether a particular decision, command or law is right or wrong. The sovereign is empowered to decide on all such issues at his own will and discretion, and his decision will be binding on all unless he himself chooses to revoke them.

There are a number of well-known philosophers who threw light on sovereignty. Following are some of these theories:

(i) Hugo Grotius

Hugo Grotius (1583–1645), also known as the father of international law, made an important contribution in defining sovereignty. Under international law, Grotius brought out several important implications of sovereignty of the state. According to him, the system of international law is based on the following two distinct foundations:

- A voluntary law of nations is based upon their free consent, whether explicit as expressed in treaties and conventions, or implicit as expressed in usages and customs.
- Nations are subject to natural law in the same manner as its citizens, because the society of a nation is based on the same fundamental moral principles which guide the human behaviour in a society.

Thus, Hugo attributed moral responsibilities in sovereignty. Also, according to him, nations respected international law because they voluntarily chose to do so. Thus, Hugo Grotius introduced the idea of external sovereignty into the idea of internal sovereignty and gave it an appropriate shape.

NOTES

(ii) Jean Bodin

According to Jean Bodin (1530–1596), the famous French jurist and political philosopher, ‘sovereignty is the perpetual and absolute power of commanding in a state, as the supreme power over citizens and subjects unrestrained by law.’ Thus, Bodin places sovereignty above law. While defining the state as an aggregate of families and their common possession ruled by a sovereign power and by reason, Bodin argued that in every community independent in itself and governed by law, there must be some authority, whether residing in an individual or several, whereby the laws are established and from which they proceed.

Bodin treated sovereignty above law. On the power of the sovereign, he inflicted two important limitations, which were as follows:

- There are certain fundamental laws that the sovereign could not lawfully abrogate
- Private property granted by the law of nature could not be violated by the sovereign

(iii) Thomas Hobbes

The famous 17th century English political thinker (1588–1679), Thomas Hobbes, also propounded several principles on sovereignty. He argued that the state was a product of the will of the people. Sovereignty is an attribute of the state; its character is determined by the term of the social contract. As men emerge from the state of nature, and form a state to attain peace, security and order, they also create a sovereign for achieving these aims. They give up their natural rights for establishing sovereignty. Here, the authority of a sovereign means reversion to the state of nature, laws of the forest, the state of anarchy, where the powerful oppress the weak. Therefore, Hobbes took authority of the sovereign beyond challenges. Sovereignty of a state is legitimate in accordance with the people’s wish.

(iv) Jean Jacques Rousseau

French philosopher Jean Jacques Rousseau (1712–1778) also made an important contribution to the definition and theory of sovereignty. He introduces the doctrine of *popular sovereignty*. According to him, all human beings are sovereign; hence sovereignty is retained by the people of a state, represented by the general will, while their actual will is subordinated to their real will.

Thus, Rousseau suggested that sovereignty belonged to the people; exercised only in an assembly of the whole people. Here, government is an agent of the general will which reigns supreme. In other words, sovereignty is not logically held by the government. Rousseau also maintained that sovereignty is unlimited and absolute because the supreme direction and control of the general will is accepted by the people unconditionally in the interest of their freedom.

(v) John Austin’s Monistic View of Sovereignty

18th century English jurist John Austin (1790–1859) introduced sovereignty as a legal concept. In his *The Province of Jurisprudence Determined and The Uses of the Study of Jurisprudence*, he observes that, ‘If a determinate human superior, not in the habit of obedience to a like superior, receives habitual obedience from

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the bulk of a given society, that determinate superior is sovereign in that society, and that society (including the superior) is a society political and independent.’

Austin’s theory of sovereignty was greatly influenced by the prevailing conditions in England. He advanced his theory of positive law which expressed the will of the legal sovereign of the state. According to him, law is the power of the sovereignty. He identified three characteristics of the law. These are as follows:

- It must be the expression of command in the sovereign
- It must emanate from a determinate source, which is the sovereign, and should be located in the state
- It must be backed by the sanctions this means that the disobedience to law must be liable to be punished

Austin founded supremacy of the power, commands and authority of the sovereign beyond doubt. According to him, rights of the citizens were nothing but concessions granted by the sovereign. By establishing a single source of all positive law, Austin put forward a monistic view of sovereignty. Austin’s theory dwells on the legal character of sovereignty. He admits that sovereign authority habitually observes fundamental moral principles though not legally bound by any external authority. We will further study Austin’s monistic view of sovereignty in the same unit.

(vi) Jeremy Bentham

According to Jeremy Bentham (1748–1832), the famous utilitarian philosopher and social reformer, sovereignty was subject to moral limitations. He maintained that sovereignty was limited by the possibility of resistance, and there were conditions under which resistance was morally justified. Therefore, according to him, a sovereign should justify his authority by useful legislation with the object of promoting the greatest good of the greatest numbers.

Now let us analyse in detail the various theories of sovereignty

1. Monistic Theory of Sovereignty

John Austin, the famous English Jurist, stated his theory of sovereignty in his book *Lectures on Jurisprudence*, published in 1832. His exposition of the concept of sovereignty has left an indelible imprint on the scheme of our subject and even today no aspect of sovereignty can be studied in its proper perspective without a reference to his teachings. Austin was greatly influenced by Thomas Hobbes and Jeremy Bentham. His views are largely based on the teachings of Hobbes. However, his purpose was similar to that of Bentham. Like him, Austin wanted to distinguish between law and morality, as well as between a positive law as recognized, followed and enforced by law courts on the one side and customs, conventions, traditions and usages having the sanction of many centuries on the other. His primary object, therefore, was to establish an exact juristic terminology and to present a clear outline of the organization of a government’s legal powers. His theory was conditioned mainly by his views of the nature of law. He defined law as a ‘command given by a superior to an inferior.’

Austin's Legal Analysis of the State

The concept of Austin's theory of sovereignty can be better understood if we first follow the legal analysis of the state presented by him. He believed that it was very essential to discover in a given society the definite superior to whom the people render habitual obedience. Further, the sovereign should not obey any higher authority. When we are able to recognize that authority which gives commands that are habitually obeyed and the authority not receiving them, we have found the sovereign power in the state.

In an independent political community, that sovereign is determinate and absolute. The will of the sovereign is illimitable because, if it could be constrained to act, it would cease to be supreme. Its will is indivisible and also inalienable for the obvious reason that if the sovereign authority parts with its sovereignty, it cannot of its own resume it. Law, therefore, is simply the will of the sovereign. It is a command obliging the subject to do, or to refrain from doing certain acts; failure to obey is visited by a penalty. The sovereign itself is limited by a positive law because it is its creator. Law and morals are merely his will. Within the sphere of law, therefore, as Hobbes forcefully stated, there is no such thing as an unjust command, the sovereign being unlimited, has the legal right to will whatever he may happen to desire.

Propositions of Austin's Theory of Sovereignty

Austin speaks of vesting sovereignty in a determinate human superior. His famous statement of the doctrine of sovereignty is contained in a passage in his book *The Province of Jurisprudence Determined*. He states:

If a determinate human superior, not in the habit of obedience to a like superior, receives habitual obedience from the bulk of a given society, that determinate superior is the sovereign in that society and the society (including the superior) is a society political and independent.

Austin further states:

Every positive law, or every law, simply and strictly so called, is set by a sovereign person or a sovereign body of persons to a member or members of the independent political society wherein that person or body of persons is sovereign or supreme.

Major propositions

Austin's view of sovereignty is purely legal or juristic. It may be reduced to the following propositions.

- **That there is in every independent political community some persons or body of persons who exercise sovereign powers:** There can be no state without sovereignty. It is immaterial whether this sovereign power is exercised by one person or a group of persons. A state with the monarchical form of government is as sovereign as a state where people are sovereign and are represented in a duly elected Parliament. Sovereign power is as essential in an independent political community as the centre of gravity in a mass of matter.

NOTES

NOTES

- **That the sovereign is a determinate person or a body of persons:** 'He is not necessarily a single person: In the modern western world he is very rarely so; but he must have so much of the attributes of a single person as to be determinate.' The state for Austin is a legal order in which there is determinate authority acting as the ultimate source of power. Sovereignty, therefore, neither resides in the general will as Rousseau conceived, nor in the mass of the people, nor in the electorate, as none of them is a determinate body. 'This superior cannot be,' as Garner puts it, 'the general will' as Rousseau taught, nor some abstraction like a public opinion, moral sentiment, the common reason, the will of God, and the like, but it must have some determinate person or authority. In Britain, this determinate sovereign can be found in the Parliament, which is a supreme law-making and law-enforcing authority of the state.
- **That such a determinate human superior must not himself obey any other higher authority:** It issues orders to all men and associations within its territory but receives orders from none of them. Nor is it under the control of another state. If it does obey any internal or external authority, it no longer remains sovereign. The determinate human superior may act unwisely, or dishonestly, or, in an ethical sense, unjustly, but for the purpose of the legal theory the character of his action is unimportant. So long as laws emanate from the legal sovereign, they are commands which must be obeyed. It is here that we find a similarity between the views of Austin and Hobbes.
- **That the sovereign must receive habitual obedience from the bulk of the community:** That is to say, obedience must be a matter of habit and not mere an occasional and forced one. Obedience rendered to an authority for a short time does not make it a sovereign. Austin's thesis is that obedience to the sovereign authority must be continual, regular, undisturbed and uninterrupted. Moreover, obedience rendered to the sovereign must not necessarily be from the whole of the society. It is enough for the purposes of the sovereign power that it comes from the bulk of the society. Where habitual obedience from the bulk of the society is not forthcoming, there is no sovereign power. Thus, sovereignty involves not only the submission of the many but also its performance.
- **That command is the essence of law:** You must do certain things; you must not do certain things. Failure to obey law, as commanded, is visited by penalty. Thus, the sovereign determines the rates of property, of good and evil and of lawful and unlawful action. To quote Austin, 'Law is the aggregate of rules set by man as politically superior, or sovereign, to men as politically subject.'
- **That the sovereign power is indivisible:** There must be as many states as there are sovereigns. To divide sovereignty is to destroy it. It is a unity and incapable of division. Georg Jellinck, late German public lawyer, was of the view that the notion of 'a divided, fragmented, diminished, limited, relative sovereignty' is a contradiction in terms.

Thus, Austin's analysis clearly points out the existence of the supreme power which is determinate, absolute, illimitable, inalienable, indivisible, all-comprehensive and permanent. It is object to no limitation or command by some other superior. However, Austin's theory is from a lawyer's perspective of sovereignty and it has been subjected to scathing criticism.

Criticism of Austin's Theory of Sovereignty

Austin's theory of sovereignty has been criticized by several writers. The prominent among them are historical jurists, advocates of democracy, supporters of internationalism, and the pluralists. The main points of their criticism are as follows:

- **Sovereignty does not reside in a determinate human superior:** Sir Henry Maine, together with other historical jurists, points out that sovereignty does not reside in a determinate human superior. In his book *Early History of Institutions*, he explains that in history sovereignty has never been determinate and absolute. 'A despot with a disturbed brain', he says, 'is the sole conceivable example of such sovereignty.' He emphasizes the existence of 'vastness of influences, which we may call, for shortness, a moral that perpetually shapes, limits or forbids the actual direction of the forces by this sovereign.' The rules which regulated the life of his subjects were derived from their immemorial usages, and these rules were administered by domestic tribunals, in families or in village communities. He himself was subject to the customary laws of the community, and never issued a command in the Austinian sense of the term. Also, it is not only in regard to the 'oriental society' that Henry Maine finds Austin's analysis inadequate. Maine states sovereign, however despotic, could disregard: 'The entire history of the community, the mass of its historic antecedents, which in each community determines how the sovereign shall exercise or forbear from exercising, his irresistible coercive power.'

From this, it is clear that a sovereign in the Austinian sense is not indispensable to the state existence. It is absurd to say that wherever there is no Austinian sovereign, there is either a dormant anarchy or else a state of nature. The real rulers of a society, says John Chipman Gray, are undiscoverable.

- **Austin's definition of law is defective:** Austin's definition of law, which forms the basis of his theory of sovereignty, is defective and cannot be accepted on face value. M. J. Laski says that to think of law as simply a command is even for the jurist, 'to strain the definition to the verge of decency. For, there is a character of uniformity in law in which the element of command is, practically speaking, pushed out of sight.' The notion of law as a 'command' has been criticized on the ground that it ignores the great body of customary law which has grown up through usage and interpretation, and which never had its source in the will of a determinate superior. It errs in treating all law as being merely a 'command' and exaggerates the single element of force to the neglect of the obvious historical facts with which Austin could not have been unacquainted. No sovereign can ignore the existence of customary law which has grown through usage in every country. Austin himself was fully conscious of the force behind customs and he met

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NOTES

this position by asserting that ‘whatever the sovereign permits, he commands’. However, it is not convincing. The English Common Law, for example, is not made by parliament. It exists in customs which are explained, modified or expanded when the courts apply them. They are laws all the same, the courts taking cognizance of them as much as they do of Parliamentary statutes. The King-in-Parliament, as a legal sovereign, could indeed alter the common law, or could make it a statute law, thus making it a definite command of the legal sovereign. But much of the common law, could not be altered without endangering the state, for trying to upset tradition and custom might lead to revolution.

- **Inconsistent with ideas of the ‘Popular’ and ‘Political’ Sovereignty:** Austins’ theory is also criticized on the ground that it is inconsistent with the idea of popular and political sovereignty. In fact, it is an antithesis of Rousseau’s doctrine that the General Will is sovereign—a doctrine which forms the basis of a modern democratic state. Again, it ignores the power of public opinion—exerted through the legislature, political parties, press, and takes no account of what we know from the term ‘political sovereignty.’ Thus, says Henry Maine, ‘it is a historical fact that sovereignty has repeatedly been for a time in the hands of a number of persons not determinate.’ He concludes, ‘It is asserted by some writers that this is true of the abiding place of sovereignty in the Republic of the United States.’

- **Absolute sovereignty is an illusion:** Another serious objection against Austinian theory is the absolutism which he attributes to sovereignty. Like Hobbes, Austin held that the source of law could not be limited by any higher law and hence sovereignty involved legal despotism. He frankly admitted that there is no escape from the conclusion that sovereignty is legally unrestrainable. Hence the sovereign is, legally speaking, a despot, however benevolent he may be in fact. Critics assert that the unlimited authority and infinite right of the sovereign power are mere abstractions of jurisprudence. J. K. Bluntschli, late Swiss jurist, states:

‘The state as a whole is not almighty, for it is limited externally by the rights of other states and internally by its own nature and by the rights of its individual members.’

In the external sphere, sovereignty is restricted (though not very strictly in the legal sense) by international law, and in the internal, by constitutional law. Laski, who is in favour of the limitation of sovereignty in the interests of other associations, strongly criticizes the absolute sovereignty of Austin. He says that such unlimited sovereignty is not only harmful to the existence and functioning of other associations in the internal sphere, but also detrimental to world peace, as it promotes competition and rivalry among sovereign (independent) states.

- **Too much emphasis on force:** Austin also lays too much emphasis on force. He believes that disobedience of law is visited by penalty and, therefore, it is the fear of punishment which compels the people to obey them. However, this is not a correct view. We obey laws, not because of the fear of punishment, but because we have the spirit of law abidingness.

Laski states, 'The notion of command in law is contingent and indirect and the idea of penalty is, again, save in the most circuitous way, notably absent.' Leon Duguit opines that we obey laws because they promote social solidarity. He goes to the extent of saying that laws are not created by the state, but it is the laws that create the state.

- **Difficulty of discovering the sovereign in modern states:** The sovereign in the Austinian sense cannot be easily discovered in the modern state. In England, since sovereignty is located in Parliament, it may be taken as a determinate superior. However, the Parliament cannot do anything it likes and cannot afford to antagonize the people who form the political sovereign. If it does so, it cannot last long. Hence, it cannot answer to the description of Austin's sovereign. The Cabinet in England cannot be sovereign in the Austinian sense as it has to be responsible to parliament. The king also cannot be the sovereign, as he has no real power. Similarly, it is very difficult to locate sovereignty in federal states like the USA and India. Sovereignty is indivisible and the sovereign body which has the power to amend the constitution cannot be described as a determinate body.
- **The theory undermines the importance and the role of other associations within the state:** A further line of attack on the absolute and indivisible powers of the sovereign comes from the standpoint of pluralists. The traditional or monistic theory of sovereignty, says the pluralists, errs in holding that the various non-political associations created by the state, are dependent for they continue to exist upon the will of the state, and exercise only such powers as are conceded to them by the state. It is argued on the contrary, that associations grow naturally. They have a will of their own and possess personality. The pluralist contention is that the state is but one association among several associations and, therefore, cannot be invested with the unique sovereign power of the community. We are members of a university, a church, a trade union, an employers' association and so forth. All these are sovereign. The state maintains law and order as a university gives us education. Both should be independent in their spheres. As a pluralist, Laski wants sovereignty to be limited in the interest of other associations within the state. In some way, he claims, the power of other associations is as original and complete as that of the state itself. Those associations, Laski observes, are, in their sphere, not less sovereign than the state itself. Therefore, the conception that authority, ought to be limited, is fundamental to political philosophy.
- **The theory is a hindrance to the growth of internationalism:** The sovereign of Austin is not limited by international law. However, the modern concept of internationalism has made it incompatible. In international law, there is no determinate human superior. All states are equal as well as sovereign. Where all are equal, there can be no sovereign. Thus, Austin's concept of sovereignty becomes a 'glorious myth'. If states follow the strict definition of external sovereignty given by Austin, there will be no possibility of solving world problems at the international level.

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Therefore, Austin's concept of sovereignty is now regarded not only a legal fiction but a 'harmful and dangerous dogma', which should be expunged from the literature of international law. Laski has also opined that the idea of sovereign independent states, competing with one another, is inimical to world peace and world unity and may in fact prove fatal to the well-being of humanity at large.

To conclude, under the present circumstances, it is impossible to make the legal theory of sovereignty valid for political philosophy, as it gives to the sovereign such powers which cannot in fact be exercised. Author Hsiao Kung-Chuan, points out that it narrows down, 'the meaning of vital terms to a content which, if maintained, would be fatal to the existence of society.' Austin's chief error was in unduly emphasizing the purely legal aspect of sovereignty and in ignoring the forces and influences which lie at the back of formal law. Hsiao Kung-Chuan said that law is an important factor in the life of the state and it cannot be accepted purely from the legal point of view. It must be built upon a general and social environment and to divorce it from these forces and influences is to defeat the very purpose of law. However, it must be admitted that as a conception of strict legal nature of sovereignty, Austin's theory is clear, factual, logical and free from imprecision and ambiguity.

2. Pluralist View of Sovereignty

The germ of the pluralistic theory is to be found in the work of the German jurist, Otto von Gierke (1844-1921). Emile Durkheim, Otto von Gierke, F. W. Maitland and G. D. H. Cole are the main exponents of pluralistic theory of sovereignty. Durkheim pleads for the freedom of the vocational groups to regulate the state's economy because the state as a general scheme of life is not adequately fitted to undertake the specialized tasks of economic democratic politics, pluralism is a guiding principle which permits the peaceful coexistence of different interests, convictions and lifestyles.

These factors have been chiefly responsible for the attack on the traditional theory. First, there was tremendous change in the functions of the state. So long as the state was a political state, emphasis had to be placed on domination, command and power. However, with the growth of the social welfare idea, social service instead of power became the dominant idea. Second, stress was placed on the need to emphasize international co-operation rather than isolation due to the progress in science and technique, and organization of production and marketing. The external sovereignty of the state has to be curbed in the interests of humanity. The facts is that the states of today are not as independent as were the states of the 19th century. Third, there are groups or associations to satisfy numerous needs of individuals. It came to be realized that the various groups are instinctive to man and are legal entities with a life of their own.

Gierke and F. W. Maitland thought that each group possesses a real personality and a will. Gierke states,

The state should accept the common point of view that permanent association have rights and duties as groups whether or not the state has accepted them as corporation.

John N. Figgis, a political philosopher, also ascribed a real personality to the groups. He states:

The state did not create the family nor did it create the churches, nor even in any real sense can it be said to have created the club or trade unions, nor in the Middle Ages, the guild or the religious order, hardly even the universities or the colleges with the universities; they have all arisen out of the natural associative instincts of making, and should all be treated by the supreme authority as having a life original and guaranteed, to be controlled and directed like persons but not regarded in their corporate capacity as mere names.

Human society, according to Figgis, is not a 'sand heap of individuals' related only through the state, but an 'ascending hierarchy groups'. He called the traditional theory of sovereignty 'a venerable superstition.'

In this context, it has normative connotations absent from its use to denote a theoretical standpoint. Pluralism is, in the general sense, the affirmation and acceptance of diversity. The concept is used, often in different ways, in a wide range of issues. In politics, the affirmation of diversity in the interests and beliefs of the citizenry, and political pluralism is one of the most important features of modern democracy.

The term 'pluralism' is also used to denote a theoretical standpoint on state and power—which to varying degrees suggest that pluralism is an adequate model of how power is distributed in societies.

The external sovereignty of the state has to be curbed in the interests of humanity. The fact is that the states of today are not as independent as were the states of the 19th century. There are the groups or associations to satisfy numerous needs of individuals. It came to be realized that various groups are instinctive to man and are legal entities with a life of their own. Gierke and Maitland thought that each group possesses a real personality and a will. Gierke stated,

The state should accept the common point of view that permanent associations have rights and duties as groups whether or not the state has accepted them as corporations.

Figgis also ascribed a real personality to the groups. Barker rejects the personality theory of groups, admits that the groups exist before there is any legal act of incorporation or creation. He regards the cause of third homogeneous character; often inspire stronger loyalties than the state. Krabbe holds that, owing to the rise of important economic associations like the labour unions, the state can no longer pretend to be the one all-powerful agency of social life.

Laski has pleaded for a system which would recognize the complete autonomy of groups and deny to the state any claim to be the absolute sovereign. Actually, the state is an association of associations with the special function of coordinating their activities. It is a public-service corporation. His conclusion is because 'society is federal, authority must also be federal.'

R. M. MacIver, a sociologist, in his work *Modern State* is a consistent pluralist. He regards the state as one association among the many associations within the community. Though exercising functions of a unique character, the state has definite limits, definite powers and responsibilities. These other associations

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are as native to the soil of society as the state itself; the State is not their creator. The business of the State is merely to give 'a form of unity to the whole system of social relationship'. MacIver's thinking centres around the idea of group versus State.

Gettell stated that the pluralists deny that the state is a unique organization; they argue that such associations of their purpose are as sovereign as the state is for its purpose. They emphasize the inability of the state to enforce its will in practice against the opposition of certain groups within it. For them, the state pluralists is not an indivisible unit; the state is not supreme or unlimited.

There are a number of other thinkers who have assailed the traditional theory of sovereignty and pleaded for the autonomy of the groups. Durkheim pleads for the freedom of the vocational groups to regulate the state's economy because the state as a general scheme of life is not adequately fitted to undertake the specialized tasks of economic control. Ernest Barker, though he rejects the personality theory of groups, admits that groups exist 'before there is any legal act of incorporation of creation'. He regards the cause of third homogeneous character, often inspire stronger loyalties than the state.

H. Krabbe holds that, owing to the rise of important economic associations like the labour unions, the state can no longer pretend to be the one all-powerful agency of social life. Harold J. Laski has pleaded for a system which would recognize the complete autonomy of groups and deny to the state any claim to be the absolute sovereign. His general point of view is that the group is real in the same sense as the state. According to him, the theory of 'unlimited and irresponsible state is incompatible with the interests of humanity'. He is of the opinion that the concept of sovereignty of the state will also fade away just as the divine right of kings has. The Doctrine of Absolute Sovereignty is for him a legal fiction and a barren concept. He writes,

The only state to which I owe allegiance is the state in which I discover moral adequacy; and if a given state fails to satisfy that condition, I must, to be consistent with my own moral nature, attempt experiment. Our first duty is to be true to our conscience.

The modern state, according to him is pluralistic, constitutional, and responsible. It is limited in the force it exercises; it is directive rather than being permanent. Its power is diffused in territorial and functional groups and internally as well as externally its activities and functions are subject to limitations and review. Basically, the state is an association of associations with the special function of coordinating their activities. It is a public-service corporation. He concludes, 'because society is federal, authority must also federal.'

It is thus evident that various political thinkers have attacked the traditional theory of sovereignty from different angles. The common element in all these criticisms is the belief that there are many associations in the state which have grown independently, which perform essential social functions and which are better adapted than the state to serve social needs. It is, therefore, wrong for the state to claim undivided and unlimited sovereignty for itself. The central idea of pluralism may be summed up in the words of Gettell:

The pluralists deny that the state is a unique organization; they argue that such associations of their purpose are as sovereign as the state is for its purpose. They emphasize the inability of the state to enforce its will in practice against the opposition of certain groups within it. They deny that possession of force by the state gives it any superior right. They insist on the equal rights of all groups that command the allegiance of their members and that perform valuable functions in society. Hence sovereignty is possessed by many associations. It is not an indivisible unit; the state is not supreme or unlimited.

Evaluation of pluralist view

What the pluralists say is true to a large extent. It cannot be denied that the different associations in society perform valuable services, and the state should not arbitrarily coerce them. Man is a member not only of the state, but also of the family, the trade union, the church and the club. He owes his allegiance to all these groups which make his life worthy and meaningful. That the state in spite of its legal supremacy, should be subject to moral limitations cannot be disputed. Pluralists, such as Gettell remark,

... Also make a timely protest against the rigid and dogmatic legalism of the Austinian theory of sovereignty. They emphasize the necessity of studying the actual facts of political life in a rapidly changing social system. They lay emphasis on the growing importance of non-political groups in social life. The danger of over-interference on the part of the State with the functioning of such groups is highlighted by them.

In her book, *The New State*, M. P. Follett sums up the merits of pluralism as follows:

- The pluralists prize the bubble of the present state's right to supremacy
- They recognize the value of the group and they see that most of our group life today has a significance, which must be reckoned with political life
- They plead for a revivification of local life
- They believe that the interest of the state is not now always identical with the interests of its parts
- Pluralism is the beginning of the disappearance of the crowd
- It has seized upon the problem of identity of association and of federalism

Despite these merits, pluralism has been subjected to much criticism. First, the critics say that the pluralist theory suffers from an inner contradiction. In theory, the pluralists reduce the power of the state and make it co-equal in powers to other social groups, while in practice they are willing to concede much more power to the state. For instance, Gierke ascribed to the state the sovereign power where general interests are involved. Barker and Laski admit that the state will have to carry on the function of coordinating the regulating of the activities of associations. The state to Follett, is a unifying agency. Paul Boncour regards the state as the sole representative of general interests and national solidarity. J. N. Figgis likewise regards the state as a community of communities and assigns to it a distinctive function and superior authority as an agency of co-ordination and adjustment.

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Thus, in spite of their eagerness to establish a position of equality for all associations, the pluralists are compelled by the logic of the situation to give precedence to the state.

Second, the pluralists do not make it quite clear what they want. As F. W. Coker points out, the pluralists fail to make clear which of the specific functions assigned to the state by the monistic theory they would deny to. If the state is to become an association like other associations, will the pluralists still give to the state the power of compulsory taxation?

Third, the logical consequence of pluralism is anarchism. Without the state there can be no order and without sovereignty there can be no state.

Fourth, the pluralists wrongly assume that the various groups within the community run along parallel lines and that there is no overlapping of functions between them. The facts of social life reveal that the functions of the numerous independent groups are overlapping and their interests are sometimes conflicting

Lastly Laski, the doyen of the pluralist world, at a later stage criticizes pluralism on the ground that 'it did not sufficiently realize the nature of the state as an expression of class-relations'. He believes that the need for a sovereign state cannot be obviated unless the means of production are socialized, leading to a classless society. In his opinion, political pluralism must be tempered with the vision of a classless society.

Thus, pluralism can hardly be accepted as a valid doctrine of sovereignty. The socio-political forces in the contemporary society have 'aggrandized the state and made the twentieth century, a century of monism'. The inauguration of an era of planning and social welfare and the need for mobilization of all human materials have immensely increased state control. It is interesting to note that, in spite of bitter criticism of the monistic theory of sovereignty, many pluralists support the supremacy of the state in one form or the other.

In this connection, it may be pertinent to refer to the view of Ernest Barker who maintains that whatever rights the groups may claim or gain, the state will still remain a necessary adjusting force. And, if the groups are destined to gain new ground, it is possible that the state will also gain, perhaps even more than it loses, because it will be forced to deal with even graver and even weightier problems of adjustment.

3. Popular Sovereignty

Sovereignty is a legal concept. The legal sovereign is supposed to be absolute and omnipotent, operating solely according to his own judgment and will. He can ignore or override any other consideration, prescriptions of divine law or natural law, principles or morality and dictates of public opinion. According to the classical thought, sovereignty is vested in the 'determinate person or body of persons'. It is organized and precise as a source of law. It represents the will of the state and its order is legally binding. It is the source of all rights in the society. In other words, it is absolute, unlimited and supreme.

However, as we move to other forms of the government, we are faced with the dilemma of reconciling the idea of legal sovereignty with the actual powers of

the sovereign body. And because of this, A. C. Dicey in his work, *An Introduction to the Study of the Law of Constitution* observed, 'Behind the sovereign which the lawyer recognizes there is another sovereign to whom the legal sovereign must bow.' Thus, according to Dicey, this other form of sovereign is termed as political sovereign. And when political sovereign consisted of all members of a community, that is the people, the idea of supreme legal authority is expressed as 'popular sovereignty'.

In other words, the concept of popular sovereignty takes people as the source of all authority in the state. According to popular sovereignty, the organs of state which exercise supreme power of law making, adjudication and law enforcement, draw their legitimacy from the will of the people. Sovereignty does not rely on any superior law, religious commandments, natural law or any other authority to decide what is right or what is wrong. Popular sovereignty does not look for any source of 'superior reason' apart from the mind of the people. In fact, popular sovereignty regards the people themselves in their corporate capacity, as the embodiment of reason, the best decider of right and wrong, and hence, the real source of supreme authority.

Origin of popular sovereignty

French philosopher Jean Jacques Rousseau propounded the theory of 'popular sovereignty'. However, its emergence is also found in ancient and medieval political thought. Marcus Tullius Cicero, an ancient Roman philosopher, stated that the ultimate source of political authority may be traced to the people of the state. Medieval European thought regarded God as the source of all authority. His representative on the Earth was the Pope. An Italian philosopher, Marcilius of Padua, sought to challenge the absolute authority of the Pope as he believed in the authority of the people. It was believed that the temporal ruler should submit oneself to the papacy in all temporal matters. On the other hand, Marcilius also tried to prove that the papacy and clergy should submit themselves to the entire people, not only in temporal matters but also in spiritual matters. He argued that the power of priesthood should be confined to the administration of the sacrament and the teaching of divine law, but even in these functions priests should be regulated and controlled by the people and their elected government. He held that priesthood itself should be elected by the people of each community rather than being appointed by the Pope who was chosen by an oligarchy.

In the early modern era, Johannes Althusius, a German jurist, propounded the idea of popular sovereignty. He took sovereignty as the supreme power of performing those acts which are essential for the material and spiritual welfare of the members of the state. According to his view, the state is the product of contract of the people. Therefore, it must exercise sovereignty to secure the welfare of its members. In short, sovereignty resides in all members of the state although it may be exercised by a particular body from time to time.

Globalization and Sovereignty

Globalization represents the reality that we live in a time when the walls of sovereignty are no protection against the movements of capital, labor, information and ideas—nor can they provide effective protection against harm and damage.

– Roslyn Higgins

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A sovereign state is one where all the powers of the state is in the hands of the people of that state. It proclaims the equality of all the states where all the states are to be considered equal. We can say that irrespective of the size of the state, population of the state or the various political agendas of a state, all the states ranging from the tiniest island to a huge country, has equal rights for the functioning of a state and they also have the full power to take any decisions within their own boundaries. Herein, we may say that since all the states have equal rights and are equal in the eyes of law, no other state has the power to interfere with the internal affairs of a particular state. With regard to this, sovereignty on one hand establishes power and on the other also limits it.

Globalization can be defined as the integration of economic, political and social cultures and, it is argued, is related to the spreading of modernization across borders. With the many apparent positive attributes to globalization, there are also negative consequences.

With globalization, this concept of sovereignty is no longer feasible as states—with the growing rate of globalization—are no longer a single entity and thus they do not regard the rights of a particular state to belong only to that state. Further, with the provision of laws that are applicable worldwide, such as the International human rights, we regard the entire world as a single entity where any one is responsible for the rights of people of any other state.

2.5.1 Features of Sovereignty

Sovereignty has certain features. These are as follows:

- Permanence
- Absoluteness
- Universality
- Indivisibility
- Inalienability

1. Permanence

In order to understand the concept of permanence, it is essential to discriminate between the state and the government. Theoretically, sovereignty belongs to the state. As far as the government is concerned, it may be formed and dissolved according to the procedure that is established by the state. The state is hardly affected by the formation and dissolution or by the change in the formation of government. Thus, sovereignty continues as long as the state maintains its independence. The quality of permanence should not be interpreted to mean that sovereignty is eternal. On the contrary, in case the state comes under the subjugation of another state, the sovereignty of the occupied state is lost.

2. Absoluteness

According to Jean Bodin, 'Sovereignty is the absolute and perpetual power...of commanding in a state'. Thus, absoluteness is one of the most important characteristics of sovereignty. It is considered to be absolute because it cannot be restricted or limited by any superior power or authority. The will of the sovereign

reigns supreme in the state. The sovereign may, of his own will, pay due regard to moral principles, traditions and customs and opinion of the public, but he is not answerable to any authority, group or individual superior or similar to himself. Similarly, the sovereign may pay due regard to international laws by his free consent, not because he is obliged to obey the instructions of any superior state or international organization. Absoluteness of sovereignty is the logical outcome of its legal character, which may not hold true in the sphere of politics, nor would it govern the illegal procedures of the individuals and groups within the state.

3. Universality

The next most important feature of sovereignty is universality. Sovereignty is considered as universal, all-pervasive or all comprehensive feature in the sense that it extends to all individuals, groups, to all things and areas within the jurisdiction of the state. The sovereign has to be accepted as the supreme commander of the state by all international agencies. International associations and multinational corporations functioning within the territories of different states are also subject to the sovereignty of these states. However, government representatives like diplomats and bureaucrats of foreign states are allowed diplomatic immunity from the internal policies of the state.

4. Indivisibility

The other important characteristic of sovereignty is indivisibility. Sovereignty cannot be divided between different groups or individuals as it is an absolute power. Any division in sovereignty can give rise to inconsistent and ambiguous command. In other words, a divided sovereignty is a contradiction to the term. Thus, in every state, sovereignty must be vested in a single body which is legally competent to issue the final command.

5. Inalienability

Sovereignty cannot be transferred or given away without destroying the state. In this regard, Lieber states, 'Sovereignty can no more be alienated than a tree can alienate its right to sprout or a man can transfer his life and personality without self-destruction.' Thus, when a state cedes a portion of its territory to another state, the ceding state is not wholly destroyed. However, from the point of view of the ceded portion, the original state no longer exists, and sovereignty of a new state comes into existence. This also proves that the sovereignty of a state over any area is not transferred but replaced by another state. Rousseau also made this feature clearer by saying, 'sovereignty is throughout held by the general will, although power may be delegated to the government; hence, sovereignty proves to be inalienable'.

Thus, it becomes clear that all these characteristics are peculiar to the legal notion of sovereignty. They are best represented by an absolute monarchy. In the case of democratic, federal or pluralist and constitutional government, it is extremely difficult to discover the real character of sovereignty.

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Check Your Progress

13. What do you mean by the term 'sovereignty'?
14. How can we understand the concept of Austin's theory of sovereignty?
15. Who are the main exponents of pluralistic theory of sovereignty?
16. List the main features of sovereignty.

2.6 SEPARATION OF POWERS

The hypothesis which states that the functions of the government should be performed by different bodies and each department should be limited to its own sphere of action, without interfering in each other and that it should be independent within that sphere, is called Theory of Separation of Powers. The Theory of Separation of Powers clearly divides powers into three organs of the government and believes in decentralization of power and thus maintaining the liberty of people.

Views of Montesquieu

The classic definition of the Theory of Separation of Powers is explained by Montesquieu. This French political thinker had exposed his political thinking in his book, *The Spirit of Laws*, which was published in 1748. He stressed that there must be Separation of Powers if liberty of the people is to be safeguarded. Montesquieu insisted on intimate relation between liberty and Separation of Powers. He said that power should be checked, if law is to endure. The famous statement of Montesquieu stands for complete Separation of Powers, which he explained in the following points:

- When the legislature and executive power are united in the same person or in the same body of magistrates, there can be no liberty because it may turn tyrannical and enact tyrannical laws and execute them in tyrannical manner.
- There is no liberty if the judicial power is not separate from the legislative and executive. If it was joined by the legislative, the life and liberty of the subject would be exposed to arbitrary control for the judge, who would then be the legislator. If it joined with the executive then the judge might behave with violence and oppression.
- If all three organs were joined together in one combined power then there would be concentration of power in one person or body of persons. This would virtually end all liberty and result in despotism of that person or body.

Other supporters of the theory of Separation of Powers

American political writers like Madison Hamilton and the British political writers like Blackstone also elucidated the theory after Montesquieu. Blackstone expressed a comparable view in his book, *Commentaries on the Laws of English*. He said 'whenever the right of making and enforcing the law is vested in the same person or one and the same body then there can be no public liberty'.

This theory carried a deep influence on the theory and practice of several governments in various countries of the world. While writing the constitution of the state of Virginia, Jefferson examined all powers of government, legislative, executive and judiciary. The concentration of these in the same hands is specifically the definition of a tyrannical government.

Theory of Checks and Balance

The Theory of Separation of Powers involves a multifaceted system of checks and balances.

E.B Schulz says, 'The doctrine of checks and balances is usually supplementary to the Separation of Powers. One of its important salient feature is the idea of enabling each coordinate branch of the government with the power to wield a limited degree of control over others, either by participating to some extent in the exercise of powers allocated to a particular branch or by making the effective functioning of each branch contingent upon the supporting action by the others'.

The theory of checks and balances is based on two principles:

- (i) Power should not be concentrated in the same persons or in the same bodies of persons, because if all power is vested in the same person then it is bound to become tyrannical.
- (ii) Power only can check power, i.e., to check whether power is being abused, it is very important that power should be made to check power. The power of one organ can be checked if the other organ is made just as powerful.

In other words, the theory of Separation of Powers and the theory of checks and balances are always in harmony. The former stands for separating the three organs of the government and the latter stands for a network of checks and balances on all the three organs of the government. Montesquieu's theories of Separation of Powers and Checks and Balances have been adopted by the constitution of the US. Let us study the working of the system of Checks and Balances under the various heads:

- (i) **Legislative checks over the executive and judiciary:** The executive and judicial powers are given to the executive and the judiciary, but the legislature has been given the power to check over both these organs. For example:
 - a. All appointments made by the US President (executive) is ratified by the senate (upper house of the US Congress).
 - b. All treaties made by the President are authorized by the senate with 2/3 majority.
 - c. The President depends on the Congress for finances.
 - d. The Congress can remove the President through impeachment.
 - e. The Congress has the power to establish new courts.
 - f. The Congress can remove the judges of the Supreme Court through impeachment.
 - g. The Congress has the power of initiating amendments in the constitution.
 - h. Last but not the least, the Congress has the power to declare war.

NOTES

NOTES

(ii) **Executive checks over the legislature and judiciary:** The executive is given the power of checking the two organs of the government. For example, in the constitution of the US:

- a. The bills passed by the Congress, become acts only when they get presidential assent.
- b. The President exercises veto to suspend any bill passed by the Congress, within ten days of its submission to him.
- c. The President has the power to appoint judges.
- d. He has the right to pardon, reprieve and grant amnesty to any criminal.

(iii) **Judicial checks over the legislature and the executive:** The judiciary is free of the control of the legislature and the executive. It is given the checking powers over both these organs with a view to keep the two organs confined to their respective areas of activity, as directed by the constitution. For example:

- (a) The Supreme Court of the US has the power to decline the laws of the Congress and rules made by the executive, if it finds these as ultra vires.
- (b) The power of judicial review acts as the greatest check over the power of the Congress and the President. The process of impeachment of the president of the US is supervised by the chief justice of the Supreme Court.
- (c) The Supreme Court exercises full control over the President and the Congress as far as it decides the nature and limits of their constitutional rights and powers. This is because it is the custodian of the constitutional as well as the protector of the fundamental rights and liberty of the people.

As a theory, Checks and Balances signifies systematic and reciprocated checking and controlling of powers of the three organs of the government. Although they are separate departments, this theory should be used in moderation and not in an unbending manner because it can be counterproductive.

Check Your Progress

17. What is the Theory of Separation of Powers?
18. Which are the two principles on which the theory of checks and balances is based?

2.7 CITIZENSHIP AND CIVIL SOCIETY

Let us first discuss citizenship.

2.7.1 Citizenship

Aristotle, the great Greek philosopher, had once commented, 'A citizen is one who permanently shares in the administration of justice and the holding of office.'

The statement of definition suits aptly to a democratic citizen. However, one should always remember that elements of citizenship reside in all nations that include the

most repressive, authoritarian and totalitarian states also. The explanation of citizenship is a complex phenomenon and its various usages tend to project its various meanings. These include:

- Citizenship is an indicator of morality, that is, one's good behaviour makes a person, a good citizen.
- Citizenship, as an empirical and descriptive term, refers to a specific set of obligations and rights vested in eligible persons in a specific nation or state.
- Citizenship, as an analytic term, refers to the protection that a state offers and the opportunities that a state creates for its core members for the sake of political participation.

On closer scrutiny, one may agree that it is the integrative perspective that needs to be adopted, especially because it is, without doubt, tied to the notion of welfare. Welfarism, as we may understand, is often regarded as a compensation for inequalities and a means to equal treatment. This actually counters privatization and marketization, and virtually supports the integration of the larger community. Not to forget that while citizenship pronounces an ideal condition for equality, it may remain fettered as political systems reside in the hierarchies of class, caste, sex, race and religion.

Ways of Acquiring Citizenship

There are basically two legal concepts that are related with the acquisition of citizenship. These are:

- **Jus Soli:** It is a Latin phrase meaning 'right of soil'. According to this legal concept, the citizenship of a child is determined by the place of its birth. This law is followed for citizenship in the United States and most countries in North America and South America.
- **Jus Sanguinis:** It is a Latin phrase meaning 'right of blood'. According to this legal concept, a child's citizenship is determined by its parents' citizenship. This rule is applied for granting citizenship in India. According to Indian citizenship laws, a child born in India must have at least one parent who is an Indian citizen to be conferred citizenship. Earlier, people born in India were given citizenship regardless of the citizenship held by parents, but this was changed on 3 December 2004.

Most often, citizenship is seen as a legal entitlement, that is having a specific nationality, holding a passport, and deriving from this status the rights and duties as guaranteed by the Constitution. This formal relationship is also supplemented by a whole set of socio-economic and ideological practices associated with nationalism. This leads to various mechanisms of exclusion and inclusion of particular groups and categories of individuals that include the women, the racial groups, the non-propertied, the children and the differently-abled. Citizenship thereby justifies the dynamic concept of need as an open political issue. It identifies a universal set of principles that guarantee common human needs. It further justifies that all persons as citizens are equal before law and, therefore, no person or a group is legally privileged, so that the disadvantaged and the marginalized are enabled to participate in the national activities as dignified citizens of the country.

NOTES

NOTES

Due to globalization, the concept of a citizen and citizenship has evolved as the immigrants come to the nation-state with their understanding and then the challenge lies on the nation-state how to ensure that the immigrant is not feeling left out even after giving the citizenship status.

There are new notions of citizenship which have emerged off late challenging the traditional notion of citizenship. Let us now study these concepts briefly. These are as follows:

- **Ecological citizenship:** It is presented as an example as well as a result of the post cosmopolitanism. It is different from environmental citizenship. Environmental citizenship states that human beings are an integral part of the larger ecosystem. The challenges which the environment is facing today have a direct impact on our lives. The responsibilities toward the environment are highlighted by environmental citizenship as the impact on the environment is not restricted by the borders of a nation-state. In contrast, ecological citizenship considers the ecological footprint as the political space. They talk about global warming to highlight the unequal and hierarchical power relations between nation-states and the impact on every individual.
- **Cultural citizenship:** This notion of citizenship was a part of the larger discussion on cultural pluralism which emerged in the United States of America (USA) at the beginning of the twentieth century. The concept and understanding of pluralism has undergone several changes since then. The first round of change was in the first quarter of the twentieth century where an attempt was made to preserve the immigrant identity especially that of European identity vis-a-vis state. The second round of change was the civil right movement which focused on integration in the 1960s and 1970s. The last round emerged in the 1980s where the attempt was made to make the 'difference' part of the mainstream. This type of citizenship was not challenge to democratic citizenship but tried to make it more transparent and relevant.
- **Minority citizenship:** Globalization generates certain forms of citizenship that may go against the institutional perception of social identity. This notion argues that the rights of minorities and their cultures who have immigrated in the wave of globalization cannot be forced to be a part of the mainstream understanding of citizenship. We cannot develop a formula which applies to all groups and caters to the needs and aspirations especially of the minorities and indigenous people.
- **Cosmopolitan citizenship:** There are three understanding of this notion. First is a legal-political ideal where the political membership is not granted or sought from the nation-state but by a world government. Second, a cosmopolitan citizen is someone who can actively participate in the decision-making processes and global governance system. The third sense of this citizenship is a normative view. The globally engaged citizen / an individual should adopt a cosmopolitan view and treat everyone equally.

- **Mobility citizenship:** This notion of citizenship highlights the mobility aspect enhanced by globalization. Social mobility should not affect the ability of an individual to participate in the decision-making process.

State, Sovereignty
and Citizenship

Globalization has challenged the meaning of citizenship. There are many nation-states which are witnessing an ever-increasing demand for grant of more inclusionary status. The notion of global citizenship is being spread around to ensure that by the mere crossing of the borders the rights of individuals should not dissipate. Many scholars vouch for citizenship in the globalized world which is based on solidarity, reciprocity and interdependence rather than exclusionary features of citizenship.

NOTES

2.7.2 Civil Society

Civil society is the aggregate of non-governmental organizations and institutions that takes into accounts interests and will of citizens. Civil Society includes ‘third sector’ that includes family and private sector, distinct from government and business. Dictionary.com’s 21st Century Lexicon defines civil society as: (i) the aggregate of non-governmental organizations and institutions that manifest interests and will of citizens, or (ii) individuals and organizations in a society which are independent of the government.

Sometimes it is used in general terms like freedom of speech, an independent judiciary that make up democratic society. In Eastern and Central Europe, it is seen as a concept of civic values. One widely known representative of this concept is the Polish former dissident Adam Michnik. Most authorities have in mind the realm of public participation in voluntary associations, trade unions and the like, but it is not necessary to belong to all of these to be a part of civil society.

The term ‘civil society’ goes back to Aristotle’s phrase *koinôniapolitik*, occurring in his *Politics*, where it refers to a ‘community’, commensurate with the Greek city-state (*polis*) characterized by a shared set of norms and ethos, in which free citizens on an equal footing lived under the rule of law.

Though the concept was mentioned in Roman writers, such as Cicero, it entered into Western political discourse following the translation of Aristotle’s works into Latin (*societascivilis*) by late medieval and early Renaissance writers such as William of Moerbeke and Leonardo Bruni, where it often referred to the ancient notion of a republic (*res publica*).

The literature on relation between civil society and democracy has their roots in earlier political writings of Alexis de Tocqueville. However, they were developed in significant ways by 20th century theorists like Gabriel Almond and Sidney Verba, who identified the role of political culture in a democratic order as vital.

Political scientist Robert D. Putnam has argued that even a non-political organization in civil society is vital for democracy. They build social capital, shared values and trust which are transferred in political area and help to hold society together. Some have noted that the civil society actors have now obtained a remarkable amount of political power without anyone directly electing or appointing them. It has also been argued that civil society is biased towards the global north.

NOTES

Some argue that civil society is democratically limited. Some argued that if the term civil society is linked with democracy, it should also be linked with nationality and nationalism.

Concept of a Civil Society

Civil society as a concept has undergone variety of changes since its inception. Different people have defined the term based on the time and situation. Depending upon the era, political thinkers have attempted to define civil society. Major changes have taken place over time in how a civil society is conceptualized. This includes the changes from equating civil society with the state itself towards opposing them, as well as from a purely economic understanding of a civil society to a non-economic, political understanding.

- Early European political philosophers mainly defined civil society in the context of the relationship between the state and the society.
- American political scientist and political economist Francis Fukuyama defined civil society as the realm of spontaneously created social structures separate from the state that underlie democratic political institutions.
- According to modern theorist Elizabeth Dunn, 'Civil society is broadly regarded as the domain of relationships which falls between the private realms of the family on the one hand and the state on the other.'
- Modern theorist Charles Taylor defined civil society as 'a web of autonomous associations independent of the state, which bind citizens together in matters of common concern, and by their existence or actions, could have an effect on public policy'.
- Philippe Schmitter, Professor of Political Science, Stanford University, defined civil society as 'a set or system of self-organized intermediary groups'.
- The Concise Oxford dictionary of Politics defined civil society as 'the set of intermediate associations which are neither the state nor the (extended) family; civil society therefore includes voluntary associations and firms and other corporate bodies'.
- According to British English Dictionary, civil society is 'the part of society that consists of organizations and institutions that help and look after people, their health and their rights. It does not include the government or their family'.

The concept of civil society as an amalgamation of seven defining elements draws upon the work of many contemporary scholars and theorists. Following are the seven strands identified by contemporary theorists:

- 1. Non-profit and voluntary institutions:** Many scholars view civil society as a set of non-profit and nongovernmental organizations. As suggested by Lester Salamon (Director of the Center for Civil Society Studies at The Johns Hopkins Institute for Policy Studies) and American author, academic and public administrator Brian O'Connell, this tradition reflects a long history of social theory viewed in institutional terms. Equating civil society with the non-profit sector excludes

important institutional and normative dimensions that are of fundamental importance to understanding its central role in political and social life.

2. **Individual rights:** Contemporary theorists consider individual rights as a distinctive characteristic of civil society. For example, political theorists including John Keane, Ernest Gellner and Adam Seligman anchor civil society primarily in the growth of a sphere of private action and individual rights that is defended against the state.
3. **The common good:** Common good is the most ancient characteristics of civil rights. Helmut K. Anheier's (Director of the Centre for Civil Society based at the London School of Economics and Political Science) definition of civil society adopted by CIVICUS places central emphasis on the 'advance of common interests.
4. **The rule of law:** Inextricably connected to both the defence of individual rights and the pursuit of the common good is the 'rule of law'. German-British sociologist, philosopher, political scientist and liberal politician Ralf Dahrendorf, in particular, has emphasized the rule of law as a defining characteristic of civil society in its capacity to establish fair and predictable rules for the exercise of public authority.
5. **Philanthropy:** Robert Payton (University of Virginia) and Kathleen McCarthy (City University of New York) argue, from quite different theoretical perspectives, the critical significance of philanthropic values and practices to the constitution of civil society.
6. **Free expression:** The concept of free communication has developed in modern era in civil society. Charles Taylor emphasizes that a definitive characteristic of early modern civil society is the emergence of a system of free expression.
7. **Tolerance:** The notion of tolerance is also an essential feature of descriptions of civil society in British-Czech philosopher and social anthropologist Ernest Gellner's 'modular man'.

History of Civil Society

From historical point of view, the meaning of civil society has changed twice—the first during French Revolution and second during the fall of communism in Europe. In 18th century, the concept of civil society is usually connected to the early modern thought of Age of Enlightenment. Generally, civil society has been referred to as a political association governing social conflict through the imposition of rules that restrain citizens from harming one another. In classical period, it was used as a synonym for good society. Socrates taught that conflicts within society should be resolved through public argument using 'dialectic', a form of rational dialogue to uncover truth.

According to classical Greek philosopher Socrates, public argument through 'dialectic' was imperative to ensure 'civility' in the polis and 'good life' of the people.

For classical Greek philosopher and well-known mathematician Plato, the ideal state was a just society in which people dedicate themselves to the common good, practice civic virtues of wisdom, courage, moderation and justice, and perform

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the occupational role to which they were best suited. It was the duty of the 'philosopher king' to look after people in civility. Aristotle thought the polis was an 'association of associations' that enables citizens to share in the virtuous task of ruling and being ruled.

The middle Age saw drastic change in the concept. Due to feudalism, the concept of classical civil society practically disappeared from mainstream discussion. Instead, it was dominated by just war discussion.

Pre-modern history

The 30 years of war and Treaty of Westphalia are considered to be responsible for the birth of sovereign state system. The treaty endorses state as territorially based political sphere having sovereignty. As a result of this, monarchs could exert domestic control over them. To meet administrative demands, monarch started controlling economy. This gave rise to absolutism which was hallmark of Europe till mid-18th century.

The absolutism concept was attacked by enlightenment thinkers. They started questioning their rule. They believed in inherent goodness of human beings and minds, and opposed the alliance between State and Church.

Influenced by 30 years of war, the political thinkers at that time held that social relations should be ordered in a different way from natural law. This led to social contract theory that constituted social relations in accordance with nature. They held that human nature can be understood by analysing objective realities and natural law conditions.

English philosophers Thomas Hobbes and John Locke were the first who started considering society as a social contract and not as a natural commodity unlike Greek philosopher Aristotle. For Hobbes, the State plays the most important role as it guarantees peace and self-preservation. According to him, civil society will flourish only when the State is strong. According to Locke, the most important aspect of social life was freedom of individuals who first created civil society. He argued that civil society should be treated as separate from the State. He argued that people form a community where their social life develops and the State should have no say in it.

The first task of this civil society is to protect the individual, specifically his/her rights and property, against the State and its arbitrary interventions (Merkel and Lauth 1998, 4; Schade 2002, 10).

Political philosopher Charles Montesquieu, similar to Locke, has designed a model where there is separation of power between political society and civil society. He stresses a balance between central authority and societal networks (corps intermediaries), where the central authority (monarchy) must be controlled by the rule of law and limited by the countervailing power of independent organizations (networks) that operate inside and outside the political structure (Merkel and Lauth 1998, 5).

German philosopher G.W. Friedrich Hegel saw civil society as a product of economic modernization. His concept of civil society includes factors like market economy, social classes, corporation and intellectuals which do not directly depend

upon the State. He emphasized that these factors are not in harmony with each other and, thus, should be controlled by a strong State.

German philosopher Karl Marx says that ‘civil society as such develops only with the bourgeoisie’ and defines the concept as comprising ‘the entire material interactions among individuals at a particular evolutionary stage of the productive forces...’ (Marx, *The German Ideology*, quoted in Bobbio 1988, 82). According to him, civil society is the base of the capitalist domination model, regulating and subordinating state. In Marxist terms, civil society is the structural base, and the State belongs to the superstructure that ensures capitalist domination by force.

Post-modern history

It was first developed by political opposition in the former soviet bloc East European Countries in 1980s. Research, however, states that communist propaganda have more influence on the development and popularization of ideas. According to the theory of restructurization of welfare systems, a new way of using the concept of civil society became a neoliberal ideology, legitimizing development of the third sector as a substitute for the welfare state.

Post-modern usage of the term ‘civil society’ was divided into two main concepts: as political society and as a third sector. By the end of 1990s, civil society was seen less as a remedy for the growth of anti-globalization movement and the transition of many countries to democracy. The civil society was increasingly called on to justify its legitimacy and democratic credentials. This led to the creation of high level panel by the UN. In 1990s, with the emergence of several NGOs and New Social Movements, the civil society as a third sector was treated as a key point in strategic action to construct an alternative social and world order. Post-modern civil society theory has now largely returned to a more neutral stance, but with marked differences between the study of the phenomena in richer societies and writing on civil society in developing states.

Civil society is also linked to social sphere. German sociologist and philosopher Jürgen Habermas said that the public sphere encourages rational will-formation; it is a sphere of rational and democratic social interaction. He argues that though the civil society is a representation of the capitalist society, it still consists of institutions that are a part of the political society.

Jillian Schwedler (Professor of Political Science at University of Massachusetts Amherst) points out that a civil society emerges with the resurrection of the public sphere when individuals and groups begin to challenge boundaries of permissible behaviour.

Causes and Functions of Civil Society

There is always a question of how a civil society is formed? This has generated many different answers. Some scholars think that it is self-generating. Genevan philosopher Rousseau treats the formation of civil society as a process that is conscious and deliberate. The Marxist version emphasizes the effect of inevitable progress of material improvement on the civic culture (Almond and Verba 1980:8). Political theorists Normal Nie, H. Powell and Kenneth Prewitt found that ‘economic development alters the social structure of a nation’.

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There is another cause for the formation of civil society. Political philosophers Marcia A. Weigle and Jim Butterfield concluded that 'social groups would form on the basis of independently articulated interests and goals'.

There are different functions of civil society. Some see it as harmful, while some gain use from it.

- **Economic functions:** There are both positive and negative aspects about the economic functions of civil society. One of the negative aspects of civil society is that the small interest groups have no incentive to work towards the common good of the society. Rousseau pointed out that 'man are forced to caress and destroy one another at the same time' in civil society (Fine 1997:17). Another pessimist is Callaghy, who fears that the 'wild passions' of the civil society may undercut sound economic management and economic reform.
- **Stabilizing functions:** Whether civil society can stabilize a state is a prominent question asked by many people. Both political theorists Alexis de Tocqueville and Robert Putnam stress the importance of networks of voluntary associations in support of a culture of trust and cooperation, which were essential to the successful functioning of democratic institutions. In Inglehart's multiple regression tests, although membership in voluntary organization is correlated with stable democracy, this did not show any significant impact when the other effects are controlled. Michael W. Foley (The Catholic University of America) and Bob Edwards (East Carolina University) states that democracy and a strong state depend on the enforcing effects of its civil society, but such effects depend on the prior achievement of both democracy and a strong state (Foley and Edwards 1996:48).
- **Democratic function:** This function of the civil society is long recognized. American political theorists Gabriel Abraham Almond and Sidney Verba concluded that the organizational member, political or not, compared with the non-member, is likely to consider himself more competence as a citizen, to be a more active participant in politics. The most striking finding is that any membership, whether it is active or passive, has an impact on political competence and, thus, is an important foundation of political democracy. It has yet another function, that is, of facilitating democratic transition. Montesquieu believed that a civil society should function as a counterbalance to government in order to inhibit their ruling tendencies.
- **Intermediation between state and citizens:** A civil society has to strike a balance between state and citizens. This is a pre-condition for safeguarding the rule of law. This function throws light on the permanent exchange of self-organized association in order to control and influence the activities of the State.
- **Community building and integration:** A civil society is seen as a change in civil virtues. Thus, participation in social organization helps in creation of these virtues to develop bonds and attachments. However, it should

be kept in mind that this does not take place in religious or racist environment.

- **Communication:** It is one of the most important functions of a civil society. It emphasizes the importance of free public sphere, where people have room for debate, participation and decision building.

Civil Society in Globalizing World

Globalization is a global phenomenon of cooperation wherein ideas are shared and a larger nexus is formed in many dimensions. The wide range of social, political and economic changes that have accompanied globalization have transformed opportunities for progress in the developing world.

Like globalization, the emergence of Global Civil Society (GCS) is a recent phenomenon. It is stated that there is a mutual interaction between GCS and globalization. GCS contributes to globalization. An important proposition formulated by the LSE team of Anheier et al (2001) is that 'global civil society both feeds on and reacts to globalization'. There is a strong co-relation between a cluster of globalization and a cluster of GCS.

The high concentration of GCS (e.g., secretariats of INGOs, parallel summits) is found in North-Western Europe, which is also high on globalization in terms of, for example, presence of Transnational Corporations (TNCs), Internet usage, importance of trade and foreign investment. The victim of globalization has reacted in an organized manner, which is in turn was reflected in the activities of GCS. The victims of South are linking themselves with North. This has created a solidarity movement. NGOs have been given representation at various multilateral agencies like UN and World Bank to voice for marginalized section.

GCS comprises diverse set of organizations, individuals and ideologies. It does not take any particular or unified stand on globalization. Its responses are varied depending upon the categories. The supporters in GCS are those who are enthusiastic about globalization. They are allies of transnational business and are in favour of expansion of global capitalism. The rejectionists are those who oppose globalization. They want to return to a world of nation state. The rejectionists are different depending upon politico-ideological perspective. It has the 'new right' who support global capitalism but oppose open border and a global rule of law. There are leftists here who are opposed to global capitalism, but do not oppose the spread of global rule of law.

The reformists are said to be the largest segment of GCS. They welcome the spread of global capitalism and connectedness, which is beneficial to all. At the same time, they want to civilize the process of globalization and, thus, want reform in international/multilateral economic institutions.

GCS and Nation-State

There is an on-going debate on the nature and fate of nation state in globalization. There have been different sets of views regarding this topic. It is said that:

1. There is end of nation state.
2. Weakening of nation state.

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3. Forced retreat of nation state.
4. Adaptation of nation state to neo liberal globalization.
5. Imperialism of developed state over the rest.
6. Neither weakening nor end of nation state.
7. Nation state is victim of globalization.

Seeing the diverse nature, we can state that different segments of GCS have different implications for the nation state.

The spatial boundaries of GCS are different from nation state. It operates in 'political spaces other than those bound by the parameters of the nation-state system'. This space is inhabited by different groups, individuals or organizations working for particular social or political objectives, though situated in different physical location.

This is because many issues today have acquired universal dimension and appeal, and so have a universal moralistic stance.

GCS, World Bank and UNO

In the era of globalization, the policies and practices of multilateral institutions like World Bank are influenced by the private sector. The World Bank and International Monetary Fund (IMF) are in the forefront of publishing neoliberal agenda into the third world countries. They have their own development commitments. However, in case of conflict of interests between social and environmental issues and the policy of corporate partners, the Bank sacrifices the former in order to maintain the support of the latter. The biggest borrowing countries (e.g., India, Brazil) have been able to push back the Bank on social and environmental issues. The Bank has setup NGOs but they play a mere role in changing the policy of the Bank towards these issues.

NGOs also have a cordial relationship with the UN Secretariat and high officials. They occasionally interact with these officials through forms, letters, petitions and other communications about policy matters. The UN Charter (Article 71) clearly states that the Economic and Social Council (ECOSOC) may make suitable arrangements for 17 consultations with non-governmental organizations, which are concerned with matters within its competence'. In recent years, NGOs have been very active organizing parallel forums and summits to forcefully express the concerns of the GCS. The main point is that NGOs do not have a formal authoritative voice but merely a consultative status with the UN.

Edwards' Role Model

Well-known writer and activist Michael Edwards made an attempt to structure the meaning of civil society. Out of the diversity of concepts offered by multiple actors regarding civil society and 'recognizing that civil society does indeed mean different things to different people' (Edwards 2004, 3), he elaborated the following three roles:

1. **Civil society as associational life:** It is the world of voluntary associations that act as carriers for developing values such as tolerance and cooperation.

2. Civil society as the good society: The second role sets this rich associational life in a proper context, fostering specific positive norms and values, and emphasizing that activities must be geared toward specific social and political goals (Edwards 2004, 37-53).

3. Civil society as the public sphere: The role of civil society is to provide a platform for the discussion and debates regarding day to day questions. This is important when it comes to making proper solutions and decision making.

Edwards' main concern is that each of these roles alone cannot achieve effective social change and other positive outcomes normally attributed to civil society. Thus, he calls for the integration of the different roles and to consider them comprehensively when supporting civil society initiatives (Edwards 2004, 10).

*State, Sovereignty
and Citizenship*

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Check Your Progress

19. According to Aristotle, who is a citizen?
20. How has civil society as a concept undergone changes?

2.8 ANSWERS TO 'CHECK YOUR PROGRESS'

1. The term 'state' originates from the Latin words '*stare*' which means 'to stand' and status that means 'a standing or condition'. The term 'state' was used for the first time by the famous Italian philosopher Machiavelli in his book *El Principe*. He used the term to mean a community with a definite territory under a common ruler.

The meaning of the term 'state', however, has transformed through the years to mean government, nation or society.

2. Aristotle defined the state as 'A union of families and villages having for its end a perfect and self-sufficing life, by which we mean a happy and honourable life.' According to MacIver, 'The state is an association, which acting through law was promulgated by government endowed to this end with coercive power, maintains within a community, territorially demarcated the universal external conditions of social order.'

3. The four elements of state are: people (population), territory, government and sovereignty play vital roles.

4. According to the political theorist and author Lean Mayher, the functions of the state are as follows:

- (i) Limiting internal power struggles between different classes or groups to maintain internal peace in society.
- (ii) Bringing power to bear on other societies in defence of national interest or in expanding and building empire.
- (iii) Controlling the population of the society so as to bind them to the pursuit of collective objectives.

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(iv) Recognizing and implementing the interests and demands of various groups.

5. The main features of the Greek city-states were as follows:

- These were independent and self-governed. In fact, the emergence of city-states was a big experiment in self-governance.
- These led to the development of self-sufficiency and regionalism.
- These were typical examples of direct democracy.
- The emergence of city-states led to the direct participation of citizens in the functions of civil and military life.

6. The law of nature for Hobbes meant a set of rules according to which an ideally reasonable person would pursue his own advantage, if he was perfectly conscious of all the circumstances in which he was acting and was quite unswayed by momentary impulse and prejudice. Since he assumes that in the large, men really do act in this way, the law of nature states hypothetical conditions upon which the fundamental trades of human beings allow a stable government to find it. They do not state values but they determine casually and rationally what can be a given value in legal and moral systems.

7. For Hobbes, one of the foremost duties was to protect the subject from rebellion. To achieve this Hobbes has seven injunctions: (a) patriarchic commitment to the status quo; (b) to resist demagogues; (c) to respect the established government; (d) the specific need for civil education; (e) the importance of decline that was inculcated in the home; (f) the law and order, to abstain from violence, private revenge, disowner to person and violation of property; (g) right attitudes would bring about the right behaviour.

8. Locke proceeded to derive civil society from the consent of its member. The consent, by which each person agrees with other to form a body politic, obligates him to submit to the majority. The compulsion to constitute a civil society was to protect and preserve freedom and to enlarge it. The state of nature was one of liberty and equality but it was also one where peace was not secured being constantly upset by the 'corruption and viciousness of degenerate men'. It led to three important wants: The want of an established, settled, known law; the want of a known and indifferent judge; and the want of an executive power to enforce just decisions. Through a contract, individuals consented to submit to the majority rule and organized themselves as a community or civil society. Locke says men being by nature all free, equal and independent, none can be put out of this estate (state of nature) and subjected to political power of another without his own consent. This is the reason why the problem was to form a civil society by common consent of all men and transfer their right of punishing the violators of natural law to an independent and impartial authority.

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9. Jean Jacques Rousseau is considered as one of the greatest thinker that France has ever produced. Not only in France but in the entire history of political theory, he was the most exciting and most provocative. By the very magic of his style no other political thinker could come anywhere near him. He was a genius and a keen moralist who was ruthless in his criticism of 18th century French society. He was one of the most controversial thinkers, as evident from the conflicting, contradictory and often diametrically opposite interpretations that existed of the nature and importance of his ideas. He was a philosopher, writer and composer of 18th century *Romanticism*. He was born in Geneva, Switzerland on 28 June 1712. During that period, Geneva was a city-state and a protestant associate of the Swiss Confederacy. He rose to fame with his prize winning essay *Discourse on the Science and Arts*. In this essay, he rejected progress based on the Arts and Sciences, as he did not elevate the moral standards of human beings. He traced the rise of inequality and the consequent fall of the human individual. He wrote a novel namely *La Nouvelle Heloise* in 1761. In this novel, the themes of his early essays reappeared, and his preference for nature and the simple pleasures of country life became evident. It is only after his death that his *Confessions* was published. He accomplished many things during his lifetime which included writing on music, politics and education. His fame primarily rested on his writings. He also composed some operas.
10. According to the evolutionary theory, there are basically five factors responsible for the evolution of the state. These are discussed below:
- (i) Kinship: This is the most vital factor on the origin of the state and was based upon blood relationship. Family constituted the first connection in the process of the evolution of the state with the expansion of the family arose new families and the multiplication of families led to the formation of clans and tribes.
 - (ii) Religion: The second connection that helped unify society was religion. The worship of a common ancestor and common goods created a sense of social solidarity.
 - (iii) Force: Force also played a vital part in the origin of a state. Force helped create and expand empires.
 - (iv) Property and Defence: These also played a critical role in state formation, especially amongst nomads and tribals. According to Laski, the need to protect property ultimately compelled the ancient people to establish the state.
 - (v) Political Consciousness: This arose from the fundamental need for the protection and order. When people settled at a particular place, they felt a desire to secure it from encroachers.
11. The key features of a state are:
- A state is a sovereign power superior to all other associations and groups within it. It has the supreme power of the land.

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- As opposed to other associations, foundations of a state are either private or public. While a private body helps in running businesses and forming trade unions that realize common people's aspirations, public bodies help in accomplishing collective decisions.
 - The decisions of a state are binding on its people as these are made for their common good.
 - The state is vested with the right to enforce laws and rules. It also reserves the right to punish anyone who violates the law.
 - From an international perspective, a state is considered to be an autonomous body with geographically defined boundaries.
12. Most philosophers attribute the origin of nation-states to the 19th century European phenomenon of spreading of mass media and mass literacy. Some maintain that the invention of the printing press was also partly responsible for bringing people closer to each other. Benedict Anderson, Professor Emeritus of International Studies at Cornell University, propounded that before the printing press was invented, elite languages like Greek or Latin were inaccessible to common people. With the invention of the printing press, these languages united common man and created a bond that transformed into regionalism.
13. Sovereignty is a legal concept. Among all the four elements of the state, sovereignty is the most important one. It denotes the ultimate supremacy of the state. The word 'sovereignty' has been derived from the Latin word *superanus* which means 'supreme'. J. W. Garner, in his Introduction to Political Science, defines sovereignty as 'characteristics of the state in virtue of which it cannot be legally bound except by its own will or limited by any other power than itself.' Thus, most of the classical definitions of sovereignty stress on supremacy of the state in both legal and political sphere.
14. The concept of Austin's theory of sovereignty can be better understood if we first follow the legal analysis of the state presented by him. He believed that it was very essential to discover in a given society the definite superior to whom the people render habitual obedience. Further, the sovereign should not obey any higher authority. When we are able to recognize that authority which gives commands that are habitually obeyed and the authority not receiving them, we have found the sovereign power in the state.
15. Emile Durkheim, Otto von Gierke, F. W. Maitland and G. D. H. Cole are the main exponents of pluralistic theory of sovereignty. Durkheim pleads for the freedom of the vocational groups to regulate the state's economy because the state as a general scheme of life is not adequately fitted to undertake the specialized tasks of economic democratic politics, pluralism is a guiding principle which permits the peaceful coexistence of different interests, convictions and lifestyles.

16. Sovereignty has certain features. These are as follows:

- Permanence
- Absoluteness
- Universality
- Indivisibility
- Inalienability

17. The hypothesis which states that the functions of the government should be performed by different bodies and each department should be limited to its own sphere of action, without interfering in each other and that it should be independent within that sphere, is called Theory of Separation of Powers.

18. The Theory of Checks and Balances is based on two principles:

- (i) Power should not be concentrated in the same persons or in the same bodies of persons, because if all power is vested in the same person then it is bound to become tyrannical.
- (ii) Power only can check power, i.e., to check whether power is being abused, it is very important that power should be made to check power. The power of one organ can be checked if the other organ is made just as powerful.

19. Aristotle, the great Greek philosopher, had once commented, 'A citizen is one who permanently shares in the administration of justice and the holding of office.' The statement of definition suits aptly to a democratic citizen. However, one should always remember that elements of citizenship reside in all nations that include the most repressive, authoritarian and totalitarian states also. The explanation of citizenship is a complex phenomenon and its various usages tend to project its various meanings.

20. Civil society as a concept has undergone variety of changes since its inception. Different people have defined the term based on the time and situation. Depending upon the era, political thinkers have attempted to define civil society. Major changes have taken place over time in how a civil society is conceptualized. This includes the changes from equating civil society with the state itself towards opposing them, as well as from a purely economic understanding of a civil society to a non-economic, political understanding.

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2.9 SUMMARY

- The term 'state' originates from the Latin words '*stare*' which means 'to stand' and status that means 'a standing or condition'. The term 'state' was used for the first time by the famous Italian philosopher Machiavelli in his book *El Principe*. He used the term to mean a community with a definite territory under a common ruler.

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- In the formation of state, population is considered to be the most vital element. There will be no state in an unpopulated region.
- Philosophers have not stressed on any definite size for a territory. The territorial expansion of a state should be commensurate to its population. Some political philosophers believed that territory was not an important element for state formation.
- In a state, sovereignty has two aspects—internal and external. The internal aspect of sovereignty pronounces that the state has supreme power over all its subjects.
- Like all social institutions, the state has a set of social functions. Its primary functions maintaining law, order and stability, resolving various kinds of disputes through the legal system, providing common defence, and looking out for the welfare of the population in ways that are beyond the means of the individual, such as implementing public health measures, providing mass education and underwriting expensive medical research.
- The Greek city-states may be taken as models of ideal city-states in the ancient world. A Greek city-state, known as a polis, was an administrative centre of a limited territory.
- Each city-state had its own walled town, own Gods, own traditions, customs and their own government. Athens, Sparta, Corinth, Argos and Thebes were a few famous ancient city-states in Greece.
- An imperial state existed as part of an empire. An empire was deemed to be a group of countries under the direct or indirect control of a foreign power or government, which shaped their political, economic and cultural development.
- The main objective of a theocracy is to uphold divine law through its policies and practices. It recognizes no legal separation of Church and state.
- In recent times, the word ‘state’ has often been combined with the word nation to form the entity called nation-state or state-nation. Although these two words, nation and state, are often used interchangeably in everyday conversation, they are two quite different concepts.
- A state is a particular type of political structure distinct from a band, chiefdom and tribal society. It is hierarchical, bureaucratic, centralized, and has a monopoly on the legitimate use of force to implement its policies.
- In terms of language, race and ethnicity, the development of the nation-state took place since the middle of the 19th century. In France, the creation of nation-states started during the French Revolution when half of its population spoke almost the same language, shared the same racial and ethnic backgrounds
- Nationality is a legal relationship between a state and an individual. The concept allows the state jurisdiction over the individual and affords the person the protection of the state.

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- The conception of the state, its basis, its principal elements (the people, the country), its rise, its end or aim, the chief forms of its constitution, the definition and the division of sovereignty (*Statsgewalt*) form the subjects of the theory of the state in general, and this in turn is at the base of the two special political sciences: public law and politics.
- According to Hobbes, in a state of nature, individuals enjoy complete liberty, including a natural right to everything, even to one another's body. The natural law dictates reason. It is not synonymous with 'laws' or 'commands'.
- Hobbes made the sovereign (*Leviathan*) the sole source and interpreter of laws. He alone is the interpreter of divine and natural laws. Sovereign of Hobbes was not bound by divine and natural laws. Even the sovereign is not subject to civil laws.
- Hobbes' account of authority in *Leviathan*—in contrast to his earlier works, has a two-tiered structure, one in which absolute authority is inscribed with recognizable limits upon its proper use.
- Locke's depiction of several stages of contract was a clear departure from Hobbes's depiction. In Hobbes theory, state and society were formed together but in Locke's theory, they were created in different steps.
- Jean Jacques Rousseau is considered as the greatest thinker that France has ever produced. Not only in France but in the entire history of political theory, he was the most exciting and most provocative.
- According to Rousseau, the emergence of civil society degenerated human society. He argued that the natural man lost his ferocity once he began to live in society. As a result, he became weak.
- The creation of popular sovereignty by vesting it in the General Will was a unique contribution of Rousseau which led the foundation of modern democracy. The concept of General Will is the central theme of Rousseau's doctrine.
- According to Rousseau, submission to the General Will creates freedom. He spoke of a total surrender but not to a third party. Unlike Hobbes, he vested sovereign power in the political community.
- The Evolutionary Theory of the state is now considered the most widely accepted theory on the origin of the state. According to it, the state is neither the work of god, nor the mere extension of the family.
- Among all the four elements of the state, sovereignty is the most important one. It denotes the ultimate supremacy of the state.
- According to Jean Bodin (1530–1596), the famous French jurist and political philosopher, 'sovereignty is the perpetual and absolute power of commanding in a state, as the supreme power over citizens and subjects unrestrained by law.'
- The famous 17th century English political thinker, Thomas Hobbes, also propounded several principles on sovereignty. He argued that the state was a product of the will of the people.

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- Austin speaks of vesting sovereignty in a determinate human superior. His famous statement of the doctrine of sovereignty is contained in a passage in his book *The Province of Jurisprudence Determined*.
- The germ of the pluralistic theory is to be found in the work of the German jurist, Otto von Gierke. Emile Durkheim, Otto von Gierke, F. W. Maitland and G. D. H. Cole are the main exponents of pluralistic theory of sovereignty.
- The term ‘pluralism’ is also used to denote a theoretical standpoint on state and power—which to varying degrees suggest that pluralism is an adequate model of how power is distributed in societies.
- There are a number of other thinkers who have assailed the traditional theory of sovereignty and pleaded for the autonomy of the groups. Durkheim pleads for the freedom of the vocational groups to regulate the state’s economy because the state as a general scheme of life is not adequately fitted to undertake the specialized tasks of economic control.
- Laski, the doyen of the pluralist world, at a later stage criticizes pluralism on the ground that ‘it did not sufficiently realize the nature of the state as an expression of class-relations’.
- Sovereignty cannot be transferred or given away without destroying the state. In this regard, Lieber states, ‘Sovereignty can no more be alienated than a tree can alienate its right to sprout or a man can transfer his life and personality without self-destruction.’
- The classic definition of the Theory of Separation of Powers is explained by Montesquieu. This French political thinker had exposed his political thinking in his book, *The Spirit of Laws*, which was published in 1748.
- The theory of Separation of Powers and the theory of Checks and Balances are always in harmony. The former stands for separating the three organs of the government and the latter stands for a network of checks and balances on all the three organs of the government.
- Most often, citizenship is seen as a legal entitlement, that is having a specific nationality, holding a passport, and deriving from this status the rights and duties as guaranteed by the Constitution.
- Civil society as a concept has undergone variety of changes since its inception. Different people have defined the term based on the time and situation. Depending upon the era, political thinkers have attempted to define civil society.
- From historical point of view, the meaning of civil society has changed twice—the first during French Revolution and second during the fall of communism in Europe.

2.10 KEY TERMS

- ***El Principe***: The Prince (or *El Principe*) is a 16th-century political treatise by the Italian diplomat and political theorist Niccolò Machiavelli.

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- **Theocratic State:** It is a type of state in which God is the ruler, either directly, or indirectly through his chosen leader.
- **Civil Law:** This is a legal system originating in Europe, intellectualized within the framework of Roman law, the main feature of which is that its core principles are codified into a referable system which serves as the primary source of law.
- **Covenant:** Literally, a contract. In the Bible, an agreement between God and his people, in which God makes promises to his people and, usually, requires certain conduct from them.
- **Utilitarian:** It means something relating to or adhering to the doctrine of utilitarianism.
- **Kinship:** In anthropology, kinship is the web of social relationships that form an important part of the lives of all humans in all societies, although its exact meanings even within this discipline are often debated.
- **Internationalism:** This is a political principle which transcends nationalism and advocates a greater political or economic cooperation among nations and people.
- **Autonomy:** It is the right of an organization, country, or region to be independent and govern itself.
- **Pluralism:** Classical pluralism is the view that politics and decision making are located mostly in the framework of government, but that many non-governmental groups use their resources to exert influence. The central question for classical pluralism is how power and influence are distributed in a political process.
- **Sovereignty:** This is the full right and power of a governing body over itself, without any interference from outside sources or bodies. In political theory, sovereignty is a substantive term designating supreme authority over some polity.
- **Totalitarian State:** A state that subordinates the individual to the state and strictly controls all aspects of life by coercive measures.
- **Welfarism:** In philosophical ethics, welfarism is a form of consequentialism. Like all forms of consequentialism, welfarism is based on the premise that actions, policies, and/or rules should be evaluated on the basis of their consequences.
- **Cosmopolitan Citizenship:** The idea of cosmopolitan citizenship seems to have first appeared in Ancient Greece in the fourth century BC.
- **Philanthropy:** This means the love of humanity. A conventional modern definition is “private initiatives, for the public good, focusing on quality of life”, which combines an original humanistic tradition with a social scientific aspect developed in the 20th century

NOTES

- **Feudalism:** This was a combination of legal and military customs in medieval Europe that flourished between the 9th and 15th centuries. Broadly defined, it was a way of structuring society around relationships derived from the holding of land in exchange for service or labour.
- **Transnational Corporations (TNCs):** This is an enterprise that is involved with the international production of goods or services, foreign investments, or income and asset management in more than one country.

2.11 SELF-ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Why cannot Antarctica be considered a state?
2. How is a city-state different from a tribal state?
3. What were the main features of Greek city-states?
4. What is the political order that exists in a theocratic state?
5. What are the key features of a nation?
6. What do you mean by a nation-state?
7. How, according to Hobbes, does natural law differ from civil law?
8. Write a short note on Rousseau's criticism of science and art as depicted in his famous essay.
9. Why is the Evolutionary Theory of the state now considered the most widely accepted theory on the origin of the state?
10. Why was Austin's Theory of Sovereignty criticised by many philosophers?
11. Write a short note on the origin of popular sovereignty.
12. What are the main functions of civil society?

Long-Answer Questions

1. Discuss with some examples the origin of the formation of city-states.
2. Examine the differences between a nation and a state.
3. Why did Hobbes prefer monarchy against aristocracy or democracy? Discuss.
4. What, according to Rousseau, is the General Will?
5. Discuss the contribution of some well-known philosophers who threw light on sovereignty.
6. Analyse the merits of pluralist theory of sovereignty.
7. Discuss how the Theory of Separation of Power carried a deep influence on the practice of several governments in the world.
8. What are the three roles that Michael Edwards elaborated to structure the meaning of civil society? Discuss.

2.12 FURTHER READING

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*State, Sovereignty
and Citizenship*

NOTES



UNIT 3 RIGHTS, LIBERTY AND JUSTICE

*Rights, Liberty
and Justice*

Structure

- 3.0 Introduction
- 3.1 Objectives
- 3.2 Rights and Duties: An Overview
- 3.3 Liberty
- 3.4 Equality
- 3.5 Justice
- 3.6 Constitution: Meaning and Types
- 3.7 Welfare State
- 3.8 Answers to 'Check Your Progress'
- 3.9 Summary
- 3.10 Key Terms
- 3.11 Self-Assessment Questions and Exercises
- 3.12 Further Reading

NOTES

3.0 INTRODUCTION

In common parlance, rights are principles of freedom or entitlement. These are given to the people according to some legal system, social convention, or ethical theory. There are rights like human rights which are common to all people by virtue of being human beings and irrespective of their gender, race, language and ethnicity. When it comes to possess ancestral property, there are many inheritable rights that people have. Then there are unalienable rights that cannot be compromised or transferred to another group or authority. The range of human rights was broadened after the Universal Declaration on Human Rights in 1948. Today rights have been also categorised as civil, political, economic and collective rights.

It is universally acknowledged that in the development of a nation or the growth of an organization, rights and duties play an important role. In India, in Part III of the Constitution, there are six Fundamental Rights which all legislations have to conform to. One of the fundamental rights — Right to Constitutional Remedies (Article 32-35) — ensures that there are effective judicial remedies for their enforcement. It empowers the Supreme Court of India to issue orders or writs namely habeas corpus, mandamus, prohibition, quo warranto or certiorari, for the enforcement of any of the fundamental rights.

In 1976, under the Forty-Second Amendment, a set of fundamental duties of Indian citizens was incorporated. While rights give an individual or a citizen an opportunity to be a part of development process, duties make him/her obliged to play a part this process. In a democratic country, people are privileged to have some fundamental rights. But as responsible citizens, they are supposed to perform duties also.

As freedom to live their own life can't be achieved without liberty, appropriate conditions to realize it are needed. Several scholars have sought to bring in their own perspective on the significance of civil, political and economic liberty. Idea of

NOTES

equality and justice which constitutes the voice for changing unfair social conditions is as important as liberty. After all, justice is also linked with liberty, equality and fraternity. In most of the countries, the genesis of welfare state can be traced to addressing the problem of widespread poverty which came to the fore on account of unequitable distribution of resources to the people at large.

This unit discusses the role and significance of rights and duties, liberty, equality and justice, types of constitution and the nature and scope of welfare state.

3.1 OBJECTIVES

After going through this unit, you will be able to:

- Understand the significance of fundamental rights and duties
- Explain the notions of liberty, equality and justice
- Discuss the various types of constitutions
- Examine the nature and scope of welfare state

3.2 RIGHTS AND DUTIES: AN OVERVIEW

Rights can be defined as the moral principles that fix, explain and sanction the actions of a human being in the social milieu in which he exists. The most fundamental right of any and every human being all over the world is his/her right to his/her own life. All other rights that are sanctioned by legal, religious or social bodies are corollaries to this essential right of humans to their own lives. This basic right of all human beings can be understood by comprehending the actions and thoughts it allows and supports. To put it simply, all individuals have been bestowed the freedom to make decisions and take actions that are essential for them to lead a healthy, happy life. He/she has the right to pursue happiness and is at liberty to further their own well-being without fearing any interference from other human beings or infringement from any group or authority.

This basic right of all individuals and such other essential rights are not granted to humans through any religious or governmental authority. Instead, such rights are granted to one due to the 'law of identity'. This essentially means that all humans have the privilege to avail certain rights that are prerequisites for ensuring proper conditions of existence on which survival depends. Each human being present on the planet has the right to enjoy freedom and make decisions for his/her own life and this freedom to make judgments regarding one's own life is essential. The rationale of each individual should be allowed to be free without any coercion. Any attempt made to curtail this right is ethically wrong and is often considered 'anti-life', that is, it is against nature's laws that allow man freedom and will hamper free life.

Legal Theory of Rights

The legal theory of rights states that rights completely depend upon the institutions and recognition of state. An individual cannot claim rights if those are not recognised

by the state. Mere recognition, moreover, is not sufficient for the exercise of rights. The state must, through law and institutions, implement the rights.

*Rights, Liberty
and Justice*

Natural Theory of Rights

According to the natural theory of rights, rights are perceived as the inherent and original rights of human nature, which equally belong to all men without exception, and which are possessed solely because of their human condition.

Idealist Theory of Rights

The idealist theory of rights states that rights are the external conditions essential to man's internal and real development. The German theorist described the system of rights as 'the organic whole of the outward conditions necessary to the rational life.' Similarly, Henrici defines a right as 'that which is really necessary to the maintenance of material conditions essential to the existence and perfection of human personality.' In brief, the idealistic theory stresses on the creation of those conditions which help man to reach the fullest stature of his personality. Thus, the idealist theory of rights is also known as personality.

Individualist Theory of Rights

The individualist theory of rights makes the individual its focus. It starts with the fundamental premise that the human individual is of primary importance in the struggle for liberation. Individualism thus involves 'the right of the individual to freedom and self-realization'. Under this theory, the nature of the individual and his self-realization is the standard whereby the concepts of equality and freedom are to be understood. The nature of freedom and equality is to be considered in terms of the analysis of the meaning of individual.

Inherent Rights

Human rights can be defined as those basic rights that are inherent to human beings and are interrelated (curtailment of the rights of one will affect others as well) and indivisible. These rights are common to all individuals and they cannot be discriminated against using any of the following reasons:

- Nationality
- Gender
- Place of residence
- Ethnic origin
- Colour
- Religion
- Language
- Caste or community

These 'inheritable rights' are transferred automatically from one generation to another. This means that rights such as the right to possess ancestral property are definitely important but in the context of human rights it also goes on to imply the right to food. This right to food does not grow out of the fact that the child born is a certain individual's successor. It stems from the basic virtue of the new born

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being essentially human and has the right to food as much as his/her predecessors and all individuals around the world do. Such minimum standards of living are essential and they constitute basic human rights.

According to author Johannes Morsink, 'all people have human rights simply by virtue of being born into the human family and those human beings have these rights regardless of any government or court action (or inaction).' Just as certain principles in physics and mathematics are universal and are applicable irrespective of time and place, so also human rights are universal. They do not draw their existence out of any political, economic or cultural system. These inherent human rights demand humans to 'follow the lead of the Declaration's drafters and liberate the idea of human rights from the realm of the political and the juridical, which is where contemporary theorists have imprisoned it.' The Declaration referred to here is The United Nations Declaration on the Rights of Indigenous Peoples.

However, this Declaration has often been criticized based on the grounds that due to the language used in it, no form of human rights 'are available' either now or in the future for indigenous people. It was also brought to light that if this Declaration was adopted by the General Assembly, the human rights that were already in place and had been recognized by international law, would be diminished in value or lose significance altogether.

The human rights of indigenous people are also inherent and they cannot be denied of it. The Preamble of the Declaration on the Rights of Indigenous Peoples' further states that, 'Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources.' In the process of formulation of such Declarations, governments have the power to contribute to the wording of it and can also acknowledge such a human rights treaty. It is also ultimately their responsibility to 'promote and protect', these human rights that have been recognized around the world.

Article 1 of the Declaration states that, 'Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in ... international human rights law.'

The rights of indigenous people have been stated in both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). These are as follows:

- 'All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.'
- 'All peoples may, for their own ends, freely dispose of their natural wealth and resources ... In no case may a people be deprived of its own means of subsistence.'

The ICCPR also supports the right to form 'own cultures' for any community or group. For this purpose, a broad understanding of the concept of culture is applicable, which states, 'Culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of

indigenous peoples. That right may include such traditional activities as fishing or hunting...'

*Rights, Liberty
and Justice*

Inalienable Rights

In order to comprehend inalienable rights, the concept of unalienable rights also has to be comprehended. Unalienable rights are those rights of humans that cannot be surrendered, sold or transferred to another human, group or authority. These include the right to life, liberty and to pursue happiness and are therefore also referred to as 'natural' or 'God-given' rights. As opposed to this, inalienable rights are the 'rights that can only be transferred with the consent of the person possessing those rights.' In a certain sense, some human rights are inalienable and can be withheld in certain situations or cases. To make this point clearer, let us take the example of a person who has been found guilty of a crime, say, theft. Even though the right to liberty is a basic right, it may be curtailed in such circumstances and the person may be locked up restricting his movement.

All human rights are 'indivisible, interrelated and interdependent' and the promotion or curtailment of one is directly proportional to the flourishing or deprivation of others. These rights can be classified in the following categories:

- **Civil and political rights:** Right to life, equality before law and freedom of expression
- **Economic, social and cultural rights:** Right to work, social security and education
- **Collective rights:** Right to development and right to self-determination

Universal Human Rights

The basis of universal human rights is that it transcends time and boundaries and in order to ensure that it is implemented aptly international human rights laws come into place. Besides the international laws, the governments of all nations are also bound to implement the same by principle. This requisite action was first articulated in 1948 in the Universal Declaration on Human Rights. Since then, it has been the subject of innumerable international human rights conventions, declarations and resolutions.

Another major event to be noted on this timeline is the Vienna World Conference on Human Rights that was held in 1993. It was in this conference that human rights scholars pointed out that 'it is the duty of states to promote and protect all human rights and fundamental freedoms, regardless of their political, economic and cultural systems.'

In order to ensure that human rights around the world are not infringed upon, laws are formulated in the form of a number of treaties, customary and other sources of international laws and various other general principles. These laws also formulate guidelines for various governments to keep in mind in order to promote and protect the rights and freedom of an individual human or groups.

A fundamental principle of the various tenets of international human rights law is to ensure non-discrimination. This principle has been incorporated in human rights treaties all around the world. It also forms the main premise of most international human rights conventions like the International Convention on the

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Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women.

Article 1 of the Universal Declaration of Human Rights states that, 'All human beings are born free and equal in dignity and rights.' Therefore, the tenet of non-discrimination is essential for the upholding of all human rights and it prohibits discrimination on any basis.

Welfare rights

Welfare can be described as an activity which aims to ensure that people are aware of their rights about receiving the maximum claims to state welfare benefits. This activity was first introduced in the UK in 1969, and has now been developed in other countries including the USA, Australia and Ireland. Due to complications in the UK social security system, this activity became essential. It also had associations with the Claimants Union movement, active during this time. Local authorities realized the benefit of having experienced and knowledgeable front-line staff, including social workers and housing officers, who were adept in handling benefit queries as a part of their wider tasks. As a result, these authorities sought the help of the welfare rights staff for providing the skill to train and deal with complicated cases.

Welfare rights advice and advocacy in the United Kingdom

In the UK, some voluntary sector organizations and local authorities, including the Citizens' Advice Bureau, hire paid or volunteer welfare rights advisers. Generally, these advisers provide free, fair and independent suggestions, support and information on every feature of social security benefits and tax credits, including free representation at a First-Tier Tribunal and Upper Tribunal, which are controlled by the UK Ministry of Justice.

Some barristers, solicitors and independent advisors or organizations are also there to offer welfare rights advice and representation. These advisers may charge a fee or they might provide limited pro-bono (free) advice and assistance.

Usually, these advisers provide expert legal advice in dealings with public departments, such as Her Majesty's Revenue and Customs (HMRC), local authority Housing Benefit and Council Tax Benefit services and the Department for Work and Pensions (DWP).

Generally, the functions of the welfare rights advisers are as follows:

- To assist with complicated benefit application forms
- To check the tax credits or benefits to which people are entitled
- To provide support and representation in front of social security appeal tribunals
- To represent and advise on all aspects of social security law, including overpayments, suspensions, backdating and entitlement to benefits

Often, a case management system is used by the advisers, which helps them in managing their work properly. These systems can be based on the use of papers, computers, or can even be online.

Usually, welfare rights officers are closely associated with campaigning groups and charities, including Citizens Advice Bureau and London Advice Service Alliance (LASA) and Child Poverty Action Group (CPAG). These organizations are known for their publications and training, which are extensively used by advisers throughout the UK and their campaigning activities.

The professional organization of the welfare rights advisers is the National Association of Welfare Rights Advisers (NAWRA) at the UK level. Moreover, the professional association of Scotland is known as the Rights Advice Scotland (RAS).

Definition of Duty

A duty is basically a commitment or expectation to perform some action in general or if certain circumstances arise. In India, under the Forty-Second Amendment, a set of fundamental duties have been added to the Indian Constitution.

Relationship between Rights and Duties

Rights and duties are closely related to each other. If the state gives the right to life to a citizen, it also imposes an obligation on him to not to expose his life to dangers, as well as to respect the life of others. It can also be said that rights can be enjoyed only in the world of duties. For every right there is corresponding duty. When the people fail to discharge their duties properly, the rights all become meaningless. Moreover, rights are not the monopoly of a single individual. Everybody gets these equally.

Rights originate in society. Therefore, while enjoying rights, we must always try to promote social interest. It is the duty of every one of us to use our rights for promoting the welfare of the society as a whole. Some political scientists also believe that since state protects and enforces rights, it also becomes the duty of all citizens to be loyal to the state. It is their duty to obey the laws of the state and to pay taxes honestly. Citizens should always be ready to defend the state. Thus, a citizen has both rights and duties.

Check Your Progress

1. What do you understand by rights?
2. What does the preamble of the Declaration on the Rights of Indigenous Peoples state?
3. What is the basis of universal human rights?
4. List the functions of the welfare rights advisers.

3.3 LIBERTY

Liberty is an essential element in shaping a human personality. It is multifaceted and is seen in the form of civil, natural, political, economic, national and personal liberty. Liberty is the most valuable element of a man's life. However, in politics, liberty is a central problem that requires detailed discussion. History, shows that liberty is the basic element that makes up the ethos of man and civilization. Without

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it, no one can attain happiness which is the true end of man's life. Men want to be free to live their own lives in their own way. Rights are means to an end and that end is liberty. Liberty means absence of restraints. While liberals pleaded for an individual's freedom from the authority of the state, Marxists fought for the freedom of the proletariat from the bourgeoisie. The right to liberty is one of the most important rights because it contributes to the evolution of a man's individuality.

History is replete with examples that show that liberty is the foundation of the ethics of human civilization. Without it no one can attain happiness which is the true end of all human beings. Men want to be free to live their own lives, in their own way and the attainment of that ambition constitutes liberty. The purpose of rights is to enable men to live, to enjoy life and to develop to the full potentialities of their individual personalities. Rights are only a means to an end and the end is liberty. Men want to be free to live their own lives in their own way and the attainment of that ambition constitutes liberty or freedom. Following are some well-known definitions of liberty given by famous scholars and thinkers:

Seeley: 'Liberty is the opposite of the government.'

Liber: 'It is the faculty of willing to the power of doing what has been willed without influence from any other source.'

Laski: 'I mean by liberty the absence of restraints upon the existence of these social conditions which in modern civilizations are the necessary guarantees of the individual happiness.'

D.D. Raphael: 'Freedom means absence of restraints. A man is free so far as he is not restrained from doing what he wants to do or what he would choose to do if he knew that he could.'

From these definitions, we come to the conclusion that liberty is the affirmation by an individual or a group of his or its own essence. The ideal of liberty has made its powerful appeal to man through all ages. It implies man's right to do what is worth doing. It implies man's right to do what he wants for the sake of making the best possible development of his personality by following a course that is good, or right, or moral, or lawful. In fact, the real meaning of liberty should be understood with this point in view that the liberty of an individual is relative to that of others.

Various Views on Liberty

The different views on liberty are as follows:

(i) Marxist View on Liberty

The Marxist view regarding the meaning and nature of liberty borders on the nature and scope of economic liberty available in the pattern of social life. The liberals define liberty to be a group of rights that enable a man to seek the best possible development of his personality. They do not emphasize on the kind of social life man leads. The Marxist view of liberty covers the case of man's life in the society he lives and the conditions he is subjected to. There is no liberty for a man of the 'dominated' class in a bourgeois society. According to Marxists, all privileges are available to the members of the ruling class by virtue of having the ownership of the means of production and distribution.

In the Marxist view, there can be no real freedom unless the capitalist system is replaced with the socialist system. They take liberty to be synonymous with the end of exploitation of man by man in a class-contending society. A Marxist also integrates liberty with the 'glorious human values' possible only in the stateless era of social development. According to him, 'Every emancipation is a restoration of the human world and of human relationship to man himself.' The aim of human life is not to bear the burdens of exploitation, humiliation and injustice, but to have a life of real freedom which can only be achieved by means of changing the society so that the 'have-nots' of today are converted into the 'haves' of tomorrow.

The Marxist concept of liberty rejects 'free will' as an ingredient of liberty. Man is not only a social creature; he is also a *conscious* creature. He can understand the pattern of his social existence and then change it by means of his conscious revolutionary social activities. A man can comprehend the implications of his free or un-free life only when he is conscious of the objective laws of nature and social existence. Knowledge makes the mastery of man over nature and society possible, but man's knowledge is useless without his revolutionary social actions.

(ii) Harold Laski on Liberty and Human Personality

Harold Laski was a believer in the dignity of human personality. Giving a comprehensive definition of liberty, Laski states, 'Liberty is the eager maintenance of the atmosphere in which men have the opportunity to be their best selves. It is a product of rights. Without rights, there can be no liberty because in that case men are the subjects of law unrelated to the needs of personality. Liberty therefore, is a positive thing. It does not merely mean absence of restraints.' Thus, according to him, 'liberty' offers an atmosphere in which men can avail a chance to be their best selves. According to him, right is the necessary element of liberty. In the absence of right, there will be no liberty. If the rights are not guaranteed, liberty becomes uncertain and illusionary.

According to Laski, all human conduct was social, in the sense that whatever a man did affected the other members of society. He, therefore, laid emphasis upon the relationship of the individual's liberty with the society. He is convinced that personal liberty cannot be enjoyed in isolation from society. He presented three different aspects of liberty and three different conditions for the realization of liberty. These are as follows:

- Private or individual liberty
- Political liberty
- Economic liberty

Conditions for realizing liberty

- In society, there should be no special privileges. Freedom cannot exist in the presence of special privileges.
- Another condition for the realization of liberty is the presence of rights. There cannot be liberty where the rights of some depend upon the pleasure of others.
- The third condition for the realization of liberty is the existence of a responsible government whose incidence of action should be unbiased.

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Laski was a believer in positive liberty and attached great significance to human rights.

(iii) John Stuart Mill and Positive Liberty

It was John Stuart Mill (1806–1873) who presented the concept of positive liberty and helped in the consequent transition from negative liberalism to positive liberalism. According to John Stuart Mill, ‘all restraints, qua restraints, is an evil... leaving people to themselves is always better than controlling them’. In order to make his meaning clearer, Mill divides man’s actions into two parts: Self-regarding and other-regarding. The state has no right to interfere with the liberty of man if his action affects himself alone. Professing any religion, worshipping a particular deity and reading a book are examples of man’s strictly self-regarding actions. However, the state may intervene in the liberty of a man if he harms the liberty of his fellow human beings. If a man does something that has its effect on others, it pertains to the realm of other-regarding action. According to Mill:

The sole ends for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community against his will is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. Over himself, his own body and mind, the individual is sovereign.

Thus, he contemplated a positive role for the state in securing social welfare even if it implied curbing liberty of the individual to some extent.

(iv) Isaiah Berlin and Concepts of Liberty

Isaiah Berlin (1909–1997), in his *Two Concepts of Liberty*, sought to give a new turn to the distinction between positive and negative dimensions of liberty. According to him, negative liberty of individuals consists in not being prevented from attaining his goal by other human beings. On the other hand, positive liberty treats an individual as his own master. In both the cases, liberty implies an absence of restraints. According to Berlin, political liberty belongs only to the sphere of negative liberty. In other words, the state can only secure negative liberty to the individual by ensuring that he is *not* prevented from choosing his course of action. In contrast, positive liberty belongs to an individual’s own will and capacity which is beyond the scope of the state. Thus, Berlin maintains that the availability or non-availability of means is entirely an individual’s own concern and that the state has no responsibility of making the required means available to him.

On deeper analysis, it becomes clear that Berlin has integrated the two spheres of positive liberty, namely the *moral sphere* and the *material sphere*. In the moral sphere, Berlin’s concept of positive liberty is illuminating. He states that:

Positive liberty ... does not interpret freedom as simply being left alone but as ‘self-mastery’. This theory is a special theory of the self—the personality is divided into a higher and lower self and a person is free to the extent that his higher self, the source of his genuinely rational and long-term ends, is in command of his lower self, wherein lie his ephemeral and irrational desires. Thus, a person might be free in the sense of not being restrained by external forces

but remain a slave to irrational appetites; as a drug-addict, an alcoholic or a compulsive gambler might be said to be free.

*Rights, Liberty
and Justice*

Thus, it is obvious that due to lack of self-control, a man may be unaware of his freedom; but he cannot remain un-free due to coercion from another human being. The state has very less to do with the restoration of freedom of an individual. However, in the material sphere, enjoyment of positive liberty is hampered for different reasons. In order to defend his views, Berlin represented two types of disabilities: 'If one cannot fly like an eagle or swim like a whale' and 'if a man is too poor to afford... a loaf of bread, and... recourse to law courts'. In the first case, Berlin is pointing to *natural limitations*, something that is unalterable. Therefore, any complaint to the state in this regard would be untenable. In the second case, he is referring to disabilities which are alterable by political action.

NOTES

An urge for removal of such disabilities has led to several social and political movements. People are backward and ignorant not because of their own failure, inability or negligence, but because of social injustice. The source of their plight may be traced to 'coercion by other individuals' where state intervention would be justified by Berlin's own standards. In asserting positive liberty as the desire of the individual to be his own master, to be self-directed, to be moved by his own conscious purpose, Berlin contributes to the liberal individualistic theory.

(v) F. A. Hayek and Perspectives of Liberty

F.A. Hayek used the terms 'liberty' and 'freedom' interchangeably in his work, *The Constitution of Liberty*. According to him, a man possesses liberty or freedom when he is not subject to compulsion by the will of others. He particularly sought to contrast individual freedom with three other meanings of freedom, which represent *political freedom*, *inner freedom* and *freedom of power*. Here, political freedom denotes participation of man in the selection of the political system, in the control of administration and also in the process of legislation. Thus, Hayek argues that a non-democratic order may be permissive and a democratic order may be restrictive; hence political freedom is neither an essential nor a sufficient condition of freedom. Next, inner freedom denotes the limit to which an individual is directed in his deed by his own considered will rather than by temporary impulse or circumstances. Thus, it is different from individual freedom. Finally, freedom of power denotes the control to gratify our wishes or the extent of the choice of alternatives upon us. There is a vital difference between non-interference with another's act and a person's effective power to act. Hence, freedom of power is different from freedom of an individual.

Hayek insists on preserving the original meaning of the word liberty, enhancing its value by closely restricting its application. He argues that the cardinal value of liberty should not be exploited by collectivists to justify extensive state intervention. If liberty is viewed as power, there is no end to the number of legislative measures which can be justified as extending to the range of choice of persons, or their effective power to do whatever they may wish. Hayek is not denying that the limited provision by the government of skills and opportunities is desirable; according to him, 'such enabling activities should not be represented as promoting freedom'.

NOTES

Hayek defines and defends liberalism as a doctrine which emphasizes the minimization of the coercive powers of a government. He argues that the state should positively promote competition and should undertake non-coercive service functions, as the market mechanism does not provide for all needs. According to him:

Every individual has some assured area of personal freedom with which others cannot interfere. The element of 'choice' should be taken as decisive. A man is really free when he is not subjected to coercion of any kind. Coercion means subjection to the arbitrary will of others. It occurs when an agent's actions are made to serve the will of another, not for his own purpose but for other's purposes. It implies action in the sense that a person, who is coerced, chooses to be what he does. It occurs only when one person threatens with the intention of thereby getting the other to act in conformity with his will.

(vi) Milton Friedman and Liberty in Capitalism

In his work *Capitalism and Freedom*, Milton Friedman sought to identify capitalism or a competitive market society as a necessary condition of freedom, which implies denial of equality for the sake of maintaining liberty. He defines freedom as 'the absence of coercion of a man by his fellow men' and argues that freedom of the individual or perhaps of the family is the liberal's ultimate goal in judging social arrangements. He suggested that a 'free private enterprise exchange economy' or 'competitive capitalism is both a direct component of freedom, and a necessary, though not a sufficient, condition of political freedom'. He argues that in order to maximize this freedom, government should be allowed to handle only those matters which cannot be handled through the market at all, or can be handled only at so great a cost that the use of political channels may be preferable. Accordingly, government is required only to sustain and supplement the market society and nothing beyond that.

Positive and Negative Dimensions of Liberty

There are two different dimensions of liberty—the positive dimension and the negative dimension. Various famous thinkers of early and contemporary era presented their view on the positive and negative dimensions of liberty.

Positive dimension

Positive dimension of liberty involves a special theory of the 'self' which was provided by Isaiah Berlin. According to the positive dimension of liberty, the individual's personality is divided into two forms of self: the *higher* and *lower* self. One is free to the extent that his higher self (the long-term ends and the source of his genuinely rational), is in control of his lower self. Here, the lower self of the personality means the momentary and illogical desires. Thus, an individual might be free in the sense of not being controlled by external forces but remain a slave to unreasonable needs. So, a drug addict, an alcoholic or a compulsive gambler, addicted to his unreasonable needs is said to be un-free. Since true liberty consists in doing what you *ought to do*, the law that directs an individual towards rational ends do not oppress but liberate the persona. If a law that appears to restrain us meets with the rational approval of the individual, then positive dimension of liberty

appears to retain a toe-hold on our ordinary concept of liberty. The main feature of this concept is its openly evaluative nature; its use is specifically tied to ways of life held to be desirable. Rousseau maintained that true liberty consists in obedience to a moral law which we impose upon ourselves. We are not free by maximizing selfish interests but by promoting those interests which we share with others.

Negative dimension

In a negative sense, liberty implies the absence of restraints as far as possible. All restraint is bad, because it effects curtailment or reduction of individual freedom. Here, the burden of argument is to accept the fact of restraints with a sense of compulsion.

Forms of Liberty

Liberty may formally be described as 'absence of restraint'. This means that in order to maintain liberty of the individual, the state should not impose any restraints on his activities in various spheres of life. In order to identify the proper sphere of such activities, liberty has been divided into three forms. These are as follows:

- (i) Civil liberty
- (ii) Political liberty
- (iii) Economic liberty

(i) Civil liberty

In *Principles of Social and Political Theory*, Ernest Barker defines the meaning of civil liberty. According to him, civil liberty is the liberty of man in the capacity of an individual. This exists in three differently expressed aspects: (i) physical freedom from injury or threat to the life, health, and movement of the body; (ii) intellectual freedom for the expression of thought and belief, and (iii) practical freedom of the play of will and the exercise of choice in the general field of contractual action and relations with other persons.

Among these three aspects, the first is non-controversial. Freedom of movement, etc., should not be restricted except in the interest of public safety, law and order which are themselves essential conditions of liberty. Any kind of physical torture should not be inflicted on anybody except as a punishment for a crime duly proved, in accordance with the prescribed law and only by the prescribed authority. As far as the freedom of thought and belief is concerned, various reasons may be advanced in its defence. In his famous work *On Liberty*, J. S. Mill has brilliantly demonstrated the importance of this freedom from the point of view of the individual as well as for the society. According to Mill, the permanent interest of man as a progressive being depends upon the advancement of knowledge, which flourishes best in the atmosphere of free discussion. In order to direct social policy wisely, it is necessary that there should be freedom to criticize the existing institutions and to put forward unpopular opinions, no matter how offensive they may be to the prevailing attitudes.

The third aspect of civil liberty mentioned by Barker, viz., the freedom of contract, however, needs closer examination. It is generally conceded that people enjoy freedom to enter into contracts for their mutual advantage, provided that no

NOTES

NOTES

damage is inflicted on a third party. However, difficulty arises when this freedom is exploited by a stronger party in a bargain to impose disadvantageous terms on the weaker party. In *The Elements of Social Justice*, L. T. Hobhouse insists on the quality of contracting parties as: 'Freedom of contract is insufficiently defined when it is regarded as consisting solely in the absence of control. Freedom of contract implies such a substantial equality between the parties as on the whole leaves to each a real choice between concluding and rejecting the bargain. Where no such equality exists, one party acts under a degree of compulsion.'

Thus, absolute freedom of contract is an extreme case, which may be used to allow a man, or even force him, to sell himself to slavery and thereby deprive him of his freedom in perpetuity.

(ii) Political liberty

A man enjoys political liberty in the capacity of a citizen. According to William Blackston, 'Political liberty means the power of curbing government', from which it follows that he conceived of government as something external. However, in modern democracy, where government is constituted by the people themselves, political liberty is,

a liberty not of curbing government, but of constituting and controlling; constituting it by a general act of choice or election, in which we all freely share on the basis of universal suffrage; controlling it by a general and continuous process of discussion, in which we all freely share according to our capacities.

Thus, this view of political liberty postulated the right of the people to be represented in decision-making bodies, and to influence their decisions by freely articulating their views on issues of public policy. It is intended to ensure that the state shall be sensitive and responsible to the prevailing social consciousness. In any case, mere provision of political liberty in this sense cannot be treated as adequate. Where elections are fought and won with the help of money and manipulative power, and where the media of mass communication are held in ownership or under strong influence of a privileged class, particularly by big business magnates, mere political liberty can hardly secure real or substantive freedom for the people.

(iii) Economic liberty

Economic liberty belongs to man in his capacity as a worker, engaged in some gainful occupation or service. In this sense, Barker suggested that economic liberty is implied in the articles of civil liberty. However, economic liberty is a sensitive issue. It is capable of conflicting interpretations by conflicting parties—employer, worker, trader and consumer, landlord and tenant. One party would interpret it as the freedom to secure maximum profit; the other would insist on reasonable terms, reasonable price and quality and reasonable rent. Under such circumstances, if the stronger party is not curbed to safeguard the interests of the weaker party, the principle of liberty will be reduced to mockery. This is the sphere where the adjustment between claims of liberty and equality becomes most essential.

R. H. Tawney in his book *Equality*, has significantly observed that when liberty is constructed realistically, (not merely as minimum civil and political rights), but in the form of securities that, (i) the economically weak will not be at the mercy

of the economically strong and (ii) the control of those aspects of economic life by which all are affected will be amenable, in the last resort, to the will of all; a large measure of equality is essential to it. In short, it is in the economic sphere that the claims of negative liberty and positive liberty come into direct conflict and confrontation. Unless social policy is geared to safeguard the interests of the vulnerable sections, the application of the principle of liberty or freedom would be devoid of any content or substance.

Besides the above-mentioned forms of liberty, there are few other forms of liberty such as national liberty, individual liberty, and natural liberty.

Natural liberty: Natural liberty is used to signify the enjoyment of unlimited freedom by the individual amidst nature, prior to the emergence of formal states. It was believed that man derived his rights to life, liberty and pursuit of happiness or property from the laws of nature and that these rights were inalienable. According to Rousseau, 'what a man loses by the social contract is his natural liberty and an unlimited right to anything that tempts him which he can obtain.'

Individual liberty: This form of liberty refers to the rights enjoyed by the individual. Since it is the state which creates and enforces the rights of an individual, hypothetically there could be no right of the individual against the state. However, in modern times, governments have been distinguished from the state and in democratic states limitations have been put on the powers of the government by means of constitutional law and an impartial judiciary that interprets the laws and protects the rights of the individual against possible encroachment. Usually, individual freedom varies from one state to the other and it would depend on the degree to which popular government has developed in a country.

National liberty: National liberty exists in those countries which are internally independent and externally free from any foreign control. It is the attribute of a sovereign independent state.

Safeguarding Liberty

The importance of individual liberty cannot be stretched too far as it would result in anarchism or an irresponsible individual for whom liberty would mean license to act according to his whims. Democracy is considered to be the best available form of government for safeguarding liberty as each individual has the right to freely express his thoughts and if he does not like the government, he is free to influence public opinion in democratic ways in order to affect a change in the government. However, now, even in democracies, individual liberty is not safe because of the increasing tendency for governments to allow more and more power to the states. The problem, therefore, is how to safeguard the freedom of the individual from both the conscious and unconscious encroachment made by the state.

It is correct to say that eternal vigilance is the price of liberty. No mechanical device can safeguard the liberty of the people if they do not have the courage to resist wilful invasion made on their liberty by the government. It is argued that the fundamental liberties of the people should be defined and categorically mentioned in a constitution to prevent encroachment by the government. This necessitates an independent and impartial judiciary to interpret the constitution and to decide

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disputes arising out of conflicts of jurisdictions. It should however, be mentioned that neither a written constitution with fundamental liberties enshrined therein, nor an independent impartial judiciary can be adequate safeguard of individual liberty.

Lastly, the liberty of citizens can best be safeguarded when the state action is unbiased. People should be able to get a remedy for all their reasonable grievances. All class privileges should be abolished because there can be no liberty in a society where the rights of some depend upon the pleasure of others. No group or class of people should be discriminated in the matter of enjoyment of rights or privileges.

Check Your Progress

5. What does the term 'liberty' mean?
6. What is the Marxist view of liberty?
7. What was the concept of positive liberty as enunciated by John Stuart Mill?
8. List the various forms of liberty.

3.4 EQUALITY

Equality is a prominent political ideal of the present day. It stands for the equal treatment of all men irrespective of any consideration of caste, creed, colour or sex. Equality describes the conditions of human emancipation. It constitutes the voice of the oppressed, the voice against injustice and the voice for changing unfair social conditions. The idea of equality and inequality has figured in political science since early times. For instance, the famous thinker Aristotle stated that 'inequality' was a cause of rebellion in many states. He defined justice as treating equals equally. This was a typical statement in that it insisted on recognition and maintenance of existing inequalities in society, that is between master and slaves, between rich and poor, between morally superior and morally inferior, and so on. On the contrary, the modern idea of equality seeks reduction in inequalities according to the prevailing social consciousness.

The Facets of Equality

1. Equality as a Statement

The modern idea of equality is derived from the theory of rights. According to the theory, 'Equality is a perspective term, not a descriptive one'. It states that all men must be treated as equal, not that they are in fact equal. For instance, man is a rational being; he is endowed with the faculty of all reason; all men are created equal by God. On the other hand, there is an argument that the emotional, physical and intellectual needs of all men are similar; therefore, all of them are entitled to equal rights. It will be wrong to say that all men are equal in their mental or physical capacities, talent, beauty, etc. However, when people claim to be treated as superiors due to their skin colour, they may be told that the colour of human blood is red; hence, all men are equal.

According to nature, no person has different elements; in fact people are all the same. Thus, some fundamental equality may be established among men, where men can be treated equally, but cannot claim to be better than others. Some privileged men are quite frightened of the thought of equality because they use liberty to acquire unlimited wealth, power and prestige while equality seeks to diminish their achievements. They even try to demonstrate that any measure to limit their liberty, in the interest of equality, will rob society of its valuable asset, and that the idea of equality should be thoroughly abandoned in the interest of society. In a society, liberty or freedom is served as a valid rule when it is taken as 'equal freedom' of all, not otherwise. If liberty is not generated into license, it must be qualified by equality. R. H. Tawney, in his classic work *Equality* states that:

If liberty means... that every individual shall be free, according to his opportunities, to indulge without limit his appetite... it is clearly incompatible, not only with economic and social, but with civil and political, equality, which also prevent the strong exploiting to the full the advantages of their strength... But freedom for the pike is death for the minnows. It is possible that equality is contrasted, not with liberty, but only with a particular interpretation of it.

According to the above-mentioned description, the introduction of equality is not intended to dilute the content of liberty, but to make it more relevant and substantive. If in a society, some principle of equality is evoked to acquire unlimited money, prestige or power, it is only intended to restrict the element of 'exploitation' so that other sections of society do not remain deprived of their due share. Thus, equality aims at widening the base of social benefits lest these benefits are cornered by a small and vocal minority impoverishing the rest of the community. Therefore, it is evident that equality and liberty, as human rights, do not emanate from very different sources. On the contrary, they are based on the same logic, and they are intended to serve the same social purpose.

2. Equality as a Modern Idea

In its present sense, 'equality' is a typical modern idea. In a society, equality acts as a principle of modifying unjust inequalities. It will not be wrong to say that in historical times there remained a prominent feature of inequality in the society pertaining to wealth, power and prestige. The term inequality was a universal feature on the social structure in a society during that period. However, the famous thinker Thomas Burton Bottomore in his work *Classes in Modern Society* has demonstrated that:

During the greater part of human history, this inequality among men has been generally accepted as an unalterable fact. Ancient and medieval writers, when they touch upon the subject of social hierarchy, always tended to provide a rationalization and justification of the established order, very often in terms of a religious doctrine concerning the origin of social ranks... Only in modern times and particularly since the American and French Revolutions, has social class, as a stark embodiment of the principle of inequality, become an object of scientific study, and at the same time of widespread condemnation in terms of new social doctrines.

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Thus, the thinkers of the traditional times took the phenomenon of social inequality as something divinely ordained. They sought to illustrate that according to the predetermined status every human being can lead an ideal life. This idea was quite natural to slave-owning society, caste-based society and feudal society which were not used to scientific reasoning. However, in the modern era, when man learned to control natural and environmental phenomenon through empirical and rational knowledge of nature, he also tended to evolve a rational knowledge of social structures. It was during this time that many well-known thinkers came out with the foundation of social inequalities and subjected them to a rational analysis. They were led to inquire about the following:

- How far in the society the existing inequalities were the product of the social arrangements and, could therefore be altered by making corresponding changes in the social structure
- How far those social inequalities, which were once altered, could be upheld by reasons

Thus, the main idea of the modern thinker was to pave the way for removing such social inequalities as were not 'reasonable', and which were also through human effort 'removable'.

3. Equality as an Agent of Social Change

Equality has also brought about social change. In *Discourse on the Origin of Inequality*, Rousseau showed an important distinction between the two types of inequalities that are present in social life. These two types are: natural inequality and conventional inequality. Natural inequality is also termed as physical inequality that consists in the differences of age, bodily strength, health and qualities of mind and soul. On the contrary, conventional inequality consists in the different privileges that some men enjoy the exclusion of others, for example, the inequalities of wealth, power and prestige. Thus, one form of inequality is more or less ordained by nature and the other form is largely man-made. It is more or less designed by men themselves. Thus, in his book, Rousseau presented a revolutionary idea and recorded that, 'Men are born and remain free and equal in rights. Social distinctions can be based only upon the public utility.'

It is mostly found that due to the advancement of technology and scientific knowledge, natural inequality was coming within the 'alterable' sphere. Health and body strength can be considerably improved by proper nutrition, education and training. In addition, physical deformities and mental handicaps can be prevented by treatment, care and protection. The availability of these benefits to an individual is dependent on his social and economic status. It is clear that a large portion of humanity is being deprived of the benefits of modern civilization mainly due to social inequalities prejudices. Therefore, the need for equality is always raised as a demand for social change which is change in that part of the social structure which is found to be 'alterable' as well as unjust. John Rees in his book, *Equality: Key Concepts in Political Science*, elucidated that:

It is when men, or some of them, see certain... inequalities as unjust and alterable that equality as an ideal become a potent force in political life.... Before an inequality can become the object of criticism and

regarded as unjust, it would seem to be a necessary condition that it should be alterable... . But by no means all alterable inequalities are thought to be unjust for, making due allowance for the variety of standpoints as to what constitutes injustice, there are some inequalities which are accepted as socially useful, not to say beneficial.

This description states that if the burden of child-bearing is imposed on women by nature, it may be considered as unjust by some people but, nobody will make it a political issue because this aspect of natural inequality is unalterable. Well, if some are more beautiful, energetic or talented than others and enjoy more importance in society, this would not be resented in society unless the more gifted persons employ their natural qualities to exploit others. As long as division of labour and authority is based on rational grounds, inequality of position and status does not become objectionable. The relation between students and teachers, patients and doctors, may involve some sort of subordination as far as authority is concerned, and here inequality is not an issue.

Types of Equality

The principle of equality as applied in different spheres of social life may be divided into various types. Following are a few types of equality:

(i) Legal equality

The principle of equality was first put forward as the demand for legal equality, that is, grant of equal legal status to all individuals in society irrespective of their birth, physical and mental capacities or other differences. In the book *Social Contract* (1762), J. J. Rousseau observed that extension of legal equality to all citizens was a primary characteristic of a civil society. According to him 'it is that instead of destroying natural equality, the fundamental pact substitutes a moral and lawful equality for the physical inequality which nature imposes upon men, so that, although unequal in strength or intellect, they all become equal by convention and legal right.'

The idea of legal equality thus emanates from moral consideration and serves as the basis of equal rights of men. In his *Principles of Social and Political Theory*, Ernest Barker argued that:

The state which vests us with legal personalities...or 'masks', vests us all with equal masks, partly because it simply cannot distinguish our differences even if it would...but ultimately for the far deeper reason that we all matter equally before the law, whatever our differences may be ...The principle of Equality accordingly means that whatever conditions are guaranteed to me, in the form of rights, shall also, and in the same measure, be guaranteed to others, and that whatever rights are given to others shall also be given to me.

Legal equality was, in fact, won after a prolonged struggle in human history. Barker has given an elaborate description of the struggle for legal equality, with instances from recent history. He has observed:

There was a long reign of legal inequality. Down to 1772 the slave was denied any legal capacity on English soil; he was not a person in the eye of the law and he had no share in the enjoyments of rights....Under the laws regulating the suffrage down to the year

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NOTES

1918 a person in receipt of poor relief was similarly condemned to an inferior degree of legal capacity by being denied the right of voting along with and on the same terms as others....Under the common law relating to property, married women down to 1870 were destitute of legal capacity for ownership;....under the laws regulating the suffrage of women, down to 1918, were without any legal capacity for exercising a vote.

Thus, the principle of legal equality comprises the foundation of legal justice in the present day world. In short, legal equality implies equal subjection of all citizens to the law and equal protection of the laws for all citizens.

(ii) Political equality

Political equality in a state thrives when all the citizens are entitled to the enjoyment of the same political rights without any discrimination. Thus, everybody has the same voice in the government; they are free to contest elections to public offices of representative character and have equal access to all offices of authority, provided they fulfil the necessary qualifications. It also postulates that nobody will be barred from holding political office on grounds of birth, sex and religion. Thus, there will be no privileged classes entitled to rule in a society, and that the other rulers will not accord any special consideration to the will or interests of any particular individuals or groups in society.

The doctrine of political equality is derived from the general belief that man is a rational being, capable of political judgment irrespective of his physical and mental capacities, education and wealth. It also proceeded from the assumption that when equal political rights are extended to all men, they will be able to give the best expression to common good and to prevail upon policy-makers to adjust public policy to the requirements of the common good. The demand for political equality originated along with that of legal equality. It started as a progressive idea and led to the establishment of democracy in the western world. This was, however, found to be inadequate by the masses whose hopes and aspirations were frustrated by the prevailing socio-economic inequalities. The achievement of political equality was, therefore, followed by the demand for socio-economic equality.

(iii) Civil equality

Civil equality maintains that all human beings are equal in the eyes of the law. Law should not discriminate between individuals. That is, two men or a group of men should not be favoured or discriminated on the basis of their wealth, status, political opinion and religious faith. Under civil equality, the motive of equality is that all human beings in a country shall be treated alike and that no particular individual or group or class of individuals should be allowed to enjoy any special privilege at the expense of others. It will amount to the denial of equality if laws are passed for the benefit of a particular class or group of people.

(iv) Social equality

Social equality means that all people in a society should be equal and there should be no distinction in the social status of the people because of differences of caste, class, creed, race or sex. This division of society into rich and poor, aristocrats and plebeian, workers and employers, form the foundation against the very concept

of social equality. Social inequality is rampant in India. In spite of the fact that the practice of untouchability in any form has been made a punishable offence, the evil continues in our society. Old traditions and superstitions die hard. The segregation of the African-Americans in America and the apartheid practiced in South Africa amount to a denial of the principle of social equality in these countries. It is not possible to force social equality on people by means of legislation. If social justice is to be made available to all classes of people through public cooperation, positive and discrimination-free habits need to be initiated by the government and practiced by the people.

(v) Economic equality

Economic equality stands for sufficient satisfaction of the basic necessities of life. It does not entail that all men in a society should have equal income or that they should be absolutely equal in terms of possession of wealth. It is the availability of equal opportunity to all individuals for accomplishing the best. It also means that the gross inequalities of wealth should be eradicated and provision should be made for equitable distribution of national wealth by means of progressive legislation and governmental action. In the absence of economic equality, the achievement of political and social equality will be impossible. Thus, for laying the foundations of a true democracy, the state should guarantee economic equality to its citizens.

(vi) Natural equality

Natural equality denotes that all human beings are equal in the state of nature. This concept was popularized by some political philosophers, each with his own purpose of deducing a set of conclusions suitable for his own theory of state-power and its relation to the individual. It is needless to say that the concept of natural equality was a myth. However, it served a useful purpose in making a very forceful claim against artificial inequalities created by man himself.

Check Your Progress

9. When did the idea of equality figure in political science?
10. What are the two types of inequalities that Rousseau explained in his book?
11. What do you understand by civil equality?

3.5 JUSTICE

The normative idea of justice has a significance of its own in the realm of political theory in view of the fact that among the proper ends of state. It has been given a high place at all times. However, the difficulty of offering a precise definition of this term, lies in the fact that different individuals hold different ideas and views about justice from time to time. The result is that as Arnold Brecht says, justice has become like ‘a barrel with several bottoms.’

Like few other basic concepts of political science, the term ‘justice’ is very broad and vague. Generally, the term ‘Justice’ is used in two senses. On the one

NOTES

NOTES

hand, it means faithful realization of existing law as against any arbitrary dealing. On the other hand, it means the ideal element in law—a thing to which a good law should aspire for. In the latter sense, the idea of justice is more related to morality than law. It is presumed to be a set of values which is higher than law. It is presumed to be a set of values which is higher than and superior to that which is embodied in law. The idea of justice is better realized today than in earlier times.

The word 'justice' has been derived from the Latin word *jungere* which means 'joining' or 'fitting together'. It otherwise means a bond or tie. Justice implies a system wherein all individuals and institutions are related to each other. To quote Barker

Justice is a joining or fitting together not only of persons, but also of principles. It joins and knits together the claims of the principle of liberty with those of the principle of equality, and both with those the principle of fraternity or cooperation; it adjust them to one another in a right order of their relations.

'Let right be done' is the motto of justice. It is often defined as 'charity in conformance with wisdom.' Justice can be realized by the destruction of arbitrary or discriminatory social order. It is generally used in the sense of fairness, equality and impartially. It implies doing one's own work and not meddling with that of others. Bryce writes, 'Justice is the reconciler and synthesiser of political values; it is their union in an adjusted and integrated whole.'

To quote J.S. Mill, 'Justice is the name for certain classes of moral values, which concern the essentials of human well-being more clearly and are, therefore, of more absolute obligations, than any other rules for the guidance of life.'

According to Benn and Peters, 'To act justly, then, is to treat all men alike except where there are relevant differences between them.' R. Pound says, 'Justice is the ideal relationship based upon reasonable expectation and maximum free individual self-assertion. It is antithetic to authority and encroachment.'

Thus, a precise definition of the term 'justice' is linked with the problem of reconciling its normative with its empirical connotations. While in the normative sense, it means the idea of joining or fitting, the idea of a bond or a tie, in an empirical context, it has its relation with the concept of positive law with the result that law and justice become sister-concepts. It is owing to this reason that the fundamental purpose of law is said to be the quest for justice with 'is to be administered without passion as when it (passion) comes to the door, justice flies out of window.' (C.K. Allen) Viewed in this sense, justice means 'the fulfilment of the legitimate expectations of individual under the existing laws and ensuring him the benefits promised therein and to afford him protection against any violation of his rights.' Justice has also relationship with liberty and equality. Thus, Justice has relationship with law, rights, liberty and equality which is presented below in forms of a circular diagram.

The various definitions highlight the six following aspects or characteristics of justice.

- (i) Justice is concerned with moral values and virtues in society.
- (ii) Justice is related to law and courts which are set to get justice.
- (iii) The aim of justice is to protect rights of the people.

- (iv) Justice is related to liberty and equality.
- (v) Virtue or truth is the basis of justice.
- (vi) Justice promotes peace, good will and harmonious relations in society.

*Rights, Liberty
and Justice*

Development of Normative Perspectives

Plato, the famous Greek political philosopher of early times, had given a theory of justice. According to him, justice is 'giving to every man his due.' Further, Platonic justice refers to the determination to concentrate on one's own sphere of duty and not to interfere with the sphere of others. It therefore resides in the heart of every citizen who performs his/her duty in the appointed place. Thus, justice is something internal and not external. In short, 'the justice of the State is the citizen's sense of duty of his station.' The idea of justice enunciated by Plato does not satisfy a modern man. As Barker observes, 'He (Plato) does not start from the conception of a legal society based on legal rights and he does not conceive justice as a system for the maintenance and correlation of such rights. He starts from the conception of an ethical society based on the moral duty of discharge of specific functions and he conceives justice as the spirit by which men are animated in the fulfilment of that duty.' He linked justice with morality and viewed it as an ideal to be attained in any society. Aristotle spoke of 'distributive justice' and 'corrective justice'. The Renaissance and Reformation Movements actually put emphasis on the realisation of justice. The American War of Independence and the French Revolution gave a revolutionary flavour to the idea of justice. With the spread of democratic values, mankind is moving close to achieve the ideals of justice. It should be regarded as the primary social as well as political value. Emphasising on the importance of justice, Barker writes, 'First, justice and then the rules of liberty, equality and fraternity which follow on, and from justice.'

Origin of Justice

The origin of justice and the origin of law have many similarities. Justice, like law, has various sources. However, Barker says that there are only four sources of justice namely, religion, nature, economics and ethics (morality). In addition to these sources, we may add three more sources, i.e., customs, law and judicial interpretations. These sources may be described in brief. These are as follows:

1. **Religion:** Religion prescribes the standard of behaviour and ideal relationship of the individuals and groups. It deals with eternal law and divine law which may be regarded as a source of justice.
2. **Nature:** Natural law and natural rights are viewed as a source of justice. They say that men should be free and be treated as equal with each other. Everything should be guided by reason.
3. **Economics:** According to Marx, the origin of justice lies in economics. Economic equality should be the basis of justice.
4. **Ethics:** Ethics or morality is also a source of justice. It implies a sense of right and wrong from which justice originates. It is a good source of justice.
5. **Customs:** Custom also regulate the life of the people. Justice is often a product of customs.

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6. **Law:** Law is the will of the nation as formulated by a definite process. It is main source of justice. Law and justice are interrelate.
7. **Judicial interpretation:** Judiciary interprets law and administers justice. Justice is what it finally pronounces. Thus, judicial decisions and interpretations are a source of justice. These are various sources of justice.

Kinds of Justice

Justice may be of the following kinds:

1. **Social justice:** It implies giving everybody his due in society. It means also absence of any inequality on the basis of caste, creed, colour, etc. Any form of discrimination in a society goes against social justice.
2. **Natural justice:** Natural justice has come from the idea of natural law. Man by nature is a social animal. It is his natural instinct which compels him to say with others. His dealing with others should be just. He should do to others what he expects from others.
3. **Legal justice:** Justice is realized through the eyes of law. In the eyes of law, all should be equal and nobody should be above it. Law should not discriminate one class against the other. Justice is mostly realized through the legal system of the State.
4. **Economic justice:** Economic justice is a modern concept. It is the result of the growth of socialism in recent times. It means that there should be no economic disparity in society. It also implies abolition of unemployment, poverty, inequality, etc. It stands against any form of economic exploitation.
5. **Administrative justice:** Administrative justice is a type of justice which is generally administered by administrative courts. Such courts are generally found in France and other continental countries. Administrative tribunals in other countries also deal with such justice.
6. **Distributive justice:** Aristotle maintains a distinction between 'distributive justice' and corrective justice.' According to him distributive justice means each and every individual in a society should be given an opportunity to develop his inherent potentialities. In the distribution of those material resources which conduce to the self-development of individuals in a society, all person should have equal considerations and chances.
7. **Political justice:** Political justice refers to the participation of people in political affairs. Each citizen should participate in elections without fear or favour. He has a right to criticise the government.
8. **Corrective justice:** Where redress is made to a wrong done to an individual, it is known as corrective justice. It provides relief to an affected person. Justice has both negative and positive aspects. Corrective justice speaks of negative aspect of justice. Provision of equal opportunity and reduction of inequality indicate positive aspect of justice.

Thus, justice in a society is realized by distribution of arbitrary social order. There is a distinction between justice and morality. Justice is a check on the external action of man. Morality is a check on the internal action of man.

Although justice can be broadly classified into various types, in actual situation, social, economic and political justice have assumed greater importance in modern society. One of the objectives as stated in the preamble of the Constitution of India is to achieve 'Justice: Social, Economic and Political.' Hence, a detailed discussion of these three types of justice follows.

Social justice

Social inequality exists in all human societies. Social justice refers to socially ordained arrangement for removing all inequalities and affording equal opportunity to all individuals in social affairs and also in economic activities. G.D.H. Cole defines it as 'a way of life ensuring equality in status and opportunities in all aspects of social life of the individuals.' The following are the main characteristics of social justice:

- (a) Social justice makes individual equal in the society, irrespective of caste, creed, religion, sex, colour and birth.
- (b) It prevents the privileged section of society from exploiting the weaker section of the society.
- (c) It removes existing inequality and seeks to achieve equitable distribution of wealth of society.
- (d) It removes the tears from the eyes of the poor and seeks to provide basic minimum to them.

It is an instrument of social change. It seeks to reorganise the society on the basis of new social order and democratic values. Law tries to achieve social justice.

The Preamble to our Constitution declares the objectives to ensure: (a) Justice – social, economic and political (b) Liberty of thought, expression, belief, faith and worship, (c) Equality of status and of opportunity and to promote among them all, (d) Fraternity, assuring the dignity of individual and unity of the nation. The Constitution also abolishes untouchability, prohibits discrimination, ensures equal opportunity, prevents exploitation and assures the right to education, and assistance in cases of citizen's unemployment, old age, sickness, disablement and undesirable want. It ensures equal wages for men and women and abolishes titles. The good objectives of our Constitution is to achieve social justice at an earliest possible time. When justice prevails in all the spheres of the society, normally we say that social justice is established. According to K. Subba Rao, the former Chief Justice of India, 'The expression 'social justice' has a limited as well as a wide meaning. In its limited sense, it means the ratification of injustice in personal relations of the people. In its larger sense, it seeks to remove the imbalances in the political, social and economic life of the people. Social justice is to be understood in the latter sense. As the three activities are interconnected, there cannot be social justice even in its limited sense, unless the society progresses in all directions. In short, social justice helps to bring about a just society.'

Political justice

Political justice means absence of privilege and inequalities in political participation. It is the essence of political equality. It is 'conformity to the community's sense to rights in political activities. It requires certain objective conditions for its realisation.

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These are: (a) Each adult citizen must be given fair chance to exercise his right to vote. (b) Elections must be free, fair and periodic. (c) Rule of law, as opposed to arbitrary will of men, is the foundation of political justice. (d) Freedom of speech, of assembly, of petition and criticism and oppositions to government are essential for political justice. (e) An independent and impartial judiciary is necessary for guaranteeing equal political rights to people, (f) Free press and strong public opinion are necessary safeguards against arbitrary exercise of power, (g) Political justice is possible in a liberal democratic society which limits authority and guarantees liberty to individuals. (h) If national independence is not there, political justice cannot be realized.

Justice and Law: Although justice is realized through the legal system of the state, there is difference between justice and law. Law seeks to give justice, but it is not justice itself. Law is made by a definite legislature. Justice is not made by anybody, rather it aims at securing a few ideals in society. Law can be criticised. Law may be defective. Justice is neither criticised nor defective. In spite of these differences, law aims at securing social justice. Administration of justice is done by legislation. Justice is therefore, based on the legal system of a country. Administration of justice is important in the State. That is why legal justice is regarded as blind fold. It does not create discrimination. It is impartial and impersonal also. The symbol of judicial system is a scale which indicates an idea of impartiality of legal system. Hence justice cannot be separated from law. Law and justice go hand to hand.

Economic Justice (Marxist Theory of Justice)

Economic justice is well explained by Marx. Marxism maintains that private property and the capitalist economic system which is based on it are unjust and irrational. The Marxist notion of justice is that it is related to social values of society which are determined by its mode of production. Private property is unjustified in a capitalist economic system as it is based on exploitation and injustice. In a socialist society, private property is considered to be unjust and unnecessary. Thus, property is viewed by Marx as contrary to social justice because of its exploitative nature. In a socialist society, private property is unjustified. Marxism views the whole issue depending on the means of production and economic system. Therefore, justice, from Marxist view, is related to the doctrine of class war. According to the Marxists, the state is an instrument of exploitation and oppression by one class over another and hence systems of law and justice are originally bound up with it. According to this view, the laws are needed by the bourgeois class to keep itself in power. Communism views that private property is contrary to equality, liberty and social justice. It leads to the division of society into classes and the exploitation of the majority of people. Its abolition is a precondition for the achievement of justice under the communist system. The courts and the judiciary in a communist country are 'committed' to implement the ideology of scientific socialism as explained by Marx. While the liberal interpretation of justice is quite flexible that places judiciary in a 'free position', the Marxist notion desires its 'committed' form. The result is that while the former is too flexible, the latter is very rigid. Further, while the former is necessarily connected with the premises of what is popularly known as the rule of law, the latter constitutes a fragrant violation of the same.

According to Sitalvad, 'Economic justice is the provision of equal opportunities to the citizens to acquire wealth and use it for their living. It is applied to those persons who are disabled or old or unemployed and therefore, not in a position to acquire wealth should be helped by society to live.' Following are the important elements of economic justice:

1. The bare necessities of all the citizens should be provided by the State.
2. Every individual should be given the adequate source of livelihood. Adequate wages for their work should be given.
3. Under special circumstances, poor citizens have the right to get government aid. The State should protect the old, unemployed and the poor economically.
4. The men and women should get equal wages for equal work.

Relation of Justice with Liberty, Equality and Fraternity

Justice is also linked with liberty, equality and fraternity. Since the days of the French Revolution, the slogan of 'Liberty, Equality and Fraternity' has come into much use in political literature. Liberty means not only absence of restraints, but also presence of opportunities. Equality generally means that whatever conditions are guaranteed to one, in the form of rights, should also be granted to others. Fraternity implies 'co-operation' and a sense of unity and feeling of people for common cause. Justice is connected with these three principles. Barker rightly observe: 'Justice is synthesis and the balance, holding together all the three and holding them all in equilibrium.'

Formation of Justice with Special Reference to Rawls' Theory of Justice

John Rawls was an American philosopher and a prominent figure in moral and political philosophy. His significant work, *A Theory of Justice*, in 1971 contributed in bringing about a revival in the academic study of political philosophy. His work received serious attention from the economists, legal scholars, political scientists, sociologists and theologians because it crossed the disciplinary lines. Rawls is in fact known among the modern political philosophers for being frequently cited by the courts of law in the United States and referred to by the practising politicians in the United States and United Kingdom. In his work, *A Theory of Justice*, Rawls attempts to re-establish liberty and justice in a principled way, presenting an account of 'justice as fairness'.

Different political theories offer different pictures of what would be a really just social order. Two of these theories are, the utilitarian theory, and John Rawls's theory of justice as fairness. The utilitarian theory asserts that the social order in which the largest number of people can have the highest satisfaction of their utility is just. But from its very early days, critics have found great difficulties with utilitarianism. In this backdrop, Rawls' theory has offered an alternative to utilitarianism. Rawls' book, *Theory of Justice* gives a final interpretation of the concept.

To discuss Rawls' theory of justice, his method of approaching moral problems must be mentioned first, which is in the contractarian tradition of social philosophy. But at the same time, Rawls' method entails that the conclusions of

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moral reasoning be always checked and readjusted against intuitive moral notions and this contrasts with others in the contractarian tradition, who maintain that the rules of justice are those that would be agreed to in a hypothetical setting.

Rawls appeals to the social contract. Justice as fairness is given to people who are neither great humanitarians nor extremely self-centred. Human beings, according to Rawls, are both rational and reasonable. Because of their rationality, human beings have certain ends that they want to achieve but human beings are reasonable as far as they are happy to attain these ends together if they can in accordance with the mutually acceptable regulative principles. But since the needs and aspirations of human beings are varied, how can they find principles that are acceptable to everybody? Rawls gives a model of a fair situation that can help human beings in making such a choice and he also believes that the two principles of justice would be very attractive.

Rawls supports a principle of equal basic liberties and thus protects the familiar liberal freedom of conscience, association, expression and the like. But human beings also need to know that whatever is their station in society, liberties must represent meaningful options for them.

Example: Formal guarantees of political voice and freedom of assembly have very little value to the pathetically poor and marginalized in the society. It is also a non-viable desire to demand to have the same effective opportunities in life. Achieving such a demand would definitely offend the very liberties that are supposedly being equalized.

Human beings, nonetheless, want to make sure that they get the fair value of their liberties. Irrespective of where they stand in society, they want life to be worth living, with sufficient effective freedom to chase personal goals. Thus they would be forced to affirm a second principle that requires fair equality of opportunity in combination with the famous principle of difference. The latter helps to ensure that those who possess comparable talents and motivation, stand roughly the same chances, and social inequalities help those who are less privileged. According to Rawls, these principles of justice are applicable to the 'basic structure' of fundamental social institutions (courts, markets, the constitution, etc.)

Rawls further argued that these principles should be lexically ordered, giving more priority to basic liberties than the more equality-oriented demands of the second principle. Moral and political philosophers have debated on this topic. Finally, Rawls claimed that his approach was applicable to a 'well-ordered society designed to advance the good of its members and effectively regulated by a public conception of justice'. Accordingly, he interpreted justice as fairness and contributory to 'ideal theory'. However, answers have been sought to questions such as 'what does justice as fairness dictate?' Is it useful? What about 'partial compliance' under the 'non-ideal theory'? Does Rawls's theory address the issue of action to be taken in case of societies already characterized by profound injustice, deep distrust, material deprivation and the like?

In his book, *A Theory of Justice*, published in 1971 and revised in 1975 and 1999, John Rawls tried to provide a solution to the problem of distributive justice by making use of a variant of the familiar device of the social contract. The

theory that resulted was ‘Justice as Fairness’ from which Rawls derives the principles of justice: the liberty principle and the difference principle.

In his later works, Rawls concentrated on the question of stability, seeking answers to questions such as ‘Could a society, which is ordered by the two principles of justice endure? The answer can be found in a collection of lectures titled *Political Liberalism*. In this collection, Rawls introduces readers to the concept of an overlapping consensus or agreement on justice as fairness between citizens following different religious and philosophical views (or conceptions of the good). The collection has also introduced the concept of public reason — the common reason of all citizens.

Check Your Progress

12. What do you understand by the term ‘Justice’?
13. What are the main sources of justice?
14. List the main characteristics of social justice.

3.6 CONSTITUTION: MEANING AND TYPES

A constitution is a written set of rules by which a nation is governed. It lays down what the government should do for the country and what the people of that country must do to allow the government to function smoothly. Almost all nations of the world—whether developed, underdeveloped or developing—have a constitution. According to the author C.F. Strong, the nature of the constitution, either rigid or flexible, determines the classification of states.

Types of Constitution

There are mainly two types of constitutions. These are:

1. Written Constitution

Some countries have it in a written form. Such a constitution is specifically written in the form of a book and the laws are to be followed as per the constitution written in the book. Amendments to the laws can be done, which is a complicated case. India and France, among others, have a written constitution.

2. Unwritten Constitution

There are countries that have an unwritten constitution. The laws are found in several charters, documents, customs and conventions. The amendment of such constitutions is very easy and can be done with the application of ordinary law. Such a constitution is unwritten and flexible. Not many countries in the world have such a form of constitution. Great Britain’s constitution is the best example of an unwritten constitution application of ordinary law. Such a constitution is unwritten and flexible. Great Britain’s constitution is the best example of an unwritten constitution.

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Check Your Progress

15. What is a constitution?
16. List the types of constitution.

3.7 WELFARE STATE

There are various factors which led to the development of welfare states. Some believe that the increase in poverty gave rise to the welfare state. According to others, inequality in wealth as well as urbanization and industrialization are the other main factors that led to the growth of welfare states. Originally, the idea of a welfare state was introduced by Prince Bismarck, German Chancellor. Bismarck wished to strengthen monarchical absolutism in Prussia and to make it the most powerful state in Germany. He was opposed both to liberalism and socialism. In fact, he sought to introduce 'state socialism' in an attempt to counter the appeal of socialism. His policy of 'state socialism' included a series of reforms giving workers various forms of insurance which marked the beginning of the welfare state.

In England, the idea of a welfare state was introduced by Prime Minister Herbert Henry Asquith (1908–1916). However, fuller expression to the idea of the welfare state was given in the famous Beveridge Report or the Report on Social Insurance and Allied Services. This Report was prepared by William Henry Beveridge, British civil servant and social reformer. It made wide-ranging suggestions including the proposal for free national health services, family allowance, 'from the cradle to the grave'. This included unemployment, sickness and accident benefits, old age and widows' pensions, funeral grants and maternity benefits. The acceptance and implementation of most of the recommendations of the Beveridge Report converted England into a model welfare state.

Eventually, the idea of a welfare state became popular in France, Italy, West Germany, Sweden, Australia and New Zealand, but it was hardly encouraged in the United States which maintains its faith in the merit of an open, competitive system. For the developing countries, the policy of a welfare state became almost indispensable. In the first place, they had to deal with the problem of widespread poverty; secondly, they had a long tradition of social support for the poor and the needy. With the increasing urbanization, the traditional basis of social support for the poor was eroded. So, the state had to assume greater responsibility. However, due to extreme shortage of resources, they could set up a welfare state only on a subdued scale. To some extent, foreign assistance was also utilized for the purpose. However, the functioning of the welfare state in these countries was adversely affected by bureaucratic inefficiency and corruption.

In short, welfare state stands for a state that provides for various types of social services for its citizens, for example, social security (financial assistance in the case of loss of job or any other source of income, death of the breadwinner, prolonged illness or physical disability or any other calamity), free education, public health and food to the needy at subsidized rates. For the provision of these services, the state resorts to the policy of progressive taxation, i.e., those who have higher

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income and wealth are required to pay higher rates of taxes. In effect, it is a method of redistribution of wealth in the society which seeks to compensate those who are rendered helpless in an open, competitive market system. It is interesting to recall that before the emergence of the welfare state in England, the state was under the system of 'poor relief' where an individual had to compromise his self-respect to avail various services such as housing, proper standard of living, education, and so on. However, the concept of the welfare state removed this stigma. It was recognized as a system of mutual assistance and self-reliance where all citizens were provided a means of a respectable living by the nation as a whole. It included the needs, housing, employ adequate standard of living and opportunities for advancement in life.

Welfare is an ambiguous term. It is used to refer both to people's well-being and to systems which are designed to provide for needy people. At an individual level, well-being depends on a wide range of factors—negative and positive. The negative factors are those from which people should abstain, such as, murder, arbitrary actions, confinement, pollution of the environment, and so on. The positive factors are those that should be present for people to experience well-being. At the most basic level, these include the physical necessities such as air, water and food, and the goods and materials necessary for ordinary life, like clothing and fuel. However, these include many social factors as well such as affection, interaction with other people and personal development. Thus, we can say that the concept of welfare state is mainly designed for the well-being of the citizens where the government and the state play an important role in promoting and protecting the socio-economic life of the citizens of the state.

Features of the welfare state

These are some of the main features of a welfare state:

- The state shares the responsibility of the welfare of the citizens.
- It offers extensive facilities to its citizens such as health facility, education facility and social security.
- It provides its citizens with legal and fundamental rights.
- The state provides its citizens with social protection.
- Welfare states are socialist in nature. The state redistributes capital by heavily taxing the upper classes and the middle class in order to provide goods and services for those who really need them.
- The state serves several economic functions to its citizens.

Nations that are considered as a welfare state are: Canada, Australia, Brazil, Italy, France, Germany, Spain, Denmark, Austria, the UK and Saudi Arabia.

Check Your Progress

17. What are factors which led to the development of welfare states?
18. List some of the main features of a welfare state.

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3.8 ANSWERS TO ‘CHECK YOUR PROGRESS’

1. Rights can be defined as the moral principles that fix, explain and sanction the actions of a human being in the social milieu in which he exists. The most fundamental right of any and every human being all over the world is his/her right to his/her own life. All other rights that are sanctioned by legal, religious or social bodies are corollaries to this essential right of humans to their own lives.

2. The human rights of indigenous people are also inherent and they cannot be denied of it. The Preamble of the Declaration on the Rights of Indigenous Peoples’ further states that, ‘Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources.’ In the process of formulation of such Declarations, governments have the power to contribute to the wording of it and can also acknowledge such a human rights treaty. It is also ultimately their responsibility to ‘promote and protect’, these human rights that have been recognized around the world. Article 1 of the Declaration states that, ‘Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in ... international human rights law.’

The rights of indigenous people have been stated in both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR).

3. The basis of universal human rights is that it transcends time and boundaries and in order to ensure that it is implemented aptly international human rights laws come into place. Besides the international laws, the governments of all nations are also bound to implement the same by principle. This requisite action was first articulated in 1948 in the Universal Declaration on Human Rights. Since then, it has been the subject of innumerable international human rights conventions, declarations and resolutions.

4. Generally, the functions of the welfare rights advisers are as follows:

- To assist with complicated benefit application forms
- To check the tax credits or benefits to which people are entitled
- To provide support and representation in front of social security appeal tribunals
- To represent and advise on all aspects of social security law, including overpayments, suspensions, backdating and entitlement to benefits

5. Liberty means absence of restraints. While liberals pleaded for an individual’s freedom from the authority of the state, Marxists fought for the freedom of the proletariat from the bourgeoisie. The right to liberty is one of the most important rights because it contributes to the evolution of a man’s individuality.

6. The Marxist view of liberty covers the case of man's life in the society he lives and the conditions he is subjected to. There is no liberty for a man of the 'dominated' class in a bourgeois society. According to Marxists, all privileges are available to the members of the ruling class by virtue of having the ownership of the means of production and distribution. In the Marxist view, there can be no real freedom unless the capitalist system is replaced with the socialist system. They take liberty to be synonymous with the end of exploitation of man by man in a class-contending society.
7. It was John Stuart Mill (1806–1873) who presented the concept of positive liberty and helped in the consequent transition from negative liberalism to positive liberalism. According to John Stuart Mill, 'all restraints, qua restraints, is an evil... leaving people to themselves is always better than controlling them'. In order to make his meaning clearer, Mill divides man's actions into two parts: Self-regarding and other-regarding. The state has no right to interfere with the liberty of man if his action affects himself alone. Professing any religion, worshipping a particular deity and reading a book are examples of man's strictly self-regarding actions. However, the state may intervene in the liberty of a man if he harms the liberty of his fellow human beings. If a man does something that has its effect on others, it pertains to the realm of other-regarding action.
8. Liberty has been divided into three forms. These are as follows:
 - (i) Civil liberty
 - (ii) Political liberty
 - (iii) Economic liberty
9. The idea of equality and inequality has figured in political science since early times. For instance, the famous thinker Aristotle stated that 'inequality' was a cause of rebellion in many states. He defined justice as treating equals equally. This was a typical statement in that it insisted on recognition and maintenance of existing inequalities in society, that is between master and slaves, between rich and poor, between morally superior and morally inferior, and so on. On the contrary, the modern idea of equality seeks reduction in inequalities according to the prevailing social consciousness.
10. In *Discourse on the Origin of Inequality*, Rousseau showed an important distinction between the two types of inequalities that are present in social life. These two types are: natural inequality and conventional inequality. Natural inequality is also termed as physical inequality that consists in the differences of age, bodily strength, health and qualities of mind and soul. On the contrary, conventional inequality consists in the different privileges that some men enjoy the exclusion of others, for example, the inequalities of wealth, power and prestige. Thus, one form of inequality is more or less ordained by nature and the other form is largely man-made. It is more or less designed by men themselves. Thus, in his book, Rousseau presented a revolutionary idea and recorded that, 'Men are born and remain free and equal in rights. Social distinctions can be based only upon the public utility.'

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11. Civil equality maintains that all human beings are equal in the eyes of the law. Law should not discriminate between individuals. That is, two men or a group of men should not be favoured or discriminated on the basis of their wealth, status, political opinion and religious faith. Under civil equality, the motive of equality is that all human beings in a country shall be treated alike and that no particular individual or group or class of individuals should be allowed to enjoy any special privilege at the expense of others. It will amount to the denial of equality if laws are passed for the benefit of a particular class or group of people.
12. Like few other basic concepts of political science, the term 'justice' is very broad and vague. Generally, the term 'Justice' is used in two senses. On the one hand, it means faithful realization of existing law as against any arbitrary dealing. On the other hand, it means the ideal element in law—a thing to which a good law should aspire for. In the latter sense, the idea of justice is more related to morality than law. It is presumed to be a set of values which is higher than law. It is presumed to be a set of values which is higher than and superior to that which is embodied in law. The idea of justice is better realized today than in earlier times.
13. Justice, like law, has various sources. However, Barker says that there are only four sources of justice namely, religion, nature, economics and ethics (morality). In addition to these sources, we may add three more sources, i.e., customs, law and judicial interpretations.
14. The following are the main characteristics of social justice:
 - (a) Social justice makes individual equal in the society, irrespective of caste, creed, religion, sex, colour and birth.
 - (b) It prevents the privileged section of society from exploiting the weaker section of the society.
 - (c) It removes existing inequality and seeks to achieve equitable distribution of wealth of society.
 - (d) It removes the tears from the eyes of the poor and seeks to provide basic minimum to them. It is an instrument of social change. It seeks to reorganise the society on the basis of new social order and democratic values. Law tries to achieve social justice.
15. A constitution is a written set of rules by which a nation is governed. It lays down what the government should do for the country and what the people of that country must do to allow the government to function smoothly. Almost all nations of the world—whether developed, underdeveloped or developing—have a constitution. According to the author C.F. Strong, the nature of the constitution, either rigid or flexible, determines the classification of states.
16. There are mainly two types of constitution. These are:
 - (i) Written Constitution
Some countries have it in a written form. Such a constitution is specifically written in the form of a book and the laws are to be followed as per the constitution written in the book. Amendments to

the laws can be done, which is a complicated case. India and France, among others, have a written constitution.

(ii) Unwritten Constitution

There are countries that have an unwritten constitution. The laws are found in several charters, documents, customs and conventions. The amendment of such constitutions is very easy and can be done with the application of ordinary law. Such a constitution is unwritten and flexible. Not many countries in the world have such a form of constitution. Great Britain's constitution is the best example of an unwritten constitution application of ordinary law. Such a constitution is unwritten and flexible. Great Britain's constitution is the best example of an unwritten constitution.

17. There are various factors which led to the development of welfare states. Some believe that the increase in poverty gave rise to the welfare state. According to others, inequality in wealth as well as urbanization and industrialization are the other main factors that led to the growth of welfare states.

18. These are some of the main features of a welfare state:

- The state shares the responsibility of the welfare of the citizens.
- It offers extensive facilities to its citizens such as health facility, education facility and social security.
- It provides its citizens with legal and fundamental rights.
- The state provides its citizens with social protection.
- Welfare states are socialist in nature. The state redistributes capital by heavily taxing the upper classes and the middle class in order to provide goods and services for those who really need them.
- The state serves several economic functions to its citizens.

3.9 SUMMARY

- Rights can be defined as the moral principles that fix, explain and sanction the actions of a human being in the social milieu in which he exists. The most fundamental right of any and every human being all over the world is his/her right to his/her own life.
- Human rights can be defined as those basic rights that are inherent to human beings and are interrelated and indivisible. These rights are common to all individuals and they cannot be discriminated.
- The rights of indigenous people have been stated in both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR).
- All human rights are 'indivisible, interrelated and interdependent' and the promotion or curtailment of one is directly proportional to the flourishing or deprivation of others

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- Welfare can be described as an activity which aims to ensure that people are aware of their rights about receiving the maximum claims to state welfare benefits. This activity was first introduced in the UK in 1969, and has now been developed in other countries including the USA, Australia and Ireland.
- Liberty is an essential element in shaping a human personality. It is multifaceted and is seen in the form of civil, natural, political, economic, national and personal liberty. Liberty is the most valuable element of a man's life. However, in politics, liberty is a central problem that requires detailed discussion.
- The Marxist view regarding the meaning and nature of liberty borders on the nature and scope of economic liberty available in the pattern of social life.
- It was John Stuart Mill who presented the concept of positive liberty and helped in the consequent transition from negative liberalism to positive liberalism.
- F.A. Hayek used the terms 'liberty' and 'freedom' interchangeably in his work, *The Constitution of Liberty*. According to him, a man possesses liberty or freedom when he is not subject to compulsion by the will of others.
- Liberty may formally be described as 'absence of restraint'. This means that in order to maintain liberty of the individual, the state should not impose any restraints on his activities in various spheres of life.
- In order to direct social policy wisely, it is necessary that there should be freedom to criticize the existing institutions and to put forward unpopular opinions, no matter how offensive they may be to the prevailing attitudes.
- Economic liberty belongs to man in his capacity as a worker, engaged in some gainful occupation or service. In this sense, Barker suggested that economic liberty is implied in the articles of civil liberty.
- The importance of individual liberty cannot be stretched too far as it would result in anarchism or an irresponsible individual for whom liberty would mean license to act according to his whims.
- Equality is a prominent political ideal of the present day. It stands for the equal treatment of all men irrespective of any consideration of caste, creed, colour or sex.
- In its present sense, 'equality' is a typical modern idea. In a society, equality acts as a principle of modifying unjust inequalities.
- In *Discourse on the Origin of Inequality*, Rousseau showed an important distinction between the two types of inequalities that are present in social life. These two types are: natural inequality and conventional inequality.
- The principle of equality was first put forward as the demand for legal equality, that is, grant of equal legal status to all individuals in society irrespective of their birth, physical and mental capacities or other differences.
- Natural equality denotes that all human beings are equal in the state of nature. This concept was popularized by some political philosophers, each with his

own purpose of deducing a set of conclusions suitable for his own theory of state-power and its relation to the individual.

- The normative idea of justice has a significance of its own in the realm of political theory in view of the fact that among the proper ends of state. It has been given a high place at all times.
- The origin of justice and the origin of law have many similarities. Justice, like law, has various sources. However, Barker says that there are only four sources of justice namely, religion, nature, economics and ethics (morality).
- Aristotle maintains a distinction between 'distributive justice' and corrective justice.' According to him distributive justice means each and every individual in a society should be given an opportunity to develop his inherent potentialities.
- Social inequality exists in all human societies. Social justice refers to socially ordained arrangement for removing all inequalities and affording equal opportunity to all individuals in social affairs and also in economic activities.
- Although justice is realized through the legal system of the state, there is difference between justice and law. Law seeks to give justice, but it is not justice itself. Law is made by a definite legislature.
- Economic justice is well explained by Marx. Marxism maintains that private property and the capitalist economic system which is based on it are unjust and irrational. The Marxist notion of justice is that it is related to social values of society which are determined by its mode of production.
- Different political theories offer different pictures of what would be a really just social order. Two of these theories are, the utilitarian theory, and John Rawls's theory of justice as fairness.
- Some countries have it in a written form. Such a constitution is specifically written in the form of a book and the laws are to be followed as per the constitution written in the book.
- Not many countries in the world have such a form of constitution. Great Britain's constitution is the best example of an unwritten constitution application of ordinary law. Such a constitution is unwritten and flexible.
- There are various factors which led to the development of welfare states. Some believe that the increase in poverty gave rise to the welfare state.
- The idea of a welfare state became popular in France, Italy, West Germany, Sweden, Australia and New Zealand, but it was hardly encouraged in the United States which maintains its faith in the merit of an open, competitive system.
- In short, welfare state stands for a state that provides for various types of social services for its citizens, for example, social security, free education, public health and food to the needy at subsidized rates.
- Nations that are considered as a welfare state are: Canada, Australia, Brazil, Italy, France, Germany, Spain, Denmark, Austria, the UK and Saudi Arabia.

NOTES

NOTES

3.10 KEY TERMS

- **Inherent Right:** It is a term that refers to the fundamental right a person has.
- **Untouchability:** This is the practice of ostracising a minority group by segregating them from the mainstream by social custom or legal mandate.
- **Certiorari:** This is a court process to seek judicial review of a decision of a lower court or administrative agency. The term comes from the name of an English prerogative writ, issued by a superior court to direct that the record of the lower court be sent to the superior court for review.
- **Civil Liberty:** The state of being subject only to laws established for the good of the community, especially with regard to freedom of action and speech.
- **Legal Equality:** Also known as equality under the law, this is the principle that each independent being must be treated equally by the law and that all are subject to the same laws of justice.
- **Platonic Justice:** It refers to the determination to concentrate on one's own sphere of duty and not to interfere with the sphere of others.
- **Distributive Justice:** It concerns the socially just allocation of goods. Often contrasted with just process, which is concerned with the administration of law, distributive justice concentrates on outcomes.
- **Corrective Justice:** This is a fundamental type of justice, concerned with the reversal of wrongs or the undoing of transactions. It also offers powerful insights into tort law, contract law, and unjust enrichment, among other fields.
- **Unwritten Constitution:** An uncodified constitution which is a type of constitution where the fundamental rules often take the form of customs, usage, precedent and a variety of statutes and legal instruments. An understanding of the constitution is obtained through reading commentary by the judiciary, government committees or legal experts.
- **Social Security:** This is a government system that provides monetary assistance to people with an inadequate or no income". In the United States, this is usually called welfare or a social safety net.
- **Redistribution of Wealth:** This is the transfer of wealth (including physical property) from some individuals to others by means of a social mechanism.

3.11 SELF-ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Write a short note on the role and significance of various rights.
2. State Harold Laski's view on liberty and human personality.

3. What are the main conditions for realizing liberty?
4. Which are the main types of equality?
5. Write in a brief about the formation of justice with special reference to Rawls' Theory of Justice.
6. Name the countries which have an unwritten constitution.
7. What does a welfare state stand for?

Long-Answer Questions

1. Discuss why people need various types of rights.
2. Discuss how the liberty of citizens can best be safeguarded.
3. Analyse the significance of social equality for the people in a society.
4. Examine the important elements of economic justice.
5. Discuss why the idea of a welfare state became popular in many advanced countries.

3.12 FURTHER READING

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NOTES



UNIT 4 TYPES OF GOVERNMENT

Types of Government

Structure

- 4.0 Introduction
- 4.1 Objectives
- 4.2 Unitary Form of Government
- 4.3 Federal Form of Government
- 4.4 Parliamentary Form of Government
- 4.5 Presidential System of Government
- 4.6 Theories of Democracy
 - 4.6.1 Classical Theory of Democracy
 - 4.6.2 Marxist Approach to Democracy
- 4.7 Answers to 'Check Your Progress'
- 4.8 Summary
- 4.9 Key Terms
- 4.10 Self-Assessment Questions and Exercises
- 4.11 Further Reading

NOTES

4.0 INTRODUCTION

One of the most important aspects of the constitutional setup of a country is the distribution of powers between different levels of government. A country may be said to have either a unitary or a federal type depending on how a constitution organizes power between the central and state governments. In a unitary form, the only level of government besides the central is the local government. However, it is the central government that determines which decisions to devolve to the local level. The UK, despite the presence of regional governments, is often cited as an example of a unitary state.

In federal form of government there is an intermediate level of authority between the central and the local. If we consider the main characteristics of the federal state, the US and Switzerland are clearly federal states. States of a federal government have constitutionally protected sovereignty. They also have their own constitutions that define the institutions of their respective governments. Of course, one needs to take into account others features of each type for a proper understanding of both unitary and federal system. Yet, by their very nature, a unitary system widely differs from federal system of government. But there are many countries which can be federalists yet unitary. The erstwhile Soviet Union (USSR) was a federation of autonomous republics.

When a head of government is also head of state, we call this arrangement as a presidential system of government. He/she leads an executive branch that is separate from the legislative branch. The US has presidential system of government. A parliamentary system is a system of governance of a state where the executive derives its legitimacy from the confidence of the parliament, and is also held accountable to that parliament. Here the head of government is elected to power through the legislative. Democracy is identified with people's power and there are various theories to signify its role and scope.

In addition to discussing unitary and federal form of government, parliamentary and presidential system, this unit also analyses various theories of democracy.

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4.1 OBJECTIVES

After going through this unit, you will be able to:

- Describe the various types of government
- Explain the unitary form of government
- Examine the federal type of government
- Explain the parliamentary and presidential system of government
- Understand the theories of democracy

4.2 UNITARY FORM OF GOVERNMENT

As the name suggests, a unitary form of government is a single unit state where the central government is supreme. All the power rests with the central government and any divisions in governance, for instance, in the form of administrative or sub-national units, have only those powers that the central government gives them. While democratic systems have become popular over the world, a number of states still have a unitary system of government among several other archetypes that are found in different countries. Some of the examples of a unitary form of government are dictatorships, monarchies and parliamentary governments. Some countries that follow the unitary system of government are France, China, Italy, Japan, United Kingdom, as well as several African countries.

Since the power is vested in the Centre, a unitary system of government is based on the principles of centralization of power. Within such a system, a fair amount of hegemony is found between different regions in a same country. Thus, local governments follow instructions of the Centre and have only those powers which are delegated by the central government.

Yet, there are no fixed rules to this system and not all countries use the same principles of centralization and decentralization of powers. One of the major advantages of such a system is the fact that the government at the centre can make quick decision since it has all the powers of rule-making. A significant disadvantage is that there are no ways to keep a check on the activities of the central government. Moreover, most unitary governments have large bureaucracies where the members are not appointed on the basis of popular voting.

The opposite of unitary government will be a federal government where governance powers are not centralized or where central government is a weak one. Political powers are actively decentralized and individual states have more sovereignty compared to those in a unitary state. Principally, a federal government holds some middle ground between the unitary and the federal system because powers are distributed between the central and local governments. The political system of the United States of America is an example of a federal system. One

needs to also explore the nature of the state when the analysis of the form of government is being made. For instance, not every state will encourage social and political integration and some will monopolize force in their hands, thus encouraging one form of governance compared to the other.

Nonetheless, monopolization of power is also a central idea to a unitary government. Popularly in such a system, local governments will exist but they will not be independent of the central government. They are subordinate to the central government in all respects and often act as mere agents of such a government. Thus, the whole state is governed with full might of the central government. Such a system is useful in those states which do not have strong nationalities, are at risk of outside forces or are very small states.

Salient Features of Unitary Government

A unitary system of government widely differs from one that is federal in its organization. Federal governments, by their very nature, constitutionally divide powers between the centre and the state. No such power division occurs in a unitary system even though the central government, by its own accord, delegate some superficial powers to various states. Moreover, in a federal system, the constitution is supreme and determines the powers between the centre and the states. Both exist as equal before a federal constitution. In contrast, centre is supreme authority in a unitary government. States function independent of the centre in a federal system whereas in the unitary system, states are subordinate to the centre. In short, Unitarianism can be referred to as: 'The concentration of the strength of the state in the hands of one visible sovereign power, be that power parliament or czar.' Federalism, on the other hand, is distribution of force. As has been cited: 'The sovereign in a federal state is not like the English parliament an ever wakeful legislator, but like a monarch who slumbers and sleeps. And a monarch who slumbers for years is like a monarch who does not exist.'

A unitary government can have an unwritten yet flexible constitution but federal government cannot go about its daily chores unless it has in its possession a written constitution. Judiciary also plays a very important role in a federal government and also decides on disputes that may crop up among the central and state governments or between other units. These are some of the key differences between federal and state governments. This brings us to the characteristics and features of unitary form of government:

- **Centralization of power:** The centre is the reservoir of all powers in unitary system. There exist no province or provincial governments in such a system and the central government has the constitutional powers to legislate, execute and adjudicate with full might. There is no other institution with this kind of state to share the powers of the central government. Thus, it rules with no external pressure and runs the state and administration free of any checks and balances. Their power is absolute. What powers are to be centralized and decentralized are also decided by the central government. Local governments exist but it is the centre which decides what powers will be given to them. Even these are carried out with central control or supervision.

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NOTES

- **Single and simple government:** The unitary system of government is a simple system. There exist no provincial assemblies, executives or upper chambers in the Centre. One exception to this is Britain. Yet, most unitary systems are defined by single central government where the popular voting is held for unicameral legislature. It is the central legislature that legislates and executes. The expenses of such a system are minor and a unified command is adopted in running the state. Democratic systems can be expensive; upper chambers demand finances and weak states cannot afford them. Thus, unitary system is simple and understandable. Its structures and powers also understood easily by the citizens.
- **Uniformity of laws:** Laws in unitary system are uniform laws unlike the ones in the federal state. This is one crucial characteristic of a unitary government. Laws are made and executed by the central government for the entire state. They are enforced without any distinction being made for any state. In contrast, in a federal system, the nature of a law can vary from state to state. But in the unitary system, the laws are made uniform on the principles of justice and nature of human beings. In a federation however, laws of similar nature can have sharp contrasts, thus complicating their understanding.
- **No distribution of powers:** As stated, within a federation powers are distributed among the federal and the state. In contrast, in the unitary system, no such distribution of powers is made. All powers rest with the centre. One of the advantages of this lack of distribution of power is that the government does not have to bother about delegating powers and instead concentrate on more welfare issues and development of the state and citizens.
- **Flexible Constitutions:** Flexibility is what defines the constitutions of unitary states. It is within federal systems that a rigid constitution is required so as to clearly define and maintain the relationship between the centre and the state. One of the advantages of a flexible constitution is that it can be altered as be the needs of the state amid the continuously changing circumstances. As you know, a constitution is a document which is necessary to run a state according to the changing orientations. A flexible constitution ensures that the desires and changing demands of people are included in it accordingly and from time to time. It is crucial to the idea of progressiveness. Thus, constitutions in unitary systems are evolutionary and are strong to respond to contingency situations.
- **Despotism attributes a Unitary State:** A unitary state can turn totalitarian or despotic when its rulers do not follow rules or move away from the path of patriotism. Since powers are with the Centre and there is no check on the activities of the government, there are higher chances of misuse. Such a government can become absolute and abuse its powers mainly due to the absence of an internal check system.
- **Responsibility:** In contrast to a federation, a unitary system is more responsible. Certain defined institutions have fixed responsibility and

this is a significant characteristic of a unitary system. The central government is responsible for legislation, executive for implementation and judiciary for adjudication. Thus, it is these institutions that are responsible for their activities and therefore they try to operate within the law of the land.

- **Local government institutions:** Usually, in a unitary form of government, the powers lie in the hands of urban bureaucracy. Such a government has also been found to be limited in the city areas and have no influence in remote towns and villages. Therefore, to maintain its influence in rural areas, the central governments manipulate their affairs through municipalities and other such local institutions. In one way or other, local governments also become important and effective in unitary systems. Such examples are found in states like China and Great Britain where local governments are very powerful. The central government maintains its influence through local governments and also gives them financial support to run their daily affairs. In fact, local representatives are elected for these institutions on the guidelines of the central government.

Advantages of Unitary Form of Government

Some advantages of unitary system include:

- (i) Throughout the state, uniform policies, laws, political, enforcement, administration system is maintained.
- (ii) There are fewer issues of contention between national and local governments and less duplication of services.
- (iii) Unitary systems have greater unity and stability.

Disadvantages of Unitary Form of Government

Disadvantages of such a form of government include:

- (i) Local concerns are usually not the prerogative of the central government.
- (ii) Thus, the centre is often at a lax in responding to local problems.
- (iii) In case the centre gets involved in local problems, it can easily miss out on the needs of a large section of other people.

Check Your Progress

1. What do you mean by a unitary state?
2. What is the difference between unitary and federal system of government?
3. List some advantages of the unitary state system of government.

4.3 FEDERAL FORM OF GOVERNMENT

A federal government is the national government of a federation. It is defined by different structures of power; in a federal government, there may exist various

Types of Government

NOTES

NOTES

departments or levels of government which are delegated to them by its member states. However, the structures of federal governments differ. Going by a broad definition of basic federalism, it comprises at least two or more levels of government within a given territory. All of them govern through some common institutions and their powers often overlap and are even shared between them. All this is defined in the constitution of the said state.

Therefore, simply put, a federal government is one wherein the powers are delegated between the centre and many other local governments. An authority which is superior to both the central and the state governments can divide these powers on geographical basis, and it cannot be altered by either of the government levels by themselves. Thus a federation, also called a federal state, is characterized by self-governing states which are in turn united by a central government. At the same time, both the tiers of government rule on the basis of their own laws, officials and other such institutions. Within a federal state, the federal departments can be the various government ministries and such agencies where ministers of the government are assigned. For instance, in the US, the national government has some powers which are different from those of other 50 states which are part of the country. This division of powers has been elaborated in the constitution of the US.

Thus, a federal government works at the level of a sovereign state. At this level, the government is concerned with maintaining national security and exercising international diplomacy, including the right to sign binding treaties. Therefore, as per the guidelines of the constitution, the federal government has the power to make laws for the entire country and not the state governments. For instance, the US Constitution initially did not empower the federal government to exercise undue powers over the states but with time, certain amendments were introduced to give it some substantial authority over states. The states that are part of a federation have, in some sense, sovereignty because certain powers are reserved for them that cannot be exercised by the central government. But this does not mean that a federation is a loose alliance of independent states. Most likely, the states that are part of a federation have no powers to make, for instance, foreign policy; thus, under international law they have no independent status. It is the constitutional structure in the federation that is referred to as federalism. This is in contrast to the unitary government. Germany is an example of a federation while its neighbour Austria was a former unitary state that later became a federation. France, in contrast, has always had a unitary system of government. As mentioned earlier, federation set-ups are different in different countries. For instance, the German *Lander* have some independent powers which they have started to exercise on the European level.

While this is not the case with all federations, such a system is usually multi-cultural and multi-ethnic and covers a large area of territory. An example is India. Due to large geographical differences, agreements are drawn initially when a federation is being made. This reduces the chances of conflict, differences between the disparate territories, and gives a common binding to all. The Forum of Federations is an international council for federal countries which is based in Ottawa, Ontario. This council brings together different federal countries and gives them a

platform to share their practices. At present, it includes nine countries as partner governments.

Where states have more autonomy than others, such federations are called asymmetric. Malaysia is an example of one such federation wherein states of Sarawak and Sabah joined the federation on their own terms and conditions. Thus, a federation often appears after states reach an agreement about it. There can be many factors that could bring in states together. For instance, they might want to solve mutual problems, provide for mutual defence or to create a nation state for an ethnicity spread over several states. The former happened in the case of the United States and Switzerland and the latter with Germany. Just like the fact that the history of different countries may vary, similarly their federal system can also differ on several counts. One unique system is that of Australia's where it came into being after citizens of different states voted in the affirmative to a referendum to adopt the Australian Constitution. Brazil has experienced with both federal and unitary system in the past. Till date, some of the states in Brazil maintain the borders they had during Portuguese colonization. Its newest state, Tocantins, was created mainly for administrative reasons in the 1988 Constitution.

History of Federalism

In the New World order, several colonies and dominions joined as autonomous provinces but later transformed into federal states after independence (see Spanish American wars of independence for reference). The United States of America is the oldest federation and has served as a role model for many federations that followed. While some federations in the New World order failed, even the former Federal Republic of Central America split into several independent states 20 years after it was formed. States like Argentina and Mexico have in fact shifted from being federal, confederal, and unitary systems before finally settling with being federalists. Germany is another example of the same shifting since its foundation in 1815. After its monarchy fell, Brazil became a federation and it was after the Federal War that Venezuela followed suit. Many ancient chiefdoms and kingdoms can be described as federations or confederations, like the 4th century BC League of Corinth, Noricum in Central Europe, and the Iroquois in pre-Columbian North America. An early example of formal non-unitary statehood is found in the Old Swiss Confederacy. Many colonies of the British that became independent after the Second World War also adopted federalism; these include Nigeria, Pakistan, India and Malaysia.

Many states can be federalists yet unitary. For instance, the Soviet Union, which was formed in 1922, was formally a federation of Soviet Republics or autonomous republics of the Soviet Union and other federal subjects but in practice remained highly centralized under the government of the Soviet Union. Therefore, the Russian Federation has inherited its present system. Australia and Canada are independent federations, yet Commonwealth realms. In present times, many federations have been made to handle internal ethnic conflict; examples are Bosnia and Herzegovina, and Iraq since 2005.

NOTES

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Advantages of Federal Form of Government

Some advantages of a federal form of government are:

- (i) There is a larger federal unity though local governments may handle their own problems.
- (ii) The government at the Centre is more committed towards national and international issues.
- (iii) It is a participatory system and there are more opportunities to make decisions. For instance, what goes into school curriculums and ways in which highways and other projects are to be carried out, can be decided through participation of local populace.
- (iv) Local government/officials are more responsive towards people who elect them.

Disadvantages of Federal Form of Government

Disadvantages of federal form of government include:

- (i) Since laws are different in different states, people living in one country can be treated differently. This can happen not only in spending that each state makes of welfare programmes but even in legal systems, where different punishment can be meted out in similar offences or right laws are differentially enforced.
- (ii) Duplication of services.
- (iii) States can pass laws that counter national policy and this can influence international relations.
- (iv) Conflict can arise over power/national supremacy vs. state's rights.

Check Your Progress

- 4. How are powers delegated in a federal form of government?
- 5. Which types of federations are called asymmetric?
- 6. List some of disadvantages of federal form of government.

4.4 PARLIAMENTARY FORM OF GOVERNMENT

In a parliamentary form of government, the tenure of office of the virtual executive is dependent on the will of the legislature; in a presidential form of government the tenure of office of the executive is independent of the will of the legislature (Leacock). Thus, in the presidential form, of which the model is the United States, the President is the real head of the executive who is elected by the people for a fixed term. The president is independent of the legislature as regards his tenure and is not responsible to the legislature for his/her acts. He, of course, acts with the advice of ministers, but they are appointed by him as his counsellors and are responsible to him and not to the legislature for his/her acts. Under the parliamentary system represented by England, on the other hand, the head of the executive (the crown) is a mere

titular head, and the virtual executive power is wielded by the cabinet, a body formed of the members of the legislature, which is responsible to the British Parliament for its office and actions.

Being a republic, India could not have a hereditary monarch. Elected indirectly, president is the head of the state in India. The tenure of his office is for a fixed term of five years as of the American president. He also resembles the American president in as much as he is removable by the legislature under the special quasi-judicial procedure of impeachment.

But, on the other hand, he is more akin to the English king than the American president in so far as he has no 'functions' to discharge, on his own authority. All the powers and 'functions' [Article 74 (1)] that are vested by the constitution in the president are to be exercised on the advice of the ministers responsible to the legislature as in England. While the so-called cabinet of the American president is responsible to himself and not to the Congress, the council of ministers of the Indian Prime Minister is responsible to the Parliament.

The reason why the framers of the constitution discarded the American model after providing for the election of the president of the republic by an electoral college formed of members of the legislatures, not only of the Union but also of the states, has thus been explained. In combining stability with responsibility, they gave more importance to the latter and preferred the system of 'daily assessment of responsibility' to the theory of 'periodic assessment' upon which the American system is founded. Under the American system, conflicts are bound to occur between the executive, the legislature and the judiciary. On the other hand, according to many modern American writers, the absence of coordination between the legislature and the executive is a source of weakness of the American political system.

What India cherished on her attaining freedom from colonial bondage was a smooth form of government which would be conducive to the manifold development of the country without the least friction. To this end, the cabinet or parliamentary system of government was considered to be more suitable than the presidential.

A more debatable question that has been raised is whether the constitution obliges the president to act only on the advice of the council of ministers, on every matter. The controversy, on this question, was raised by a speech delivered by the President Dr. Rajendra Prasad at a ceremony of the Indian Law Institute (28 November 1960) where he urged for a study of the relationship between the president and the council of ministers. He observed that, 'there is no provision in the constitution which in so many words lay down that the president shall be bound to act in accordance with the advice of his council of ministers.'

The observation came in contrast with the words of Dr Rajendra Prasad himself with which he, as the president of the Constituent Assembly, summed up the relevant provision of the Draft Constitution:

'Although there is no specific provision in the Constitution itself making it binding on the President to accept the advice of his ministers, it is hoped that the convention under which in England the King

NOTES

NOTES

always acted on the advice of his ministers would be established in this country also and the president would become a constitutional president in all matters.’

Politicians and scholars, naturally, took sides on this issue, advancing different provisions of the constitution to demonstrate that the ‘president under our constitution is not a figure-head’ (Munshi) or that he was a mere constitutional head similar to the English Crown.

Advantages of Parliamentary System

The advantages of the parliamentary system are as follows:

- **It offers checks and balances:** Under the parliamentary system, each branch of government is governed by a system of checks and balances. This decreases the chances of one branch overwhelming the other branches and moving the government towards authoritarianism,
- **It supports a diverse range of opinions:** It is very difficult to attain a full majority in a parliamentary system. This means that many parties tend to work together to form a coalition, which supports more opinions than a standard party platform would.
- **It allows for an election to be called:** Another important advantage of the parliamentary system is that it allows elections to be called by the people or those who were elected. That makes it easier for the people to call for a change if they feel like their elected officials are not performing as they should be.

Disadvantages of Parliamentary System

The disadvantages of the parliamentary system are as follows:

- **It reduces the voice of minority parties:** In a parliamentary system, generally established political parties tend to dominate. It is very difficult for new parties to emerge. In addition, these established large parties tend to ignore smaller parties.
- **It decreases separation from the executive branch:** The executive branch is directly influenced by the legislative branch in this system of government. That means people may vote for the party because of who they think will be the leader of the country instead of who they think will be the best candidate.

Check Your Progress

7. How does a parliamentary form of government function?
8. Why did India prefer the parliamentary system of government?

4.5 PRESIDENTIAL SYSTEM OF GOVERNMENT

A presidential system is a system of government where a head of government is also head of state and leads an executive branch that is separate from the legislative

branch. In such a system, the executive is elected and often titled 'president' and is not responsible to the legislature and which cannot, in normal circumstances, dismiss it. The legislature may have the right, in extreme cases, to dismiss the executive, often through impeachment. However, such dismissals are seen as so rare as not to contradict a central tenet of presidentialism, according to which in normal circumstances, the legislature cannot dismiss the executive.

Types of Government

NOTES

Advantages of the Presidential System of Government

The advantages of the presidential system of government are:

- (i) In a presidential system, the fixed term of office of the executive enables him or her to give their full time to the pursuit of state duties during his tenure. Therefore there is stability. .
- (ii) Conflicts and tensions between the head of state and head of government in the cabinet system are non-existent in the Presidential System of government.
- (iii) In an emergency situation, since the President has enormous powers, he or she can take decisions quickly without worrying about political issues.
- (iv) In a Presidential Government, many executive, financial and legal powers are concentrated in the hands of the President and he can use his discretion in many matters

Disadvantages of the Presidential System of Government

The disadvantages of the presidential system of government are:

- (i) As enormous power reside with the President, there is always a danger of authoritarianism in a presidential system.
- (ii) The Presidential System is very expensive to run, in terms of finance and personnel required for the separate executive and legislative arms of government.
- (iii) As the terms of Presidents are fixed, he or she may be completely unresponsive to public

4.6 THEORIES OF DEMOCRACY

Let us now discuss the various theories of democracy.

Liberal Approach

In the lexicography of political science, no word is more controversial than 'democracy'. There is no individual who does not like it but he may raise its 'question of suitability and efficacy at particular circumstances'. The suitability of democracy is related to the question of the form of government and not to that of principle. Many scholars object to the application of democracy to particular circumstances but they are not opposed to democratic principle. Today many people ask whether the circumstances or environment will be moulded to make them suitable for democracy or democracy will be changed to mould the environment for its own development.

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Meaning of Democracy

As to the proper meaning of the word, there is also a controversy. As G. C. Field observes, 'In recent years controversy has arisen about the proper meaning of the word democracy.' In spite of differences of opinion, democracy is regarded as a useful form of government. Where it does not exist, men are fighting for it and where it already exists, men are striving to make it perfect.

Sukarno's Indonesia called itself a guided democracy and Ayub's Pakistan called itself a basic democracy. Even the communist and socialist countries call themselves as pure democracies. Etymologically, democracy is derived from two Greek words 'demos' and 'kratia'. *Demos* means people and *kratia* means power or rule. Therefore, democracy means the power or rule of the people.

Here are some more definitions of democracy:

C.D. Burns says, 'Few words have been more loosely and variously defined than democracy. It has literally meant all things to all men'.

Laski observes, 'Democracy has a context in every sphere of life; and in each of these spheres it raises its special problems which do not admit of satisfactory or universal generalization.' Prof. Burns also remarks, 'Democracy may be found both in the social, atmosphere and in political organization; and indeed it is possible to speak of democracy in every form of social life, in religion, in industry as well as in politics.' Abraham Lincoln defines democracy as 'the government of the people, by the people and for the people.' Seeley says that 'democracy is a government in which everyone has a share.' MacIver defines democracy as 'Democracy is not a way of governing whether by majority or otherwise, but primarily a way of determining who shall govern and broadly to what ends.'

According to Maxey, 'Democracy is a search for a way of life in which the voluntary free intelligence and activity of man can be harmonized and coordinated with the least possible coercion.' In the words of Sartori, 'Democracy denotes a political system characterized by the absence of personal power and more particularly, a system that hinges on the principle that no one can proclaim himself as ruler, that no one can hold power irrevocably in his own name.' Ivor Brown is right when he says that 'the word has come to mean anything; or rather so much that it means nothing at all.' UNESCO questionnaire speaks of the vagueness of democracy. Robert Dahl says that a responsible democracy can exist only if the following institutional guarantees are present:

- Freedom to form and join associations.
- Freedom of expression.
- Right to vote.
- Right to be elected and hold public offices.
- Right of political leaders to compete for support and vote.
- Alternative sources of information.
- Free and fair election.
- Institutions for making government policies depend on votes and other expression of preferences.

Democratic Government, Democratic State and Democratic Society

Types of Government

Democracy is not merely a form of government. Some claim it to be a form of state and some regard it as a form of society. A democratic government is one which is based on the accountability of the people; a democratic state is one which is based on popular sovereignty. Democracy, in its wider meaning, is a form of society. A democratic government implies a democratic state, although a democratic state may not imply a democratic government.

Example: The United States is a democratic state but does not have daily accountability to the Congress. For a democratic government, there must be a democratic state and democratic society.

Besides, democracy is an order of society and a way of life. It has political, social and economic implications. It has faith in the equality of all men and the recognition of the individuality of human beings. A democratic way of life is characterized by tolerance, mutual respect and fraternity. It implies equitable distribution of wealth. If the majority government suppresses the minority opinion, it is contrary to the democratic ideal.

Types of Democracy

Democracy is of two types, viz., direct democracy and indirect democracy or representative democracy.

1. Direct democracy

Direct democracy prevailed in the city-states of ancient Greece. There, the people directly participated in the affairs of the Government. All the citizens used to go to a particular place and decide matters relating to legislation, taxation and policy making. It was possible because of the small size of the city-states.

Modern states are quite big in size and population. Hence, direct democracy of the types of Greek city states is not possible in any modern state. But direct democracy can be found in Switzerland in modern states. Direct democracy operations are through the instruments of referendum, initiative and recall.

- **Referendum:** It means to refer to the people. It means that no law passed by the Swiss legislature can be effective unless it is referred to the people in a referendum and receives their approval. Similarly, constitutional amendment can be valid when it is approved by a majority of the people and the majority of the Cantons in a referendum. It is a remedy against legislative commission.
- **Initiative:** It is a remedy against legislative omission. If the legislature does not pass an act, people can propose legislation through initiative. That law will come into force when approved by the people in a referendum. It may bring the legislators in touch with the people, but it gives the people a power, which they cannot properly utilize.
- **Landsgemeinde:** In some Cantons of Switzerland, the institution of Landsgemeinde or open assembly prevails. There, like the city state people gather at a particular place and decide their own affairs. In this sense, it is similar to the direct democracy, which prevailed in the Greek city states.

NOTES

NOTES

- **Recall:** It means withdrawing the representatives from the Assembly or legislature if they do not work for the betterment of the people. Recall is advocated now-a-days in modern democracy to withdraw representatives who do not perform their duties properly. Example: Jaya Prakash Narayan suggested recall for India.

These devices are weapons in the hands of the people to check legislation and to enable them take part directly in the Government.

Merits of direct democracy

The following are the merits of direct democracy:

- It enables the people to get the experience of government and administration.
- It makes the government responsible.
- It creates a sense of responsibility and patriotism among the people.
- It enhances the political consciousness of the people.
- It keeps the voters in touch with the government.

Demerits of direct democracy

Direct democracy has the following demerits:

- It is not suitable for large states.
- It misleads the people because the opportunists take advantage of it.
- All the people are not suitable to give their opinion under this system. They simply say 'yes' or 'no'.
- It cannot take secret decisions on war and emergencies.
- It requires a high sense of responsibility, which the people lack.

2. Indirect Democracy

In almost all countries of the modern world except Switzerland, indirect democracy prevails. Switzerland presents a blend of direct and indirect democracy. Due to the large size of the modern state, it is not possible for all the people to gather at the particular place and take decisions. Hence, people elect their representatives who sit in the parliament and make law for the people. This is called indirect democracy.

Features of indirect democracy

Indirect democracy has the following features:

- It is a representative form of government in which people's representatives take decisions.
- Sovereignty is vested in the people.
- Government works on behalf of the people.
- People do not get a chance of participate in the affairs of the state.

Merits of indirect democracy

Indirect democracy has the following merits:

- It is suitable for big countries only.

- Here, political demagogues play an important role. They can mobilize the voters in their favour.
- The Government runs on behalf of the people.
- Secrecy can be maintained where it is required.

Types of Government

Demerits of indirect democracy

- The voters are ignorant. So it is not possible to vest powers in their hands.
- Direct contact between the voters and representatives cannot be established under this system.
- After their election, the representatives seldom nurse their constituencies.
- It gives rise to corruption. Political parties vitiate the atmosphere of the country.
- It is very expensive. Example: The holding of an election in a country of
- India's size entails heavy expenditure.

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Characteristics of Democracy

Democracy has certain characteristics. R. M. MacIver says that democracy is not a way of governing, whether, by majority or otherwise, but primarily, a way of determining who shall govern and broadly to what ends. Democracy is not a one-way traffic. It implies responsibilities both on the part of the ruler and ruled. It is based on the cooperation of both. The main characteristics of democracy are as follows:

- **Popular sovereignty:** Democracy is based on the sovereignty of the people. That is to say people exercise supreme power in a democracy. They have the right to elect the government and the government remains responsible to it. If the government does not fulfil the wishes of the people, people have a right to overthrow it and institute a new government
- **Political, social and economic equality:** In a democracy, there is political, social and economic equality. So far as political equality is concerned, all, rich or poor, educated or uneducated, high or low, have one vote only. In the social sphere, there shall not be any discrimination against any one on grounds of religion, race, sex, caste or place of birth. In the economic sphere, there shall not be great gulf between the rich and the poor or haves and have nots.
- **Majority rule:** Democracy is rule of the majority. It is the majority that governs in a democracy. No party can govern unless it has acquired majority of seats in the legislature.
- **Respect for the opinion of the minority:** In democracy no doubt, the majority rules, but it cannot ride rough shod over the minority. The opinion of the minority should be given due consideration.
- **Rights:** Democracy provides various kinds of rights to the individuals. Example: The right to freedom of speech and expression, right to form unions or associations, religious freedom, right to free movement and educational and cultural rights are some of the rights that the people enjoy in a democracy. It upholds individual dignity.

NOTES

- **Government by adjustment and compromise:** Democracy is a government by adjustment and compromise. Different opinions are likely to arise in democracy within the ruling party itself. Therefore, it has to function with adjustment and compromise of a variety of opinions. Therefore, it allows plurality of ideas.
- **Value system:** It is a form of government in which people can realize their best ideals and highest qualities. Therefore, it is a system of values. Three things are important in a democracy, efficiency, realization of best ideals and qualities and self-rule. If democracy lacks efficiency, it will be the worst form of government.
- **Democracy is a welfare-oriented concept:** America, which is one of the best democracies used, realized during the Great Economic Depression and afterwards that democracy should be to promote the needs and welfare of the people. Most of the democratic countries today are welfare countries. They aim at promoting the welfare of the people without destroying individual freedom.
- **Rule of law:** In democracy, there is rule of law. It means the supremacy of law as against that of man. It also stands for equality of law. A.V. Dicey is the exponent of rule of law in Britain.
- **Independence of judiciary:** Democracy is characterized by independent judiciary with the exception of England. The judiciary acts without fear or favour, affection or ill will. It can declare a law as ultravires, if it violates the constitution.
- **It is opposed to coercive methods:** It based on persuasion not coercion.
- **Democracy is a theory of society as well as government:** A.D. Lindsay has explored this concept of democracy. The purpose of every democratic government is to serve the community. For this purpose, it has to remove disharmonies from the society and provide a congenial atmosphere for democratic values and principles to thrive.
- **Leadership:** Democracy provides scope for producing leaders starting from the village level to the national level. Those who have the qualities of leadership can get scope to prove their talents. **Example:** Jawaharlal Nehru was the chairman of the Allahabad Municipality. But he rose to the position of the prime minister. There are many such examples in which leaders have started their career from lower levels and proved to be efficient as national leaders. Therefore, democracy is not only a form of government, but also a way of life.

Political, Social and Economic Democracy

Democracy has political, social and economic dimensions.

- **Political democracy:** In the political sphere, it stands for liberty, freedom of speech and expression, majority rule and tolerance of the views of the minorities.
- **Social democracy:** Operates in the social sphere; it means that there shall be equality and no discrimination against any one on grounds of religion, race, sex and place of birth.

- **Economic democracy:** It means that in the economic sphere, there shall be equitable distribution of wealth. There shall not be a great gulf between the rich and poor.

Types of Government

Merits of Democracy

In democracy, you agree upon certain common principles. You respect one another's point of view. Democracy provides the framework within which the moral life of the individual is possible. A.D. Lindsay, in his book *Essentials of Democracy*, says that 'the end of democratic government is to minister to the common life of society and remove the disharmonies that trouble it.' Thus, democracy is an ideal, a means and a way of life. The merits of democracy are as follows:

- **A rational form government:** It is based upon the premise that no man is infallible. Every man is liable to commit mistakes. As no man is infallible, democracy adopts a process of discussion and criticism in which every man is allowed to take part. The continuous process of discussion and scrutiny acts as a necessary corrective of abuse of power.
- **It provides rights to the individual:** Democracy provides political, social and economic rights to the individuals. The right to vote, the right to life, the right to religion, the right to education, the right of minorities, the right to work, the right to a reasonable way and the right to rest and leisure are some of the rights, which democracy provides. There has been some movements for rights, such as the American War of Independence 1776, the French Revolution 1789 and the Russian Revolution of 1917. Without these rights, life will be meaningless.
- **Equality:** Democracy not only provides right but also provides equality. All are equal in the political, social and economic spheres. All enjoy equal rights. There is no discrimination on the grounds of religion, race, sex, caste and place of birth.
- **Democracy is an efficient and responsible form of government:** The method of free election at certain intervals and the method of popular control at every stage of administration, either through criticism inside the legislature or outside through public opinion, make it extremely efficient and responsible.
- **Democracy promotes the welfare of the people:** It is clear from its definition that democracy is the government of the people. It also provides security to the individuals. Welfare is the yardstick of the security of the government.
- **It is government by the majority:** In democracy, the majority rules. In other forms of government, it is one man or a few who form the government. Hence, in democracy, majority opinion counts.
- **Tolerance:** Though the majority rules, the opinion of the minority is tolerated. There are different shades of opinion in the society. Every shade of opinion is given due consideration.
- **Checks in democracy:** MacIver justifies democracy because it is less dependent on the psychology of power. There are many checks on

NOTES

NOTES

democracy. Hence, it cannot create a consciousness of superiority in the governing class.

- **Liberty:** Mills, classic defence of democracy is based on the argument that the rights of the individual are secured in democracy because he is able to stand up for them. Democracy offers every individual the liberty to vindicate his privileges.
- **Character-building:** Democracy has an ennobling influence on the character of the people. It is an active school for character building. Bryce says that the manhood of the individual is dignified by his political enfranchisement and he is raised to a higher level by the sense of duty, which it shows upon him.

Demerits of Democracy

Democracy has the following demerits or weaknesses:

- **Since the time of Plato and Aristotle democracy has been criticized:** Plato criticized democracy because he put his master Socrates to death. Aristotle regarded it as a prevented form of government. It is the government of average men and women. The average men in the words of Maxey are sheep-minded, ape-minded and wolf-minded.
- **It is said that democracy is based on number:** It counts the heads but not the contents in the heads. So, it is based on quantity instead of quality.
- **Cult of incompetence:** The French writer Faguet describes democracy as the cult of incompetence. Bryce says that it is government by the incompetent. It is the ignorant and inefficient men who come to power. Such men are unintelligent, uninformed, prejudiced, emotional and resentful of superiority of others. They are the most numerous in society.
- **Tyranny of the majority:** The majority may impose their will on the minority. The minority view is either suppressed or ignored. The majority in the legislature walk like a colossus. Hence, it may ignore the view of the minority.
- **Expensive:** Democracy is very expensive. There are frequent elections in democracy. Besides, much money is spent on propaganda and mobilizing public opinion. There is wastage not only of money, but also time and opportunity. It is the most extravagant and indifferent system.
- **Democracy is an unscientific dogma:** The psychological study of democracy is based on the study of mass psychology. As Graham Wallas says, 'Politics is only in a slight degree the product of unconscious reason.' In a democracy, where masses are supposed to take part in government, the operation of crowd psychology is much in evidence.
- **It is characterized by indecision and instability:** In the words of Maxey, democracy government is 'prone to indecision, feebleness, instability.' Government changes so often that administrative stability is seldom possible. Discussion also results in delay.
- **Corruption:** Corruption is another demerit of democracy. It is said that power corrupts and absolute power, corrupts absolutely. When power

remains in the hands of the people, it leads to corruption. Votes are bought and sold.

- **Unsuitable for emergency:** It cannot take quick action. Hence, it is unsuitable for emergencies like flood, famine, cyclone, war etc.
- The present system of democracy, based on geographical representation, is faulty. A representative cannot represent the varied interests of the individuals. So G. D. H. Cole advocates functional representations.

Lord Bryce sums up the weakness of democracy. These are as follows:

- The power of money to prevent administration and legislation
- The tendency to make politics a gainful profession
- Extravagance in administration
- The abuse of the doctrine of equality and failure to appreciate the value of administrative skill
- The undue power of party organization
- The tendency of legislators and political officials to play for votes in the passing of laws and in tolerating breaches of order

Faguet attacks democracy and says that it is a biological misfit or a biological monstrosity. Democracy is not in line with the process of evolution. He argues that the higher we descend the scale of evolution, the greater is the tendency towards centralization.

Conditions for Successful Working of Democracy

Certain conditions are necessary for democracy to be successful. Aristotle pointed out to the economic basis of politics. Politics cannot succeed unless people are economically sound and there is no great gulf between the rich and the poor. If this is not to their own purposes. Sometimes, it tends towards dictatorship. Hence, it is necessary to discuss at length the safeguards of dictatorship, which are as follows:

- **Faith in democracy:** This is the most important condition for the success of democracy. People must have faith in democracy and should be ready to be governed democratically. Then they can develop qualities like majority rule, tolerance, responsibility, independent voting power etc.
- **Universal education:** Universal education is another condition for the success of democracy. Without education, people cannot distinguish the right from wrong. Therefore, J.S. Mill said that 'Universal education should precede universal franchise.'
- **Removal of poverty:** Removal of poverty is another safeguard of democracy. If half of the population remains below the poverty line, they cannot take any interest in democratic process. Their time will be spent in earning two square meals a day. Instead of exercising their conscience, they will vote for money.
- **Law-abiding Spirit:** In a democracy, people should develop a spirit of law abidingness. It enhances discipline and builds the national character. It established and maintained political morality. In its absence, there will be anarchy and corruption.

NOTES

NOTES

- **Rule of law:** Rule of law is another safeguard of democracy. It means supremacy of law as opposed to supremacy of man. There should be equality before law and equal-protection of law. Then only democracy can be real.
- **Bi-party system:** Bi-party system is the best safeguard of democracy. In England and America, democracy has been successful because of bi-party system. In a bi-party system, one or the other party must secure a majority. The party that does not secure a majority sits in the opposition. In Britain, the opposition is known as his majesty's opposition and the leader of the opposition is the shadow Prime Minister. There is also a shadow cabinet in the Opposition corresponding to every minister in the government.
- **Independent media:** The media, like the press, radio, T.V. etc., should be independent and impartial. They should report news and views independently. They should not indulge in yellow or sensational journalism. If the media is free and impartial the government will function with caution.
- **Strong opposition:** The opposition should be strong. What is necessary in a parliamentary democracy is that the opposition should be equally strong. It should not oppose for sake of the opposition but offer constructive criticism.
- **Patriotism:** People should have loyalty to their nation. They will be willing to sacrifice for the sake of their country.
- **Agreement on fundamentals:** People should have faith in the basic and fundamental principles of democracy. They should have some common programmes for the development of the country. Whichever party may come to power should strive to implement them. There should be change of government through constitutional means.
- **Wise constitution:** The constitution should ensure social, economic and political justice to the people. It will build a strong foundation for democracy. If the aim of the constitution is to create merely a police state, democracy cannot survive for long. **Example:** Pakistan's constitution led to the overthrow of democracy because of weak constitution.
- **Eternal vigilance:** It is said that eternal vigilance is the price of liberty. It can also be equally applied to democracy. There may be enemies from outside the state. People should be vigilant against them. There may be danger from antisocial elements from within the state. People should keep a watchful eye on them.
- **Decentralization of power:** It is another safeguard of democracy. It gives power to the people of the grassroots. If the above safeguards are observed, democracy can work successfully in a country.

4.6.1 Classical Theory of Democracy

Democracy is a very old form of government and so its theory dates back to the days of the Greeks who identified it with 'people's power' (Pericles), or a system in which 'rulers are accountable to the people for what they do therein'.

Such views saw their reaffirmation in modern times when Abraham Lincoln in his Gettysberg oration of 1863 called it 'a government of the people, by the

people, and for the people'. Great liberals like John Locke and Edmund Burke developed the same theme in the direction of a 'limited government' bound by the laws of the land. Later on, utilitarians like Bentham and James Stuart Mill justified the case of democratic government in the name of their formula of the 'greatest good of the greatest number' and Mill give the same tone to the force of his moral or ethical argument. This trend continued in the present century and saw its powerful reiteration at the hands of Dickey, Bryce and Laski. Apart from this, the idealistic argument of democracy prevailed side by side that had its brilliant manifestation at the hands of Rousseau, Green and Lindsay. All such affirmations constitute, what is now called, the classical theory of democracy.

Characteristics of Classical Theory of Democracy

The classical theory of democracy as espoused by the liberals and the idealists of the modern age has these salient features:

1. Power is vested in the people and its exercise is given to them or to their chosen representatives accountable to them for their acts of commission and omission. All decision must be based on the consent of the people. Thus, it stands on the premise that 'people are always right' (in theory), or the decision of the majority is always correct' (in practice). We may take note of the fact that, though a great idealist, Rousseau also went to the extent of laying down that, for all practical purposes, the general will should be taken as the will of the majority. So James Bryce defined democracy as 'a government in which the will of the majority of qualified citizens rules, taking the qualified citizen to constitute the great bulk of the inhabitants, say, roughly, at least three-fourth so that the physical force of the citizens coincides (broadly speaking) with their voting power'.
2. The people have certain natural and inalienable rights, which the government cannot abrogate or diminish. The doctrine of 'natural rights', as it came to be known, emerged as the most powerful instrument at the hands of the democrats who struggled for the rights of the people against arbitrary power of the kings. Notably in England in the mid-seventeenth century, the 'independents', the 'levellers' and other protagonists of the commoner's set forth the ground of their resistance to the autocratic claims of the Crown, the established Church, and the entrenched hereditary nobility. Reacting against the arbitrary powers of thinking, John Milton asserted the 'all men are naturally born free' and from this principle he derived 'the liberty and right of freeborn men to be governed as seems them best.' Most powerful was the argument of John Locke coined to justify the Glorious Revolution of 1688–89 that 'to understand political power right, we must begin with the recognition of natural and original freedom of all men to order their actions and dispose of their possessions as they think fit, within the bound of the laws of nature, without asking leave or depending upon the will of any other man.'
3. The doctrine of 'natural rights' lost its significance with the growth of the idea of positive liberalism that sought to reinterpret the relationship between individual liberty and state activity. Thus, Bentham offered his principle of utility that sought to give a new interpretation to the justification of democracy.

NOTES

NOTES

The doctrine of natural rights was rejected rather replaced by the doctrine of the happiness of man measured in terms of material pleasures. He gave the formula of 'one person, one vote'. It implied that although all persons are not naturally the same in intelligence, energy, thrift, inventiveness and perseverance, yet all normal men – just as they have equal rights to life, freedom and access to the courts of law – have equal rights to a voice in government because they have equal stakes in the justice and efficiency of governmental action'. This argument implies that since political government has no other end than the well-being of the individual men and women that make up society and since each individual's well-being ought to count for as much as that of any other individual, a society is properly organized politically to the extent that its constitution and policy tend to promote the interests, conserve the rights and extend the capacities and opportunities for happiness of the greatest number of individuals in the community. Democratic government satisfies these requirements, since it is least likely to subordinate the welfare of the majority of the community to that of any part. Democracy means government by those who have the greatest concern and the greatest awareness of the interest and rights of the people generally. The natural self-interest of human being is the best security against political action that is oppressive or tolerant of oppression'.

4. If Benthamite utilitarianism displaced the line of 'natural rights', a revisionist of the utilitarian creed like Mill replaced the materialistic content of Bentham by the force of his ethical argument in favour of democracy. The argument of Bentham was based on the self-interest of the individual that ought to be harmonized with the interest of the society in the framework of the great good of the greatest number'.

The defenders of Bentham called it enlightened or benevolent hedonism. But Mill defended the case of democracy as the best form of government on moral grounds. As he says, 'The most important point of excellence which any form of government can possess is to promote the virtue and intelligence of the people themselves. The first question in respect to any political institution is how far they tend to foster in the member of the community the various qualities—moral, intellectual and active'. Highlighting this point of difference between the views of Bentham and Mill, it is well commented; 'Bentham's principle of utility in a society of wolves would exact wolfishness; in a society of saints it would exalt saintliness. Mill was determined that saint less should be the criterion of utility in any society whatsoever.'

5. The classical theory of democracy has a peculiar dimension when we examine the view of the idealists like Rousseau and Green. To Rousseau, democracy alone ensures prevalence of the 'general will'. In every community, there is a section of really selfless and enlightened people who think in terms of public interest and it is the inherent force of their selfless argument that ultimately prevails in any matter under discussion before a body of the people. Through the process of cancellation good would set aside the bad; all contradictions would be resolved and in the end only 'dominant good' would

emerge. This good, which would be what was left at the will emerge. This good, which would be what was left at the will of becomes integrated, would be in effect the same as the 'general will'. Influenced by the idealistic interpretations of Rousseau, Green says that 'will, not force, is the basis of the state'. As he observes;

'The sovereign should be regarded not as any abstraction as the wielder of coercive force, but in connection with the how complex of institutions of political society. It is as their sustained and thus the agent of the general will, that the sovereign power must be presented to the minds of the people. If it is to command habitual obedience and obedience will scarcely be habitual unless it is loyal and forced.'

6. Above all, democracy has no substitutes in terms of excellence from a practical point of view. Every form of government has its merits and demerits. But peculiar is the case of democracy where merits far outweigh its demerits. Hence, it is the substitutes-less form of government. Liberal democrats of the present century contend that although no form of government could revolutionize or perfect human nature and all forms had their characteristic defects. The defects of democracy had been, in recent times, less numerous than those of other 'non-democratic' or anti-democratic forms. But while doing so, the liberals keep in view the case of democracy as developed in the West based on the principle of universal adult franchise, free and fair periodic elections, multi-party system, independence of press and judiciary, basic rights of the people, freedom of dissent, tolerance of opposition and the like Bryce goes to the last extent of posing a question that if democracy 'has not brought all the blessings that were expected, it has in some countries destroyed, in other materially diminished, many of the cruelties and terrors, injustices and oppressions of former times. However, grave the indictments that may be brought against democracy, its friends can answer, 'what better alternative do you offer?'

In fact, the classical or traditional doctrine of democracy has been in part a theory of certain original rights of man – a view that government is made in virtue of those rights and must conform to them. The men have a natural right to participate equally in political power, just as they have a natural right to be free from enslavement or to appeal on equal to judicial tribunals for protection of their lives and property against assaults, trespass or encroachment of any kind. What is known as 'democratic method' is that institutional arrangements of arriving at political decisions which realizes the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will. There exists a common good, the obvious become light of policy, which is always simple to define and which every normal person can be made to see by means of rational argument. Thus, every member of the community, conscious of that goal, knowing his or her mind, discerning what is good and what is bad, takes part, actively and responsibly, in furthering the former and fighting the latter and all the members taken together control their public affairs.

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Criticism of Classical Theory of Democracy

The classical theory of democracy has been criticized on many counts. These are:

1. First, it is thoroughly normative. It is located with high ideals and bombastic propositions like 'general will', 'people's rule', 'people's power', 'common good', and the like that cannot be subjected to an empirical verification. All these terms are quite elusive.
2. Second, it attaches no importance to the role of numerous interest groups and organization that play their part in the struggle for power, or which compete among themselves and that all constitutes the stuff of a democratic-system in practice. The utilitarian talks about 'greatest happiness of the greatest number' without taking into consideration the powerful role of groups, functions and elites that ever strive to protect and promote their specific interests.
3. Third, the socialists and the Marxists have their own version of democracy that stretches the system of political democracy into social and economic spheres. To the Marxists, it is all like a defence of the discredited bourgeois system.

Merits of Classical Theory of Democracy

The classical theory of democracy has its own salient merits, which are thus summed up by Schumpeter:

1. Though the classical doctrine of collective action may not be supported by the results of an empirical analysis, it is powerfully supported by its association with religious beliefs. The very meaning of a term like 'equality' may be doubtful, there is hardly any rational warrant for exalting it into a postulate, so long as we move in the sphere of empirical analysis. Christianity harbours a strong equalitarian element. Any celebrated word like 'equality' or 'freedom' may become a flag, a symbol of all a man holds dear, of everything that he loves about his nation whether rationally contingent to it or not.
2. It is a fact that the forms and phrases of classical democracy are for many nations associated with events and developments in their history, which are enthusiastically approved by large majority is, any opposition to an established regime is likely to use these forms and phrases whatever its meanings and social roots may be. Under these circumstances a democratic revolution has meant the advent of freedom and decency, and the democratic creed meant a gospel of reason and betterment. To be sure, this advantage was bound to be lost and the gulf between the doctrine and the practice of democracy was bound to be discovered. But the glamour of the dawn was slow to fade.
3. It must not be forgotten that there are patterns in which the classical doctrine will actually fit facts with a sufficient degree of approximation. It provides an effective mechanism for talking and implementing decisions whether it is small and primitive society of Switzerland or a being and industrialized society of the United States. This is the case with many small and primitive societies which, as a matter of fact, served, as a prototype to the authors of

that doctrines of classical theory. It may be the case with those societies also that are not primitive, provided they are not too differentiated and do not harbour any serious problems.

4. Of course, the politicians appreciate a phraseology that flatters the masses and offers an excellent opportunity not only for evading responsibility but also for crushing opponents in the name of the people.

The intrinsic merits of the democratic system cannot be defined. At the same time, some other points should be taken into account that have been stressed by the empirical theorists like role of numerous groups, factions, elites, leadership etc., so as to present a theory of democracy approximating the world of reality. However, before passing over to the study of empirical theory of democracy, this point must be stressed with any amount of force that the new interpretation is a revision, not a rejection, of the classical theory of democracy.

The spirit of liberalism informs both. As political scientist, C.B. Macpherson, author of *The Life and Times of Liberal Democracy*, says: 'What the addition of democracy to the liberal state did was simply to provide constitutional channels for popular pressure to which governments would have had to yield in about the same measures anyway, merely to maintain public order and avoid revolution.'

By admitting the mass of people into the competitive party system, the liberal state did not abandon its fundamental nature, it simply opened the competitive political system to all the individuals who had been created by the competitive market society. The liberal state fulfilled its own logic. In doing so, it neither destroyed nor wakened itself; it strengthened both itself and the market society. It liberalized democracy, while democratizing liberalism.'

4.6.2 Marxist Approach to Democracy

The Marxist view is basically opposed to liberal democracy in its belief that a capitalistic state which is representative of the dictatorship of the bourgeoisie cannot be democratic by its nature. The Marxists view liberal democracy as an improbable utopia. According to them, in a capitalist state, all 'independent' media and most political parties are controlled by capitalists and large financial resources or the support of the bourgeoisie is needed to win an election. Lenin (1917) believed that in a capitalistic state, the focus of the system is on settling disagreements within the governing bourgeoisie class. Due to this, as the interests of the proletariat or labour class is disregarded and they are not represented, the system depends on the good-will of the bourgeoisie.

'Democracy for an insignificant minority, democracy for the rich – that is the democracy of capitalist society. If we look more closely into the machinery of capitalist democracy, we see everywhere, in the 'petty' – supposedly petty – details of the suffrage (residential qualifications, exclusion of women, etc.), in the technique of the representative institutions, in the actual obstacles to the right of assembly (public buildings are not for 'paupers'!), in the purely capitalist organization of the daily press, etc., etc., – we see restriction after restriction upon democracy. These restrictions, exceptions, exclusions, obstacles for the poor seem slight, especially in the eyes of one who has never known want himself and has never been in close contact with the oppressed classes in their mass life (and nine out of

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10, if not 99 out of 100, bourgeois publicists and politicians come under this category); but in their sum total these restrictions exclude and squeeze out the poor from politics, from active participation in democracy.'

Many of these limitations now do not apply in the western world as women, too, exercise their vote and it is not binding to have property. Nevertheless, it is generally agreed by the Marxists that corporate interests dominate the political landscape due to the extensive practice of lobbying politicians and the associations between corporations and elected officials.

Furthermore, even if representatives of the proletariat class are elected in a capitalist country, Marxists allege they have restricted command over the country's affairs as the economic sphere is largely under the hold of private capital and therefore the representative's power to act is reduced. Basically, minarchists (only a small minority of those supporting liberal democracy) allege that in the model liberal state, the functions of the elected government should be reduced to the minimum (i.e. the court system and security). Hence Marxists- Leninists feel that in order to bring power into hands of oppressed classes, it is imperative that a socialist revolution take place.

Lenin strongly advocated that bourgeois democracy, is in reality, a dictatorship of bourgeoisie. On the other hand, dictatorship of proletariat is the highest possible form of democracy and should use violence against opposing classes.

Quotes by some eminent Marxist political thinkers:

- Marx: 'Democracy is the road to socialism.' He also stated, "When the workers replace the dictatorship of the bourgeoisie by their revolutionary dictatorship to break down the resistance of the bourgeoisie ... the workers invest the state with a revolutionary and transitional form."
- Engels: 'And the victorious party' (in a revolution) 'must maintain its rule by means of the terror which its arms inspire in the reactionaries. Would the Paris Commune have lasted more than a day if it had not used the authority of the armed people against the bourgeoisie? Cannot we, on the contrary, blame it for having made too little use of that authority?' He also said, "As, therefore, the state is only a transitional institution which is used in the struggle, in the revolution, to hold down one's adversaries by force, it is sheer nonsense to talk of a 'free people's state'; so long as the proletariat still needs the state, it does not need it in the interests of freedom but in order to hold down its adversaries, and as soon as it becomes possible to speak of freedom the state as such ceases to exist."
- Lenin: 'The revolutionary dictatorship of the proletariat is ruled, won, and maintained by the use of violence by the proletariat against the bourgeoisie, rule that is unrestricted by any laws.' He further stated, 'A state of the exploited must fundamentally differ from such a state; it must be a democracy for the exploited, and a means of suppressing the exploiters; and the suppression of a class means inequality for that class, its exclusion from democracy.'

To all intents and purposes, communist states are widely seen as dictatorships by bourgeois critics, since the elections they held tended to be heavily manipulated.

Types of Government

Check Your Progress

9. Define the term democracy.
10. How does direct democracy operate in Switzerland?
11. List some of the merits and demerits of indirect democracy.
12. What is the classical theory of democracy?
13. Why do many criticize the classical theory of democracy?
14. Why does the Marxist view oppose liberal democracy?

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4.7 ANSWERS TO 'CHECK YOUR PROGRESS'

1. As the name suggests, a unitary form of government is a single unit state where the central government is supreme. All the power rests with the central government and any divisions in governance, for instance, in the form of administrative or sub-national units, have only those powers that the central government gives them. While democratic systems have become popular over the world, a number of states still have a unitary system of government among several other archetypes that are found in different countries. Some of the examples of a unitary form of government are dictatorships, monarchies and parliamentary governments. Some countries that follow the unitary system of government are France, China, Italy, Japan, United Kingdom, as well as several African countries.
2. A unitary system of government widely differs from one that is federal in its organization. Federal governments, by their very nature, constitutionally divide powers between the centre and the state. No such power division occurs in a unitary system even though the central government, by its own accord, delegate some superficial powers to various states. Moreover, in a federal system, the constitution is supreme and determines the powers between the centre and the states.
3. Some advantages of unitary system are:
 - (i) Throughout the state, uniform policies, laws, political, enforcement, administration system is maintained.
 - (ii) There are fewer issues of contention between national and local governments and less duplication of services.
 - (iii) Unitary systems have greater unity and stability.
4. A federal government is one wherein the powers are delegated between the centre and many other local governments. An authority which is superior to both the central and the state governments can divide these powers on geographical basis, and it cannot be altered by either of the government levels by themselves. Thus a federation, also called a federal state, is characterized by self-governing states which are in turn united by a central

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government. At the same time, both the tiers of government rule on the basis of their own laws, officials and other such institutions. Within a federal state, the federal departments can be the various government ministries and such agencies where ministers of the government are assigned. For instance, in the US, the national government has some powers which are different from those of other 50 states which are part of the country. This division of powers has been elaborated in the constitution of the US.

5. Where states have more autonomy than others, such federations are called asymmetric. Malaysia is an example of one such federation wherein states of Sarawak and Sabah joined the federation on their own terms and conditions. Thus, a federation often appears after states reach an agreement about it. There can be many factors that could bring in states together. For instance, they might want to solve mutual problems, provide for mutual defence or to create a nation state for an ethnicity spread over several states. The former happened in the case of the United States and Switzerland and the latter with Germany.
6. Some of disadvantages of federal form of government are
 - (i) Since laws are different in different states, people living in one country can be treated differently. This can happen not only in spending that each state makes of welfare programmes but even in legal systems, where different punishment can be meted out in similar offences or right laws are differentially enforced.
 - (ii) Duplication of services.
 - (iii) States can pass laws that counter national policy and this can influence international relations.
 - (iv) Conflict can arise over power/national supremacy vs. state's rights.
7. In a parliamentary form of government, the tenure of office of the virtual executive is dependent on the will of the legislature. Under the parliamentary system represented by England, on the other hand, the head of the executive (the crown) is a mere titular head, and the virtual executive power is wielded by the cabinet, a body formed of the members of the legislature, which is responsible to the British Parliament for its office and actions.
8. What India cherished on her attaining freedom from colonial bondage was a smooth form of government which would be conducive to the manifold development of the country without the least friction. To this end, the cabinet or parliamentary system of government was considered to be more suitable than the presidential.
9. Here are some definitions of democracy. These are:

C.D. Burns says. 'Few words have been more loosely and variously defined than democracy. It has literally meant all things to all men'. Laski observes, 'Democracy has a context in every sphere of life; and in each of these spheres it raises its special problems which do not admit of satisfactory or universal generalization.' Prof. Burns also remarks, 'Democracy may be found both in the social, atmosphere and in political organization; and indeed it is possible to speak of democracy in every form of social life, in religion,

in industry as well as in politics.' Abraham Lincoln defines democracy as 'the government of the people, by the people and for the people.' Seeley says that 'democracy is a government in which everyone has a share.' MacIver defines democracy as 'Democracy is not a way of governing whether by majority or otherwise, but primarily a way of determining who shall govern and broadly to what ends.'

According to Maxey, 'Democracy is a search for a way of life in which the voluntary free intelligence and activity of man can be harmonized and coordinated with the least possible coercion.'

10. Direct democracy in Switzerland operates through the instruments of referendum, initiative and recall.

- Referendum: It means to refer to the people. It means that no law passed by the Swiss legislature can be effective unless it is referred to the people in a referendum and receives their approval. Similarly, constitutional amendment can be valid when it is approved by a majority of the people and the majority of the Cantons in a referendum. It is a remedy against legislative commission.
- Initiative: It is a remedy against legislative omission. If the legislature does not pass an act, people can propose legislation through initiative. That law will come into force when approved by the people in a referendum. It may bring the legislators in touch with the people, but it gives the people a power, which they cannot properly utilize.
- Landsgemeinde: In some Cantons of Switzerland, the institution of Landsgemeinde or open assembly prevails. There, like the city state people gather at a particular place and decide their own affairs. In this sense, it is similar to the direct democracy, which prevailed in the Greek city states.
- Recall: It means withdrawing the representatives from the Assembly or legislature if they do not work for the betterment of the people. Recall is advocated now-a-days in modern democracy to withdraw representatives who do not perform their duties properly. Example: Jaya Prakash Narayan suggested recall for India.

These devices are weapons in the hands of the people to check legislation and to enable them take part directly in the Government.

11. Indirect democracy has the following merits:

- It is suitable for big countries only.
- Here, political demagogues play an important role. They can mobilize the voters in their favour.
- The Government runs on behalf of the people.
- Secrecy can be maintained where it is required.

Indirect democracy has the following demerits:

- The voters are ignorant. So it is not possible to vest powers in their hands.

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- Direct contact between the voters and representatives cannot be established under this system.
- After their election, the representatives seldom nurse their constituencies.
- It gives rise to corruption. Political parties vitiate the atmosphere of the country.
- It is very expensive. Example: The holding of an election in a country of
- India's size entails heavy expenditure.

12. Democracy is a very old form of government and so its theory dates back to the days of the Greeks who identified it with 'people's power' (Pericles), or a system in which 'rulers are accountable to the people for what they do therein'.

Such views saw their reaffirmation in modern times when Abraham Lincoln in his Gettysberg oration of 1863 called it 'a government of the people, by the people, and for the people'. Great liberals like John Locke and Edmund Burke developed the same theme in the direction of a 'limited government' bound by the laws of the land. Later on, utilitarians like Bentham and James Stuart Mill justified the case of democratic government in the name of their formula of the 'greatest good of the greatest number' and Mill give the same tone to the force of his moral or ethical argument. This trend continued in the present century and saw its powerful reiteration at the hands of Dickey, Bryce and Laski. Apart from this, the idealistic argument of democracy prevailed side by side that had its brilliant manifestation at the hands of Rousseau, Green and Lindsay. All such affirmations constitute, what is now called, the classical theory of democracy.

13. The classical theory of democracy has been criticized on many counts. These are:

- (i) First, it is thoroughly normative. It is located with high ideals and bombastic propositions like 'general will', 'people's rule', 'people's power', 'common good', and the like that cannot be subjected to an empirical verification. All these terms are quite elusive.
- (ii) Second, it attaches no importance to the role of numerous interest groups and organization that play their part in the struggle for power, or which compete among themselves and that all constitutes the stuff of a democratic-system in practice. The utilitarian talks about 'greatest happiness of the greatest number' without taking into consideration the powerful role of groups, functions and elites that ever strive to protect and promote their specific interests.
- (iii) Third, the socialists and the Marxists have their own version of democracy that stretches the system of political democracy into social and economic spheres. To the Marxists, it is all like a defence of the discredited bourgeois system.

14. The Marxist view is basically opposed to liberal democracy in its belief that a capitalistic state which is representative of the dictatorship of the bourgeoisie cannot be democratic by its nature. The Marxists view liberal democracy as an improbable utopia. According to them, in a capitalist state,

all 'independent' media and most political parties are controlled by capitalists and large financial resources or the support of the bourgeoisie is needed to win an election. Lenin believed that in a capitalistic state, the focus of the system is on settling disagreements within the governing bourgeoisie class. Due to this, as the interests of the proletariat or labour class is disregarded and they are not represented, the system depends on the good-will of the bourgeoisie.

Types of Government

NOTES

4.8 SUMMARY

- As the name suggests, a unitary form of government is a single unit state where the central government is supreme. All the power rests with the central government.
- Principally, a federal government holds some middle ground between the unitary and the federal system because powers are distributed between the central and local governments.
- A unitary system of government widely differs from one that is federal in its organization. Federal governments, by their very nature, constitutionally divide powers between the centre and the state.
- A unitary government can have an unwritten yet flexible constitution but federal government cannot go about its daily chores unless it has in its possession a written constitution.
- The centre is the reservoir of all powers in unitary system. There exist no province or provincial governments in such a system and the central government has the constitutional powers to legislate, execute and adjudicate with full might.
- Usually, in a unitary form of government, the powers lie in the hands of urban bureaucracy. Such a government has also been found to be limited in the city areas and have no influence in remote towns and villages
- A federal government is the national government of a federation. It is defined by different structures of power; in a federal government, there may exist various departments or levels of government which are delegated to them by its member states.
- A federal government works at the level of a sovereign state. At this level, the government is concerned with maintaining national security and exercising international diplomacy, including the right to sign binding treaties.
- Where states have more autonomy than others, such federations are called asymmetric. Malaysia is an example of one such federation wherein states of Sarawak and Sabah joined the federation on their own terms and conditions
- The United States of America is the oldest federation and has served as a role model for many federations that followed.
- Many states can be federalists yet unitary. For instance, the Soviet Union, which was formed in 1922, was formally a federation of Soviet Republics

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or autonomous republics of the Soviet Union and other federal subjects but in practice remained highly centralized under the government of the Soviet Union.

- In a parliamentary form of government, the tenure of office of the virtual executive is dependent on the will of the legislature; in a presidential form of government the tenure of office of the executive is independent of the will of the legislature (Leacock).
- A presidential system is a system of government where a head of government is also head of state and leads an executive branch that is separate from the legislative branch. In such a system, the executive is elected and often titled 'president'.
- In spite of differences of opinion, democracy is regarded as a useful form of government. Where it does not exist, men are fighting for it and where it already exists, men are striving to make it perfect.
- According to Maxey, 'Democracy is a search for a way of life in which the voluntary free intelligence and activity of man can be harmonized and coordinated with the least possible coercion.'
- Direct democracy prevailed in the city-states of ancient Greece. There, the people directly participated in the affairs of the Government. All the citizens used to go to a particular place and decide matters relating to legislation, taxation and policy making. It was possible because of the small size of the city-states.
- In almost all countries of the modern world except Switzerland, indirect democracy prevails. Switzerland presents a blend of direct and indirect democracy.
- Democracy has certain characteristics. R. M. MacIver says that democracy is not a way of governing, whether, by majority or otherwise, but primarily, a way of determining who shall govern and broadly to what ends.
- In democracy, you agree upon certain common principles. You respect one another's point of view. Democracy provides the framework within which the moral life of the individual is possible.
- Certain conditions are necessary for democracy to be successful. Aristotle pointed out to the economic basis of politics. Politics cannot succeed unless people are economically sound and there is no great gulf between the rich and the poor.
- Democracy is a very old form of government and so its theory dates back to the days of the Greeks who identified it with 'people's power' (Pericles), or a system in which 'rulers are accountable to the people for what they do therein'.
- The classical theory of democracy as espoused by the liberals and the idealists of the modern age has many salient features.
- The doctrine of 'natural rights' lost its significance with the growth of the idea of positive liberalism that sought to reinterpret the relationship between individual liberty and state activity.



- If Benthamite utilitarianism displaced the line of ‘natural rights’, a revisionist of the utilitarian creed like Mill replaced the materialistic content of Bentham by the force of his ethical argument in favour of democracy.
- The classical theory of democracy has a peculiar dimension when we examine the view of the idealists like Rousseau and Green. To Rousseau, democracy alone ensures prevalence of the ‘general will’.
- What is known as ‘democratic method’ is that institutional arrangements of arriving at political decisions which realizes the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will.
- The socialists and the Marxists have their own version of democracy that stretches the system of political democracy into social and economic spheres.
- Though the classical doctrine of collective action may not be supported by the results of an empirical analysis, it is powerfully supported by its association with religious beliefs.
- It must not be forgotten that there are patterns in which the classical doctrine will actually fit facts with a sufficient degree of approximation. It provides an effective mechanism for talking and implementing decisions whether it is small and primitive society of Switzerland or a being and industrialized society of the United States
- By admitting the mass of people into the competitive party system, the liberal state did not abandon its fundamental nature, it simply opened the competitive political system to all the individuals who had been created by the competitive market society. The liberal state fulfilled its own logic.
- The Marxist view is basically opposed to liberal democracy in its belief that a capitalistic state which is representative of the dictatorship of the bourgeoisie cannot be democratic by its nature. The Marxists view liberal democracy as an improbable utopia.
- Marxists-Leninists feel that in order to bring power into hands of oppressed classes, it is imperative that a socialist revolution take place.

Types of Government

NOTES

4.9 KEY TERMS

- **Hegemony:** This is the political, economic, or military predominance or control of one state over others. In ancient Greece, hegemony denoted the politico-military dominance of a city-state over other city-states. The dominant state is known as the hegemon.
- **Despotism:** It is the exercise of absolute power, especially in a cruel and oppressive way.
- **Federalism:** This is the mixed or compound mode of government, combining a general government with regional governments in a single political system.
- **Delegated legislation:** This is law that is not passed by an Act of Parliament but by a government minister, a delegated person or an entity.



NOTES

- **Referendum:** a general vote by the electorate on a single political question which has been referred to them for a direct decision.
- **Recall:** It means withdrawing the representatives from the Assembly or legislature if they do not work for the betterment of the people.
- **Popular Sovereignty:** This is the principle that the authority of a state and its government are created and sustained by the consent of its people, through their elected representatives, who are the source of all political power.
- **Majority Rule:** This is a decision rule that selects alternatives which have a majority, that is, more than half the votes. It is the binary decision rule used most often in influential decision-making bodies including all the legislatures of democratic nations.
- **Bi-party system:** This is a party system where two major political parties dominate the political landscape. At any point in time, one of the two parties typically holds a majority in the legislature and is usually referred to as the majority or governing party while the other is the minority or opposition party.
- **Natural Rights:** These are basic rights that include the right to life, liberty, and the pursuit of happiness. Every citizen is entitled to these rights and they are to be protected from encroachment by the government or society.
- **Utilitarianism:** This is a combination of consequentialist ethical theories that promotes actions that maximize happiness and well-being for the majority of a population.

4.10 SELF-ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Write a short note on the basic principles of a unitary system of government.
2. What is the role of power in unitary state?
3. What are the main disadvantage of a unitary system of government?
4. What is a federal government?
5. What is the constitutional position of the President in India?
6. What are the advantages of the presidential system?
7. List some of the merits and demerits of direct democracy.
8. State political, social and economic dimensions of democracy.
9. Discuss some of the merits of the classical theory of democracy.

Long-Answer Questions

1. Discuss the main features of the unitary system of government.
2. Explain the historical evolution of federalism in the new world order.
3. Analyse critically how a federal government works at the level of a sovereign state.

4. Analyse the main features of indirect democracy.
5. Discuss the characteristics of classical theory of democracy.
6. Analyse the difference between classical theory and Marxist approach to democracy.

Types of Government

NOTES

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UNIT 5 POLITICAL PARTIES AND PRESSURE GROUPS

*Political Parties and
Pressure Groups*

NOTES

Structure

- 5.0 Introduction
- 5.1 Objectives
- 5.2 Party System and Political Parties in India
- 5.3 National and Regional Parties
 - 5.3.1 Coalition Politics and its Prospects
- 5.4 Pressure Groups
 - 5.4.1 Role of Pressure Groups
 - 5.4.2 Types of Pressure Groups
 - 5.4.3 Pressure Groups and Political Parties
- 5.5 Answers to 'Check Your Progress'
- 5.6 Summary
- 5.7 Key Terms
- 5.8 Self-Assessment Questions and Exercises
- 5.9 Further Reading

5.0 INTRODUCTION

Even as the Indian party system continues to be shaped by interaction of several factors, it is essential to know how it has traversed through various phases — from the dominance of the Indian National Congress (INC), to the emergence of multiparty system, regional parties and coalition politics, and recently, towards a Right-wing and nationalist Bharatiya Janata Party (BJP)-centred party system. The formation of the INC in 1885 as a multi-class organization and its transformation as a political party after Independence opened a new era of party system in India. Party system evolved through various stages of growth, reducing the hegemony of Congress which had managed to rule the country for many years unchallenged and paving the way for the birth of various political parties. The dwindling dominance of Congress spurred the growth of Opposition parties like the Jana Sangh and Communist Party of India. 1980s saw the emergence of regional parties which were in conflict the Congress. It further led to a situation when, after the fractured mandate of 1989 elections, a non-Congress coalition government was established at the Centre with support from various parties.

The emergence of the BJP (earlier Jana Sangh) and regional parties followed by fractured mandate in 1996 and 1998 elections further marked a decline in the position of Congress. Now the BJP-led National Democratic Alliance (NDA) government was at the centre stage. But once again, in 2004 and 2009 general elections, the Congress could revive its fortunes by leading United Progressive Alliance at the Centre with support from various non-BJP and regional parties.

Currently, India's political landscape has plenty of political parties. According to the Election Commission, there are six National Political Parties in India — Indian National Congress (INC), Bharatiya Janata Party (BJP), Bahujan Samaj

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Party (BSP), Communist Party of India (CPI), Communist Party of India (Marxist) and the Nationalist Congress Party (NCP). In addition to national parties, there are several regional parties representing subaltern politics and subnational aspirations.

Unlike political parties, pressure groups are essentially concerned with interests of their members. They are usually organized associations, unions or organization of people having common interest whose aim is to seek better conditions for their members through organized efforts.

This unit discusses the evolution of party system and emergence of political parties, both national and regional. It also analyses the nature, scope and role of pressure groups in India.

5.1 OBJECTIVES

After going through this unit, you will be able to:

- Understand the evolution of party system in India
- Analyse the emergence of political parties
- Explain the development of national parties and their growth in India
- Examine the development of regional parties in India
- Enumerate the support-base of national and regional parties
- Understand the role, scope and nature of pressure groups.

5.2 PARTY SYSTEM AND POLITICAL PARTIES IN INDIA

India has an extremely unique party structure that cannot be 'classified' easily. This structure is defined by the singular nature of Indian politics on one hand and the nature of the relationship between the state and the society on the other. The party system in India began as a single-party dominant system with the Indian National Congress (INC) at the helm of affairs. The INC enjoyed a dominant position, both in terms of number of seats that it held in the Parliament and the state legislative assemblies, and in terms of its organizational strength at the grassroots level. Initially, it enjoyed a position of hegemony because of its role in the Independence movement. However, this gave way for a balanced multi-party system, when in 1977 the Janata Party government came to power. This multiparty nature was strengthened with the rise of the right wing Bharatiya Janata Party (BJP), which won the elections in 1996, 1998, 1999, 2014 and 2019. Over time, smaller regional parties, such as the Telugu Desam Party (TDP) from Andhra Pradesh, the Dravida Munnetra Kazhagam (DMK) or Anna Dravida Munnetra Kazhagam (AIADMK) from Tamil Nadu, the Bahujan Samaj Party (BSP) from Uttar Pradesh and the Communist Party of India (Marxist) from West Bengal, Kerala and Tripura, have also gained substantial significance in state and national-level politics.

NOTES

Party System

In the post-Independence era, the political parties came to be recognized as instruments of prime importance through which democracy could be operationalized, as India adopted a parliamentary democratic system of governance. Ideologically, in the pre-Independence era, the colonial state was marked by the presence of the INC as a safety valve-cum-umbrella organization. The INC represented predominantly the voices of the upper and middle classes, and primarily waging the freedom struggle for achieving political independence in the country. The insistence was more on agitation politics and not on institutional politics.

After Independence, the role and importance of political parties have grown substantially and rather proportionately in accordance with the growing franchise. As political suffrage gradually became universal, parties became the means through which politicians are seeking to acquire mass electoral support. Political parties can be defined as organizational groups that seek control of the personnel and policies of the government. They mobilize and compete for popular support. In doing so, they tend to represent products of historical roots, civic traditions, cultural orientations and economy.

Fundamental Features of the Indian Party System

To understand the Indian party system, it is essential to first understand the fundamental features that appear vital in determining the nature of the Indian party system. These are as follows:

- (i) The struggle for freedom and framework of parliamentary government along with politics of national reconstruction, modernization, integration and development has collectively contributed to the evolution of Indian party system.
- (ii) The national heritage of national movement formed the dimensions of national interest, national unity, political integration and national defence.
- (iii) The ideological orientation with coexistence of radical 'Left' to traditional 'Right' during the national movement laid down a practice of toleration and accommodation of different points of view.
- (iv) Moreover, the continental size of the country, comprising well-defined and distinct socio-cultural regions; with linguistic, ethnic and religious diversities; and specific patterns of castes, communities and tribes provided conditions for the rise of regional parties and groups.
- (v) The task to ensure social equality to remove the inequalities perpetuated by centuries of caste oppression gave birth to political parties and groups who strove to use these castes as perpetual vote-banks
- (vi) On economic fronts, it was a mixture of feudal but emerging developed agricultural and developing industrial economy. Economic development for raising standards of living in an under-developed and poverty-ridden society followed by the problems of Centre-state relations, allocation of resources and resulted imbalances paved the way for the emergence of such parties and groups whose approach was regional instead of national.

- (vii) Lack of politically conscious middle class along with regional, sectarian and personal imbalances played a vital role in the evolution of party system in India.

NOTES

Evolution of the Indian Party System

Let us see how the Indian Party System evolved.

Pre-Independence Period

The origin of the Indian party system can be traced to the formation of the Indian National Congress in 1885. Various other parties emerged later. Party formation during the period 1885–1947 occurred in the context of British Raj, and its policy of divide and rule, pursued by encouraging separate electorates, led to the formation of the Muslim League, the Akali Dal and the Hindu Mahasabha. As a multi-class organization, Congress was able to draw the support of peasants, land-owners, businessmen and workers. At the time of Independence, Mahatma Gandhi asserted that Congress must transform itself into a Sewa Dal (a forum of public-workers), but instead, Congress changed into a distinct political party and remained the dominant ruling party for three decades.

Post-Independence Era

The evolution of Indian party system has been from ‘one-party dominance’ to ‘multi-party coalition system’. For the purposes of better understanding, it calls for analysis of various stages of growth. These are as follows:

Phase I (1947–1967): The era of one-party dominance

India had a party system characterized by dominance of the Congress and the existence of smaller opposition parties, which could not provide an alternative either at the Central or state level. In other words, opposition parties had little hope of obtaining sizeable majorities in the legislatures, despite the fact that on most occasions, the Congress did not gain a majority of the valid votes cast. The Congress votes varied from 49.17 per cent to 40.7 per cent. The socialists and the communists, during this period, were able to score around 10 per cent votes each. During this period, groups within the Congress in conjunction with opposition parties, assumed the role of opposition often reflecting the ideologies and interests of the other parties.

An important feature of this era was that the Congress occupied not only the broad centre of the political spectrum, but also dominated the ‘left’ and ‘right’ tendencies.

Phase II (1967–1971): The period of transition to a multi-party system

The second phase extended from 1967 to the Fifth General Elections. In the 1967 Assembly elections, Congress lost majority in eight states and was reduced to 54 per cent of Lok Sabha seats. This brought a number of opposition parties to the forefront, which intensified inter-party conflict. Competition and conflict increased as opposition parties formed coalition governments in several states.

The 1967 elections had created a situation in which the dominance of the Congress was strikingly reduced. Parties to the ‘right’ and ‘left’ of the Congress,

the Jana Sangh (now called the Bhartiya Janata Party) and the Communist Party of India (Marxist), popularly known as CPI (M), grew stronger. The possibility that opposition parties might assume power quite substantially made the Centre-state relations an important feature of inter-party competition. The 1967 elections created conditions which led towards serious Centre-state conflicts.

Phase III (1971–1975): The period of consensus vs. inter-party conflict

The Fifth Lok Sabha elections marked the beginning of yet another stage in the evolution of Indian party system, and the trend continued till the imposition of the Internal Emergency in 1975. The Congress controlled by Indira Gandhi faced a large united opposition party in the General Elections of 1971. Despite the strong opposition, Congress won with a thumping majority. It won 346 out of 510 seats with 43.5 per cent of the popular vote. A significant aspect of the election was the elimination of Congress (O) and the defeat of other political parties. The mid-term polls, thus, pre-empted the development of a multi-party system. It also prevented the politics of coalition building at the national level. It was followed by a strategy to establish hegemony of the Congress at the Centre backed on populist and plebiscitary elections.

The major reason for victory was the de-linking of the Lok Sabha elections from the state assembly elections. The Parliamentary election campaign was de-linked from state-level politics and the state leaders could not exercise the same influence as they had done in the past. Indira Gandhi's campaign injected a powerful element of ideology by raising the slogan of social change and by calling upon the electorate to support her endeavour to initiate new government policies for the benefit of the poor, resulting in a new consensus in political arena. The dominant party model had given way to the differentiated structure of party competition. The process gained momentum as parties aligned to form coalition governments. For its part, the Congress accepted a confrontationist posture, both towards the opposition parties at the national and the opposition-controlled governments at the state level.

Indira Gandhi's conflict with state leadership of the Congress party as well as that of the opposition parties created a style of politics, which laid great stress on centralization in decision making. The new system entailed the abandonment of intra-party democracy. Positions in the Congress organization at all levels were invariably filled by nomination rather than election. Above all, institutional decline accompanied by decline of the state-based leaders and the replacements of regional structure of support by the central leadership adversely affected the federal scheme of Indian politics. After the 1969 split, the Congress followed a broad-based strategy consisting of re-distributive policies, such as nationalization of banks, abolition of privy purses and *Garibi Hatao*, all geared towards widening its support.

Phase IV (1975–1977): The emergency period

The imposition of an authoritarian Emergency in 1975 signalled the erosion of the popular support of the Congress party, the institutional decline and the weakening of the party system by suspending civil liberties, particularly freedom of the press and representative government. Opposition leaders and activists faced imprisonment, while concentration of power in the party, the government and in the office of the

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Prime Minister was the striking feature of the party system during this phase. Strict discipline was imposed on the Congress party. No criticism of the government was tolerated. Any attack on the Prime Minister's authority was considered to be an attack on the party's as well as the nation's unity.

The 1971–75 period, thus, marked the decline of the party system, making parties rely more on make-shift electoral arrangements, populist symbols and rhetoric for gaining support. Personality, charisma and image have acquired greater salience than party identification and party loyalties. But this trend withered away in the post-1977 period.

Phase V (1977-1980): The Janata phase of coalition politics

The next phase in the evolution of India's party system may be considered from the defeat of the Congress in 1977 elections to the restoration of its rule in 1980. The 1977 elections provided a major step towards party institutionalization and possibilities of the emergence of a two-party system. By and large, independent candidates were rejected and 75.8 per cent votes were cast in favour of only two parties, viz., the Janata Party and the Congress.

The defeat of the Congress and the victory of the Janata Party, made up of a coalition of parties, is a significant change in the Indian politics. The Janata Party government attempted to redirect emphasis away from the industrially-oriented strategy associated with the Congress rule to rural development and small-scale industries. In general, it made attempts to decentralize the state and the economy. The government invested in programmes that created employment and generated income by relying on labour-intensive technology and distribution of productive assets. Though the Janata government's ideology and programmes were not entirely new, but it had taken certain ideological and programmatic themes of rural development from the Congress' broad-based strategy and made it more pronounced.

However, the Janata Party could not achieve its goals. Rural development did not benefit the rural poor because policy was not specifically directed to this end. Most of the policies benefited the rural rich. Moreover, the Janata Government disintegrated in mid-1979, and many of the constituents that had formed it broke away from the party. Meanwhile, the Congress split for the second time in 1978. The result was an array of fragmented parties. In this context, the Indira Gandhi-led Congress, i.e., Congress (I), appeared to be the only coherent party. This image helped the party to take advantage of the strong popular reaction against frictions and disunity of the Janata government and win 1980 General Elections.

Phase VI (1980–1989): Era of conflict between Congress and the regional parties

The 1980 Lok Sabha election was a verdict on the Janata Party's failure to consolidate the electoral alignments. Thus, in 1980s, the success of Congress (I) was mainly due to the failure of national-level non-Congress parties. The Communist parties and the Jana Sangh retained the support of important groups. They also possessed effective organizations and ideologies. Bhartiya Lok Dal had displayed

its presence in the Hindi-speaking states. The 1980 elections reflected these trends. The Congress won 353 seats with almost 43 per cent of the popular vote. Janata Party was the second largest party in nine states. Lok Dal was second largest party in Haryana, UP and Orissa; CPI (M) was the largest party in West Bengal, Tripura and the second largest party in Kerala. Though support for the Congress (I) was still widespread as compared to other parties, class, community and region-wise support was on its decline. The Congress had begun to lose its base in the Hindi heartland, which makes 42 per cent of the Parliamentary seats, and its support in the Muslim-dominated constituencies was also reduced. These trends indicated an erosion of Congress' regional and minority support base.

The assassination of Indira Gandhi in 1984 and the landslide victory of the Congress (I) due to the resultant sympathy wave made opposition in Lok Sabha irrelevant in 1984 elections. During Rajiv Gandhi's regime from 1984 to 1989, there was complete absence of dialectical interaction between the government and the opposition. The new political situation that emerged from 1984 election was the one in which the Congress was dominant at the Centre, but not in most of the states.

Phase VII (1989–2004): The rise of Coalition Politics

The 1989 elections transformed the scene at the Centre by establishing a non-Congress coalition government with a true multi-party character. The government was called the National Front government under the Prime Ministership of VP Singh. People displayed a greater inclination to their caste-based parties which represented their interests in the elections. These elections recorded the decline of the Congress vote share, and the rise of BJP and the 'third front' of marginalized social group. The United Front, the Rashtriya Janata Dal (RJD), the BSP and the Samajwadi Party (SP) became key players. The National Front coalition proved to be too unstable and collapsed in 1991. The year 1991 was important for India in more ways than one. The year saw the Balance of Payment crisis which resulted in India liberalising its economic policies under pressure from the World Bank and IMF. The year also resulted in the restoring of Congress rule under P.V. Narasimha Rao. Although the government lasted for a full five year term, the economic policies followed by the government as well as the rise of communalism seen in the destruction of the Babri Masjid, resulted in the people rejecting the Congress Party. Thereafter began the longest spell non-Congress rule in India.

The 1996 elections marked a decline in the position of Congress and growth of regional parties, which started playing significant role in the Central politics. This era marked increasing political awareness of people living in remote areas; assessment of national policies in terms of their local impact; mass preference for local politicians and greater demand for state autonomy within the limits of the existing federal structure. In social terms, the election results suggested a greater and more polarized role of caste in politics. Success of BSP among Dalits, consolidation of other backward classes (OBCs) in Bihar and UP, post-mandalization resulting in politics of reservation on caste basis and mushroom growth of various types of caste associations mostly in North India, indicated a positive co-relation with election outcome.

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The National Democratic Alliance (NDA)

The 1998 Lok Sabha elections led to even a greater fractured mandate than the one in 1996. The National Government was headed by the BJP under Atal Bihari Vajpayee, with the support of 14 other parties. Vajpayee being the moderate voice of the right wing BJP and a consensus builder could garner the support of the electorate as well as its allies. At that time coalition politics was at a very young stage in the Indian experiment and unstable in its nature. In April 1999, AIADMK withdrew its support and the Vajpayee Government lost the vote of confidence on the floor of the House.

The 1999 national election saw a major victory for the National Democratic Alliance (NDA), a broad-based coalition of 24 regional parties led by the BJP. This was a new type of the dominant coalition of parties headed by Atal Bihar Vajpayee. The Government had to manage both the complex relationship with the alliance partners as well as factions within his own party and the Sangh Parivar. His popular management style and his use of the PMO on an institutional basis formed the firm roots that gave Vajpayee's ability to dominate the coalition. Vajpayee was able to use the office of the PM for policy development, patronage and allocation of ministerial portfolios to dominate decision making. As a Prime Minister, he took a lot of initiatives without the consultation of the BJP's coalition partners. For example, the conduct of the Pokhran Nuclear Test 1998, improving relations with the United States and Pakistan, selecting A.P.J. Abdul Kalam as President and refusal to yield to alliance pressures to dismiss the BJP Government of Gujarat following the communal riots in 2002.

Under Vajpayee, the BJP's posture on the Ayodhya issue was also softened and the NDA also withdrew its Hindutva education agenda among other things. Thus, this period of coalition Government saw the emphasis of pragmatic considerations rather than ideological positions and political alliances without any ideological agreement. Coalition politics meant the shifting of the focus of political parties from ideological differences to power sharing arrangements. Most of the parties of the NDA did not agree with the Hindutva ideology of the BJP. Yet, they came together to form a Government that remained in power for the full term.

Phase VIII (2004 onwards): Coalition system and revival of the Congress

End of single-party coalition dominance was the message of 2004 elections. In the 2004 elections the people rejected the tall claims of Indian 'shining' of the ruling NDA coalition and provided an opportunity to all non-NDA political parties led by Congress, named as UPA (United Progressive Alliance), to evolve an alternative political coalition. These elections also reflected significant increase in the weight of Left parties in national politics, with sixty seats in their favour. The rise of the Left was a result of the increasing disenchantment with the economic policies being followed by the Centre.

Signifying the role of regional political parties, the outcome at the national level, to a great extent, became the sum total of the state-level verdicts. It appeared that any party wishing to win a national mandate has to weave its way through the

different states and secure a verdict in each of these. The Congress' key alliances that clicked in the election were with regional parties of Tamil Nadu, Andhra Pradesh, Bihar, Jharkhand and Maharashtra. This, however, gave yet another message that the Congress party was not dead and if it could successfully lead the country and meticulously manage 'the rainbow coalition' in the coming years, it could well return to power circles. Comprehensive common agendas (Minimum Common Programme in case of UPA and National Agenda in case of NDA) became the guidelines of these alliances.

In 2008, the Left pulled out of supporting the UPA government because it felt that Congress had rejected its traditional non-alignment foreign policy posture and had become closely allied to the United States, which was signalled by the signing of the Indo-US nuclear deal. Despite the exit of the Left, the UPA came back to power in 2009.

Phase IX (2014–): Bjp Establishes a Simple Majority on its Own

In the 2014 elections, for the first time since 1984 General Elections, the BJP under PM Modi, won enough seats to govern without the support of the other parties. The BJP bettered its 2014 performance in the 2019 General Elections with PM Modi returning to power a second time with a thumping majority.

Check Your Progress

1. Which party was at the helm of affairs when the party system began in India?
2. List some fundamental features which determine the nature of the Indian party system.
3. What was the major reason for the Congress victory in 1971?

5.3 NATIONAL AND REGIONAL PARTIES

Political parties of a country are the key organizations in any contemporary democracy. The political scientist E. E. Schattschneider famously asserted more than half a century ago that, 'Modern democracy is unthinkable save in terms of the parties.' With the introduction of universal suffrage and the advent of mass democracy, direct links between the state and individual citizens is increasingly becoming unrealistic and thus the existence of political parties as intermediary institutions have become a global phenomenon. Today, political parties are the main vehicles for organising political representation, political competition and democratic accountability. They link the state and civil society, can influence the executive, formulate public policy, engage in political recruitment, structure electoral choices and facilitate coalitions. Parties participate in electoral campaigns and educational outreach or protest actions. Parties often espouse an expressed ideology or vision bolstered by a written platform with specific stands on political economy and developmental ambitions. This section of the unit examines the various national and regional political parties in the country.

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Since the freedom of thought and expression is guaranteed by the constitution, it has provided the opportunity for various voices to flourish within ambit of democratic norms. This has resulted in the emergence of various political parties with distinct policies and programmes for the socio-economic development of the nation, as per their ideological stand and support base. Some of these political parties have appeal nationally, while others have appeal only at a regional level. Over a period of time, a bewildering variety of political parties have emerged in India – secular, nationalist, socialist, communist, conservative, radical, regional, religious, tribal and caste-based, etc. At present, according to the election commission there are about 750 registered parties in India, out of which 6 have been recognized as National Parties and 44 have been recognized as State parties.

National Parties

Although the Indian political landscape is full of political parties, there are only a few parties that have a national support base. According to the Election Commission of India, in order to gain recognition in a state, a political party must have had political activity for at least five continuous years, and must send at least 4% of the state's quota to the Lok Sabha, or 3.33% of members to the Legislative Assembly of that state. If a party is recognised in four or more states, it is declared as a 'National party' by the EC. As per these guidelines, there are six National Political Parties in India — Indian National Congress (INC), Bharatiya Janata Party (BJP), Bahujan Samaj Party (BSP), Communist Party of India (CPI), Communist Party of India (Marxist) and the Nationalist Congress Party (NCP).

1. Indian National Congress (INC)

The Indian National Congress, founded in 1885, is one of the oldest democratic political parties in the world. The INC played a prominent role in the struggle against British colonial rule and became the leader of the Indian Independence Movement, with over 15 million members. After independence in 1947, it became the nation's dominant political party and has been in political power for about five decades of India's independence. The party's ideological platform is largely considered as Center-Left in the Indian political spectrum. However, in recent times, the INC's economic policies have shifted dramatically towards the right.

2. Bharatiya Janata Party (BJP)

The Bharatiya Janata Party is one of the two major political parties in India. Established in 1980, it is India's second largest political party in terms of representation in the current parliament and in various state assemblies. The Bharatiya Janata Party believes in advocating what many consider to be extreme forms of Hindu nationalism, conservative social policies, self-reliance, free market capitalist policies, a foreign policy driven by a nationalist agenda and a strong national defense. The BJP's platform is generally considered to be Right of Center in the Indian political spectrum.

3. Communist Party of India (CPI)

The Communist Party of India is a Left-wing political party. It was founded on 26 December 1925, making it the second oldest political party in India. Besides the

Congress, the Communist Party of India played an important role during India's freedom struggle. The CPI claims to be a political party of workers, peasants, intelligentsia and others devoted to the cause of socialism and communism. The stated goal of the party is 'a just socialist society in which equal opportunities for all and the guarantee of democratic rights will clear the way for ending all forms of exploitation, including caste, class and gender, and exploitation of man by man, a society in which the wealth produced by the toiling millions will not be appropriated by a few.' The CPI, as a member of the Left Front, has been extremely critical of economic reforms and the policies of liberalization, privatization and globalization followed by the two major national parties.

4. Communist Party of India (Marxist)

The Communist Party of India (Marxist) [CPI (M)] emerged out of a split of the Communist Party of India in 1964. The CPI (M) leads the Left Front coalition of leftist parties in various states and at the national level. It has a strong presence in the states of Kerala, West Bengal and Tripura. West Bengal has been the strongest base of the party and under its leadership the Left Front made a record of winning seven successive assembly elections and ruled the state for almost 33 years. The Left Front in Bengal was the longest serving democratically elected Communist government in the world. The CPI (M) strongly advocates anti-capitalism, anti-globalization and anti-imperialist sentiments, and has always upheld the principles of Marxist philosophy.

5. Nationalist Congress Party (NCP)

The Nationalist Congress Party is a centrist political party having a presence in almost 15 states, but its major support base is in the state of Maharashtra. The party was formed on 25 May 1999, by three expelled leaders from the Indian National Congress — Sharad Pawar, P. A. Sangma, and Tariq Anwar. The founding principles of the party are:

- Strengthening the forces of nationalism with an emphasis on the egalitarian and secular ethos of the Indian Republic and combating fundamentalism and sectarianism.
- Maintaining the unity and integrity of India by strengthening federalism and decentralization of power up to the village level.
- Promoting economic growth through competition, self-reliance, individual initiative and enterprises with emphasis on equality and social justice.

6. Bahujan Samaj Party (BSP)

The Bahujan Samaj Party is a Centre-to-Left national political party with socialist leanings. It was formed to chiefly represent the 'Bahujans', which refer to people from the Scheduled Castes, Scheduled Tribes and Other Backward Castes (OBC), as well as minorities. The ideology of the party is 'Social Transformation and Economic Emancipation of the 'Bahujan Samaj'. The party was founded in 1984 by Kanshi Ram and claims to be inspired by the philosophy of B. R. Ambedkar. The party believes that the 'Bahujan Samaj' have been victims of the 'Manuwadi' system in the country for thousands of years, under which they have been

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vanquished, trampled upon and forced to languish in all spheres of life. The party wants to end the 'Manuwadi Social System' based on the Varna and claims to strive hard for the establishment of an egalitarian and 'humanistic social system' in which everyone enjoys justice (social, economic and political) and equality (of status and of opportunity) as enshrined in the preamble of the Constitution.

7. All India Trinamool Congress

The All Indian Trinamool Congress is a primarily West Bengal based political party founded by the current Chief Minister of West Bengal Mamta Banerjee on January 1, 1998. Banerjee formed the party after breaking away from the Indian National Congress. It is a centre-left political party just like the Indian National Congress and adheres to the principle of secularism and populism. Since its establishment, it has played a major political role in the State of West Bengal, becoming the main opposition party from the years 1998 to 2011 and then ruling the state from 2011 to the present. In recent times it has tried to expand beyond West Bengal to other states but without much success.

Parties with Regional Support Base

One of the prominent features of Indian democracy is the presence of a large number of parties with a regional support base. These parties generally operate within a limited geographical area and their activities are often confined only to a single or a handful of states. As compared to the broad ranging diverse interests of national level political parties, these parties represent the interest of a particular area. In simple words, regional parties differ from All India parties both in terms of their outlook as well as the interests they pursue. Their activities are focused on specific issues concerning the region and they operate within the limited area.

Regional political parties were in existence even before India became independent. However, the phenomenal growth in the number of regional parties in recent times has been seen by scholars as an obvious consequence of the vacuum created by the decline of the major national parties, especially the congress, in the politics of the nation. Though the regional parties operate within very limited area and pursue only limited objectives, they have played an extremely significant role both in the state as well as national politics. Regional parties first got the opportunity to play a meaningful role in national politics in 1969, as Mrs. Indira Gandhi, after the split in the Congress, relied on regional parties like the DMK to carry on the government despite the loss of majority in the Parliament. Subsequently, regional parties were important pillars of the Janata Government in 1977, National Front government in 1989, and the PV Narsimha Rao government in 1991. With the emergence of coalition politics beginning in the 1990s, regional parties have become an inseparable segment of national politics. In fact, the very existence of major coalitions in contemporary politics — United Progressive Alliance (UPA), National Democratic Alliance (NDA) and Third Front is dependent on the partnership with regional political parties.

Regional parties have been playing a major role in state politics and have captured governmental power from the hands of the all India parties in states like Punjab, Tamil Nadu, Andhra Pradesh, Assam, Sikkim, Nagaland, Goa, Meghalaya, Manipur and Jammu and Kashmir, etc. The regional parties that have been able to

secure political power in states include: Telugu Desam, Janata Dal (United), National Conference, Janata Dal (Secular), Samajwadi Party, Trinamool Congress, Biju Janata Dal, All India Anna Dravida Munnetra Kazhagam (AIADMK), Dravida Munnetra Kazhagam (DMK), etc. The ideological stand and socio-economic programmes of these parties varies from party to party and many a times remains unclear. However, for the understanding of students, regional parties have been categorized ideologically into three groups – (1) regionalist arguments, (2) social exclusion/inclusion and (3) revivalist approach. You must keep in mind that these categories are not distinct but rather, most of the regional parties fall in mutual overlapping categories.

- (1) **Regionalist Arguments:** Regional parties extend a broad range of regionalist arguments. These surround the invocation of regional pride and marks of regional identity. The political scientist Suhas Palshikar believes that most regional parties use the arguments of identity, statehood, autonomy and development. According to Palshikar, ‘The National Conference, Akali Dal, DMK, often combine identity and autonomy arguments. Parties like Biju Janata Dal (BJD) or Trinamool Congress (TMC) emphasize the development arguments. The TDP emerged on the basis of identity argument, but Chandrababu Naidu has led the party quietly to the development argument. Many parties originate in the demand for statehood. The Jharkhand Mukti Morcha, Chhatisgarh Mukti Morcha, Vishal Haryana Parishad, are examples of parties demanding statehood. Most parties of the northeast continue to combine identity issue with autonomy or statehood demands. By invoking regionalist arguments, a regional party can easily identify with the different sections in the regional society. Its language of identity appeals to the intelligentsia and the masses alike. Besides, identity discourse also benefits the materially dominant sections of the society.’
- (2) **Revivalist Approach:** Many regional parties seek to revive their past socio-cultural norms and dominance. For instance, Dravidian pride has been prominent political agenda in the politics of Tamil Nadu. Even prior to independence, the regional identity particularly in Tamil Nadu was defined in terms of the juxtaposition between outsiders-aggressor vs. indigenous pride; i.e., the Aryans vs. Dravidians. It was claimed that the Dravidian identity belonged to the masses-the non-Brahmins. Thus, regionalist ideology disinherited the Brahmins from Dravidian legacy. Leading regional parties of Tamil Nadu- DMK, PMK, AIADMK, etc., have exploited local sentiments of the people to gather vote bank in the name Dravidian pride and opposition to the imposition of Hindi in the state. Similarly, in Maharashtra, the pride of *Marathi Manus* has been the prime agenda of extremist parties like Shiv Sena and Maharashtra Navnirman Sena (MNS).
- (3) **Social Exclusion/Inclusion:** Social exclusion/inclusion has been an important aspect of Indian politics, particularly in the domain of regional political parties. In the late fifties, the Republican Party of India started Dalit mobilization in Maharashtra on the basis of the exclusion of Dalits. The Bahujan Mahasangh (BMS) emerged in Maharashtra as a party

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of OBCs favouring Dalit–OBC cooperation and unity. But the more dramatic examples of this type of parties are Samajwadi Party (SP) and Rashtriya Janata Dal (RJD).

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5.3.1 Coalition Politics and its Prospects

In India, the subject of coalition governments has acquired a great relevance in the context of current political trends and developments. The days of politics as a grand narrative dominated by a single party seems to be over in India. The General Elections in 2009 confirmed this trend that first became visible on the Indian political scene in 1989. The old system which was earlier called the ‘Congress System’ by Rajni Kothari, and ‘a one-party dominant system’ by W.H. Morris Jones is no longer in existence. The intensification of competitive politics has changed the party system from being a rivalry between national parties into the one between alliances and coalitions of national and state parties.

Meaning of Coalitions

The term ‘coalition’ has been derived from the Latin word *coalition* which is the verbal substantive of *coalescere* - ‘Co’, which means together and *alescere*, which means to go or to grow together. According to the dictionary meaning, coalition means an act of coalescing, or uniting into one body, union of persons, states or an alliance. It is a combination of a body or parts into one whole. In the strict political sense, the term coalition stands for an alliance or temporary union for joint action of various distinct political parties at the state or the Union level to form a single government by members of distinct parties.

The system of coalition has certain characteristics. These are:

- First, coalitions are formed for the sake of some reward, material or psychic.
- Second, the underlying principle of a coalition system is temporary conjunction of specific interest.
- Third, coalition politics is not a static but a dynamic affair as coalition players and groups dissolve, and form new one. The parties to the coalition do not lose their identity and can withdraw from the coalition as and when they find it difficult to continue as partners. As a result of such a withdrawal, the coalition may break up or some other group may join the coalition or lend support to another party, it then ceases to be a coalition.
- Fourth, the keynote of coalition politics is compromise and a rigid dogma has no place in it. While entering into coalition, the partners are expected to give up their rigid stand and make compromises in the spirit of give and take.
- Fifth, a coalition government works on the basis of a minimum programme, which may not be ideal for each partner of the coalition.
- Sixth, pragmatism and not ideology is the hallmark of coalition politics. In making political adjustments, principles may have to be set aside and in this process ideology is the first casualty.

- Seventh, the purpose of a coalition adjustment is to seize power; it may seek to stake its claim for the formation of a ministry or for pulling a ministry down.

A vast country like India, with people of various levels of culture and social traditions, is naturally inclined to be pluralistic and to be under a multiparty system. Generally speaking, coalition and alliances in government are an essential feature of a multi-party system where there is absence of a majority or potential majority party and where no single opposition party is regarded as an alternative government. Thus, it can be inferred that coalition government is the effect of which multi-partyism is the cause.

In multi-party countries, coalition governments often serve as stop-gaps. Sometimes, such arrangements take place between parties owing allegiance to similar ideologies. However, if parties follow different ideologies, there may be political compromises and mutual concessions. Although these do not conduce to stability, such arrangements have been observed to 'tend to curb radicalism and likewise to liberalize conservatism'.

Types of Coalitions

Coalitions have been categorized in different manner, and one of them is the following:

1. **Executive coalitions:** They are coterminous with the parties formally joining the cabinet, and with their members becoming ministers at various levels of the Council of Ministers.
2. **Legislative coalitions:** They are wider than cabinet coalitions, including parties that extend support to the government from the parliamentary floor without formally joining the cabinet.
3. **Federal coalitions:** They are defined as a group of parties that are part of the cabinet or legislative coalitions at the centre as well as in some states.

Problems of Coalition Politics in India

Apart from lack of cohesiveness and stability of the coalition governments and the inability of Centre to take decision on time, a number of other problems beset the coalition politics in India. Some of these problems are:

1. Collective responsibility requires that ministers should be able to express their views frankly in the expectation that they can argue freely in private while maintaining a united front when decisions have been reached. This, in turn, requires that the privacy of opinions expressed in Cabinet and ministerial committees should be maintained. It is precisely this frank expression of views and free private argument which are often not obtainable in coalition settings.
2. Ideally, the confluence of interests for coalitions must be dictated by coherent and principled political beliefs and not opportunism alone. However, the purpose of coalition governments in India so far has merely represented a translation of anti-Congressism or anti-BJPism into a tactic for power-sharing.

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3. The experience of coordination committees has also not been very impressive. The culture of coalitions is in its essence the culture of compromise. It is based, to a large extent, on the sharing of elective and non-elective offices. A coalition government, in a system like ours, cannot be effectively managed by the cabinet alone. To keep the coalition united, the Prime Minister and his colleagues must learn to promote reconciliation of conflicting policies and ambitions in two forums, one outside Parliament and the other inside.

Given the multi-layered nature of Indian coalitions, with some parties joining the cabinet while others extending support only from the parliamentary floor, the Parliamentary Committees may be used as additional foci of sharing power. The Coordination Committee also needs to be strengthened by imparting greater seriousness and regularity as a sounding board for policies in broad terms to be worked out in detail by the cabinet. This will avoid the embarrassment of the rolling back of the cabinet/ministerial decisions, notorious for its frequency during the BJP-led coalition government.

Prospects of coalition politics in India

Coalition governments in India, in spite of problems, have been successful in retaining democratic legitimacy and national unity. Major policy shifts like liberalization, economic reforms, grassroots decentralization, federal decentralization, in theory or practice can be largely attributed to the onset of coalition governance. Coalition governments in states and at the centre are compelled to depart from the rigid Congress-centred and the Hindu-right orientations and accommodate people with other orientations. This led to the integration of the party system as well as the nation. The national parties which once rejected the idea of coalition politics, have today accepted coalition politics as indispensable exercise.

To conclude, coalition politics in India is now inevitable. It is unavoidable because the social, economic and political order in the country has changed beyond recognition since Independence. Coalitions will remain because the Indian polity does not hesitate any more to exercise its franchise. Coalitions will thrive because India now knows that extracting good governance is important for the self-interest of all sections of its society.

Check Your Progress

4. What organizations are the main vehicles for organizing political representation?
5. How can a political party gain recognition as a state or national party?
6. When was the Communist Party of India founded?
7. How do the regional parties in India operate?
8. List some of characteristics of the system of coalition.

5.4 PRESSURE GROUPS

*Political Parties and
Pressure Groups*

Pressure groups are voluntary associations of people who have common interests to promote and protect. These interests may be economic, social, cultural, linguistic or religious. They do not have any political characteristics, which differentiates them from political parties. As the name suggest, they create pressure on the ruling political party and government to acquiesce to their demands.

While political parties seek political power of governance, the pressure groups are essentially concerned with interests of their members, and for that purpose they apply pressure. The most common device of pressure politics is lobbying.

Pressure groups are usually organized associations, unions or organization of people having common interest. Their aim is to seek better conditions for their members through organized efforts. They try to influence the legislature, executive and other decision makers to have decisions made in their favour. According to V.O. Key, a striking feature of American politics is the extent to which political parties are supplemented by private associations formed to influence public policy. These organizations are commonly called pressure groups.

They do not take part in the selection of candidates or the legislative processes. They devote themselves to pressurize and influence the government in order to promote their interests. Scholars have classified pressure groups on different criteria.

Duverger was of the view that most pressure groups are non-political in nature and pressure politics is not their primary activity. Any group, association or organization, even those whose normal concerns are far from politics, can act as pressure groups in certain areas and under certain circumstances. It is generally believed that the pressure groups try to bring about changes in policies of the government either by influencing its institutions, or even otherwise. However, the pressure groups do not enter the legislature on their own.

Carter and Hertz had argued that the modern pluralist society, full of economic, professional, religious, ethical and other interest groups, is faced with the major problem of how to coordinate the activities of different groups on the one hand and government and politics on the other. Interest groups enjoy freedom to be established and function in a free democratic society. When these groups seek to influence the political process, and achieve favourable decisions in matters such as enactment of legislation, imposition of taxes and duties, framing of rules, issuance of licences or economic sanctions, then these interest groups transform themselves into pressure groups.

David B. Truman defines an interest group as a shared attitude group that makes certain claims upon the other groups in the society. In a democratic set up, one of the biggest changes has been observed in the increasing role of pressure groups. Herman Finer viewed that it is perhaps now an axiom of political science that where political parties are weak in principles and organization the pressure groups will flourish; where pressure groups are strong, political parties will be feeble; and where political parties are strong, pressure groups will be curbed. In

NOTES

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the context of the USA, the rigid nature of its constitution, the doctrine of separation of powers, difficulties of conveying the grievances of the people to the government, etc., contribute to the growth of pressure groups in American politics. American pressure groups are not much influenced by the political parties whereas in Britain, pressure groups implicitly or explicitly have attachment with political parties.

In the context of liberal democratic countries, particularly, the United States, S. E. Finer had opined that, the pressure groups are, by and large, autonomous and politically neutral bodies, which bargain with the political parties and the bureaucracy irrespective of the political complexion of the government in power. The groups can adopt various methods of bargaining, in their interests, including even unconventional or corrupt methods. It is obvious that the pressure groups are associations of individuals for the promotion of the interests of their members. Every individual has numerous interests. One may be an office bearer of a residents' welfare association, father of university going children, and a sugarcane farmer, a shareholder in a large business house or industrial establishment and may also be a social activist as also a trustee of a religious or charitable institution. All interests of one individual cannot be served by one group. He or she, therefore, may join several interest groups to create pressure on the state for different purposes.

Pressure groups are not a new phenomenon in politics. They have always been there, but probably in different forms. Generally, creations of these groups are deliberate efforts. Today they are highly influential and very powerful. It is generally considered that the terms like pressure groups, organized interests, and lobbies are all synonyms.

The terms interest groups and pressure groups, despite the differences in their nature, are often used as synonyms.

According to H. Zeigler, it is an organized aggregate which seeks to influence the context of governmental decisions without attempting to place its members in formal governmental capacities. In the words of Alfred de Grazia, pressure group is simply an organized social group that seeks to influence the behaviour of political officers without seeking formal control of the government.

There are certain essential features of the pressure groups. These are:

- Pressure groups are part of the political process of a country
- They attempt either to strengthen or change the direction of government policy
- They do not seek, as pressure groups to directly capture political power and run the government

Classification of Pressure Groups

Pressure groups or interest groups have been classified differently by scholars. Some of these are discussed below.

(i) Gabriel Almond's classification

Political scientist Gabriel Almond has classified pressure groups under four categories. This classification has generally been supported by Hitchner and Levine.

According to Almond, these types are:

- Institutional interest groups
- Anomic interest groups
- Associational interest groups
- Non-associational interest groups

The institutional interest groups work in close association with various institution and political parties. These groups also exist within the legislatures, bureaucracies, religious bodies, corporations and even armed forces. They actively participate in the bureaucratic functioning, since it is the place where most of the decision-making is done. They are equally close to legislatures. They form part of a highly organized structure, but this structure has been created for purposes other than what these groups articulate. These groups do not need any other organization to articulate their demands. As Almond said, 'institutional interest groups are formal organizations, composed of professionally employed personnel, with designated political and social functions other than interest articulation', but either as corporate bodies or as smaller groups within these bodies (such as legislative blocs). These groups not only voice their own interests but also those of other groups in the society. Such groups are very influential and powerful.

In some of the Third World countries, these institutional interest groups are not satisfied only by exercising influence. They even seize power, as, for example, the military clique did in Burma, or Bangladesh (after Sheikh Mujib's murder), or Pakistan, or Nigeria. These are exceptions. These groups are generally concerned with better conditions for their members.

The anomic interest groups, according to Almond, are generally spontaneous reaction to a political system. These groups often appear when normal means of expressing dissatisfaction prove ineffective. They may be concerned with religious or linguistic or ethnic disturbances, or demonstrations, even assassinations and hijackings. They are generally characterized by unconventional, usually violent means. Their influence on the political system too is done through unconventional means.

The association interest groups are closely associated with formally organized institutions. They are functionally specialized, and they articulate the interests of specific groups, such as management, labour, business and agriculture. These groups are found in those countries where right to association is constitutionally recognized. Some of them have regular paid employees on their roles to influence the concerned institution. These groups are generally concerned with economic interests. The Federation of Economic Organizations, and the Federation of Indian Chambers of Commerce and Industry are some of the examples of association groups. The associations of teachers, lawyers, doctors and other professionals all come in this category. Unlike the well-organized association system, the non- association groups are based on factors like kinship, ethnicity, status and religious. They articulate the interests informally and irregularly. They do not have any permanent organization.

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(ii) Jean Blondel's classification

French political scientist Jean Blondel have classified interest groups on the basis of factors responsible for their formation. Broadly speaking, there are two categories of groups. These are:

- Community interest groups
- Associational groups

Both the categories are further divided into two sub-categories.

Community interest groups come into existence to cater to the interest of a particular community. The social relations are in the back of their formation. Community life brings people together by sharing joys and sorrows. Most of the community groups are informal. Once they become formally organized, they exert pressure on the government to seek state protection and assistance. The community groups are divided between:

- Customary and participation
- Institutional groups

The groups that essentially follow the customs and traditions of the community fall in the category of customary groups. The groups of castes and sub-castes in India are of this type. Blondel has described those community groups as institutional who are formed by people living together for a long time, and who develop common social relationship. Some of the examples of this type can be welfare associations of serving or retired soldiers like the veterans unions, the civil servants welfare associations, or the senior citizens' welfare bodies. The association groups identified by Blondel generally follow the pattern of Almond and Hitchner and Levine. These groups have two sub categories:

- Protective groups
- Promotional groups

As we have discussed, interest groups essentially fight for the interests of its members. Protective groups vehemently seek to address the concerns of its members. Examples of protective groups are trade unions and associations of traders or professionals. They have more or less homogeneous clientele. Promotional groups, on the other hand, have membership or large cross-sections of community. The promotional groups may include group for disarmament, or the greens seeking promotion of environmental security. Besides, the protective groups generally manage to have greater influence over policy making process than the promotional groups.

Referring to the British groups, Robert Salisbury opined that protective groups have immense influence over policy, whereas promotional pressure, even when they mobilize a large following, tend to be regarded as having only a minor impact on public decisions. The protective groups generally have more flexible strategies, while the promotional groups face the problem of goal adaptation following the change in political situation. Protective groups are never short of agendas, while promotional groups are terminal in nature, at least in conception.

(iii) Maurice Duverger's classification

Maurice Duverger points at two main problems regarding the term pressure groups. First, whether those groups whose only function is to exert political pressure or those which have multi-dimensional activities should be called pressure groups. Second, whether the term pressure groups should be used only for non-official groups or even official groups can be brought in this category. It is in the context of these two questions that Duverger offered the following classification.

Regarding his first query, Duverger distinguishes between (i) exclusive groups and (ii) partial groups.

Members of the first category work exclusively to exert pressure on the political system to fulfill their interests. Thus, the French Parliamentary Association for the Defence of Educational Freedom is an exclusive group. There are several groups in the United States who are entirely in the business of pressure politics, through the device of lobbying.

Partial groups, on the other hand, are essentially set up to be the promoters of interests of their members, but in that process they do occasionally use pressure tactics. There are numerous such groups in every democratic set up, including India. Several associations of professionals (doctors, lawyers, chartered accountants, and architects), of university or school teachers, or women activists, or those concerned with cultural activities also, if needed, try to put pressure on civil servants, legislators and others. But, there can be no rigidity in this classification. Any partial group may take to whole time pressure politics.

On the second basis, Duverger makes a distinction between:

- (i) Private groups
- (ii) Public groups

United States was the first country to have witness the emergence of pressure groups where private institution groups put pressure on the state apparatus. Gradually, official and public groups started exerting pressure, and the process of pressure politics began. Official groups may even include those officials who secretly align themselves with one or more pressure groups to serve certain interests.

Duverger also refers to, what he calls, pseudo pressure groups. These groups include specialists who use pressure politics not for themselves, but for others. This is often done for monetary consideration. Duverger includes in this category, the technical experts as well as information (mass) media. A reference will be made, while dealing with the role of pressure groups, to the role of mass media.

5.4.1 Role of Pressure Groups

Pressure groups play a vital role in a democratic society in terms of influencing the government for expressing the common concern of a section of society and promote their interests. The vitality of the pressure groups is mainly determined by their ability to influence the government. Influencing the government involves influencing the public policy decision makers, law makers, implementer of policies and decisions, etc. The role of pressure groups is closely connected with politics. In this context, Harold D. Lasswell in his early work on politics, uses the subtitle, *who gets what, when, how?* and says that, *the study of politics is the study of influences and influential*. In view of this understanding, the State of pressure

NOTES

NOTES

groups in democratic countries constitutes an important dimension of the study of politics because the primary objective of any pressure group is to influence the government on a specific public policy issue or problem. Pressure groups play the mediatory role between the people and government. They balance the national interest and interest of individuals. Generally, interests of the common people are not organized. Pressure groups contribute to give concrete shape to the interests of people. This role of pressure groups is significant in interest formation as well as interest aggregation. Interest formation may occur through the reactions of groups of people on issues of public importance like GATT, Nuclear explosion, reservation policy, environmental issues, price rise, regional imbalances and rural development programme. According to Gabriel Almond and Bingham Powell, converting the demands into policy alternatives is interest aggregation. In this process also, pressure groups play a significant role in terms of identifying possible policy alternatives or options. They also explain the pros and cons of each policy alternative which is very helpful information for the policy makers to select the best alternative. This role of pressure groups is to provide inputs to public policy making. On the whole, pressure groups contribute to democratize the public policy making and law-making.

When it is found that political parties cannot adequately represent the aspirations of the people, pressure groups become the devices for representing the aspirations of the people. In this sense, pressure groups perform the representation function. In a Welfare State, the growing functions of government may tend to affect the responsive capability of the political system. Besides the members of government may not be able to get sufficient time to get all the details of a particular issue of public importance as the political elites are preoccupied in the political activities. In view of these, pressure groups are essential to make the political system respond to the aspirations of people and provide the details of a particular policy issue of public importance to the ruling political elites. This will contribute to workout development activities very effectively.

The role of pressure groups depends to a large extent on the type of government that a country has. Their role in the presidential system, as in the United States is more significant than that in parliamentary democracies, like Britain and India. Their role is minimum, or non-existent, in one party states, and particularly in authoritarian systems. Their role is highlighted by Henry Ehrmann, while discussing the merits of pressure groups. He says, 'The interests which they represent link their membership with community values. Hence, groups are likely to reflect more accurately than do other bodies, the concerns of the society in which they operate.' Further, where the formal system of representation proves inadequate, pressure groups, represent community values more realistically than do parties. They employ all conceivable methods to promote their interests. They request and cajole, they bribe and entertain. The most popular method of pressure politics, called lobbying, was developed in the United States. Lobbying is only one of the methods of pressure politics, yet it is the most effective. Lobbying is, peculiarly American practice, and its practitioners try to directly influence the law-makers and other officials.

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Lobbying

Although lobbying had its origin in the US, today most countries follow the practice. The term lobbying is used to indicate the technique of establishing contacts with the members of Parliament/Congress and state legislatures in order to influence them to vote for or against a measure to suit the interest of a pressure group. Many a times, pressure groups engage former members of the parliament to influence the ruling legislators.

‘Lobbyists’, in the words of Alfred de Grazia, ‘are highly organized; they claim large membership lists; they have agents who are skilled in persuasion and public relations; they insist that their purposes are consonant with the public welfare’.

The lobbyists build contacts with the members of parliament, shadow their footsteps, and try to influence their decisions and votes. Generally, they seek to promote the legitimate interests of the groups, but at times do indulge in selfish politics. Although rarely, there are cases when bribery, direct or indirect, and blackmail have been used to influence legislators. A strong willed Congressman may even be coerced by arranging a flood of letters, telegrams and telephonic calls from the voters in his district.

Although in countries where pressure politics and lobbying are frequently undertaken, laws have been formed to control such practices, it cannot be said that much success has been achieved in checking them. In the US particularly, political parties, pressure politics and lobbying have become part of its political system.

Most agendas of interest groups are economic in character. There are labour pressure groups that seek to represent the point of view of organized labour in elections and in the Congress. On the other hand, there are business pressure groups that sought to represent the interests of an industry. In recent times, however, several groups have emerged that focus on social activities. Some such groups are, the National Council of Christians and Jews and the United Methodists. Thus, every major community has its own lobby.

5.4.2 Types of Pressure Groups

The origin of pressure groups is diverse since they represent a particular dimension of interests like economic, social and political interests. Pressure groups exist for protecting or promoting particular interest(s). Pressure groups can be broadly classified into the categories like:

- (i) Business groups
 - (ii) Labour organizations
 - (iii) Farmers groups
 - (iv) Professional groups
 - (v) Religious groups
- (i) **Business groups:** Businessmen are generally well organized and their concern would be to get reasonable restrictions imposed on the production and distribution of goods, import and export of commodities, determination of price of commodities, etc. There are business groups like the National

NOTES

Association of Manufacturers in the USA, the Federation of British industries, the National Council of French Employers, the Federation of German Industry, the Federation of Indian Chambers of Commerce and Industry (FICCI), etc. In India, the British merchants established the Chamber of Commerce in 1830s. In 1926, it was decided to establish a national Indian business organization. In the following year the same business organization became the Federation of Chambers of Commerce and Industry. The support of the wealthy businessman like G. D. Birla made this business group an important and influential force. In addition to the Federation of Chambers of Commerce and Industry, there are other national business groups namely the All India Manufacturers Organization, the associated Chambers of Commerce and Industry of India, etc. These business groups keep in touch with political parties and contribute to party funds and some candidates in elections are financed by the businessmen. The primary function of any business group is to protect its business interests like opposing tax increase, minimum control on labour, etc.

- (ii) **Labour organizations:** In the USA, trade union politics began with the establishment of the American Federation of Labour in 1886. There are labour organizations like the communist dominated Confederation of Christian Trade Unions in France, German Confederation of Trade Unions, Transport and General Workers' Union in England, Indian National Trade Union Congress, etc. The labour organizations are concerned with payment of adequate wages and emoluments, reasonable working hours and conditions of service and compensation in case of some accident. They are often associated with one party or the other. In India, the Indian National Trade Union Congress (INTUC), the United Trade Union Congress (UTUC), the Hind Mazdoor Sabha (HMS), All India Trade Union Congress (AITUC), Bharatiya Mazdoor Sangh have links with political parties like the Congress (I), Communist parties, the Socialist Party, the BJP, etc. All these trade unions are regarded as major Indian Labour Organizations.
- (iii) **Farmers groups:** Farmers groups are basically concerned with protecting the interest of farmers from adverse effects of modernization and getting facilities of modernization to the farmers. These include continuation of subsidy to the farmers, minimum price for agricultural products, etc. In the USA, the farmers' groups like American Farm Bureau Federation (AFBF), the National Grainage, the National Farmers' Educational and Co-operative Union of America are regarded as very important farmers' groups forgetting their just dues from the government. In India, we have farmers' groups like Karnataka Rajya Raith Sangh, Shetkari Sanghatan of Sharad Joshi in Maharashtra and similar organization of Mahendra Singh Tikait in UP.
- (iv) **Professional organizations:** Professional organizations are mainly concerned with the service conditions and other facilities for their respective professions. Associations like teachers' association, medical association, bar association etc., are regarded as pressure groups based on their professions. The American Association of University Teachers, All India Federation of University and College Teachers' Organizations, the American

Bar Association, the Indian Political Science Association, the British Medical Association are some of the examples of professional pressure groups.

- (v) **Religious organizations:** Religious pressure groups generally attempt to protect the interest of a particular religion. In the USA, the National Council of Churches is a religious pressure group. The other religious pressure groups are the American Jewish Committee, American Jewish Congress, etc. In the Indian context, the caste and communal associations can be categorized as religious pressure groups. In Indian politics, caste associations are increasingly getting prominence and becoming very influential.

Techniques of Pressure Groups

The main techniques of pressure groups are manipulating public opinion, persuading legislators and administrators, etc. The role of pressure groups tends to change the public attitude towards a specific issue. The extent of influence of pressure groups on government is mainly determined by their position to represent public opinion. Hence, it is necessary on the part of pressure groups to influence the process affirmation of public opinion. As a consequence, pressure groups seem to manipulate public opinion. Influence of pressure groups is also through the legislators for making specific provisions or deleting some provision in legislation. Pressure groups have friends and allies in the legislatures as in the case of American Congress and the Indian Parliament. Pressure groups attempt to influence the process of implementation of decisions through the administrators. Besides, pressure groups adopt the technique of influencing the government through public interest litigation in courts of law.

In India, the judiciary is asserting its position under the influence of the pressure groups which are bringing before it the public interest litigation which is seen clearly in case of environmental pressure groups and economic pressure groups. Medha Patkar and her associates have exercised a vast amount of pressure on the executive at the State and central level over the question of the Narmada dam and particularly the resettlement of the people affected by the dam. There are pressure groups which have been working on the problems of daily wage workers and women and many of them are exercising pressure by bringing their cases before the courts in the form of public interest litigation. Even in the limited context of municipal government, as in the case of Bombay, citizens are taking cases to the high courts to exert pressure on the municipal authorities to clean streets and undertake environmental measure. In the context of India, as in several developing countries, these techniques are new. Therefore, the pressure groups have to work hard to organize the members of the public in order to be effective in relation to government and public administration.

Differences between Indian and Western Pressure Groups

India, though a parliamentary democracy, differs from Western countries in terms of developmental levels. Therefore, there are some differences in the role of pressure groups also. They are as follows:

- The American pressure groups are regarded as the fourth organ of the government but the Indian pressure groups are not yet able to play such significant role in politics.

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NOTES

- In India and Great Britain the cabinet and civil service are the main targets of pressure groups for lobbying purposes rather than the parliament. However, the targets of American pressure groups are the Congress and its committees rather than the President for lobbying purposes.
- Indian pressure groups based on caste, religion, region, etc., are more powerful than the modern groups like business organizations.
- A significant feature of American pressure groups is that in the USA pressure groups take interest in foreign policy issues while in India pressure groups do not seem to have interest in foreign policy matters.

Comparatively, the Indian pressure groups are concerned more with domestic policy issues and problems, and less with foreign policy matters. However in general, despite the differences, democratic politics presupposes the crucial note of pressure groups for serving the interests of different sections of society.

5.4.3 Pressure Groups and Political Parties

Pressure groups and political parties constitute very important structure of a political system. Both pressure groups and political parties are constitutional agencies and play a crucial role in the political process.

A distinguishing feature of pressure groups is that they seek to influence public policy-makers, but without attempting to take over directly the control and conduct of the government. Political parties, on the other hand, are primarily concerned with governance, to contest elections and try to secure majority of seats in the legislature, or the office of chief executive, and govern the country. Neumann pointed out the distinction between parties and the pressure groups as, fundamentally, pressure groups are the representation of homogeneous interests seeking influence. The pressure group is strong and effective when it has a directed specific purpose. Political parties, on the other hand, seeking office and directed towards policy decisions, combine heterogeneous groups. In fact it is one of their major themes to reconcile the diverse forces within political society. There is an integrative function which is not the domain of the pressure groups.

Maurice Duverger made a distinction between the two in the following words: "Political parties strive to acquire power and exercise it by electing mayors and deputies, and by choosing cabinet ministers and the head of State. Pressure groups on the contrary, do not participate directly in the acquisition of power or in its exercise; they act to influence power while remaining apart from it. They exert pressure on it. Pressure groups seek to influence the men who wield power, not to place their own men in power, at least not officially. It is possible that sometimes members of a pressure group may become members of the legislatures or even the executive, but even if that happens, it is kept secret." Harold R. Bruce wrote, "In their relation to the political parties, pressure groups are in the singular position of being independent of them and also cooperative with them as a given situation may dictate. Pressure groups are normally not partisan in character; they disregard party lines; they seek popular support among the voters or support of members of legislative bodies and executive authorities." Similar views were expressed by Duverger. He wrote, "Certain powerful groups actually have their own

representatives in governments and legislative bodies, but the relationship between these individuals and the groups they represent remains secret or circumspect.”

Political parties are directly engaged in political activity, including selection of candidates for election, presenting formally formulated policies and a clear platform for seeking popular votes, and if successful to run the affairs of State. Those who get lesser number of votes and seats, sit in the opposition and offer constructive opposition to the ruling party. None of them come within the role of the pressure groups. The interest/pressure groups are essentially non-political associations. Their primary functions may be economic, social, religious or humanitarian. Pressure is not their main business. They do so if necessary for the promotion of the interests of their members. Parties are committed to a wide range of issues and policies; their goal is political power. An interest group, on the other hand, has a narrower focus. It is primarily to articulate specific demands that it comes into existence. As Professor S. R. Maheshwari wrote, “It is the task of a political party to reconcile and aggregate their competing demands of interest groups and put them into coherent programmes and action plans. Thus viewed, political parties prevent the interest groups from directly dominating the decision-making apparatus and process in a country.”

The relationship between the parties and pressure groups is not the same everywhere. Each political system has different nature of parties and groups, as also their relationship. In the United States and Britain, the interest groups articulate demands, seeking to transform them into authoritative policies by influencing the political processes. While the groups are functionally specific and differentiated, the parties play the aggregated role. As Almond wrote, “the party system stands between the interest groups system and the authoritative policy-making agencies and screens them from the particularistic and disintegrative impact of special interests.” France and Italy offer a different type of relationship. In these two, and some other countries, both the parties and interest groups exist as fairly well organized entities, but not as autonomous systems. The parties control the groups in various ways. Thus, one finds communist controlled or socialist party controlled trade unions. In such a situation, the interest groups get prevented from articulating functionally specific, pragmatic demands, for their activities have become highly political. When groups allow themselves to become affiliates to parties, they, in turn, weaken the capacity of parties to aggregate various interests.

In several third world countries of Asia, Africa and Latin America, neither the parties nor the pressure groups stand very well differentiated. In the words of Gabriel. A. Almond, “Association interest groups such as trade unions and business associations may exist in the urban westernized parts of the society, but in the village and the countryside interest organization takes the form of lineage, caste, status, class, and religious groups which transmit pressure demands to the other parts of the pressure structure by means of information communication.” In many of the Third World countries, parties tend to be ad-hoc arrangements, without clear policies and without grassroots organization. Consequently, adds Almond, “the significant political groups are neither the parties, nor the association interest groups, but elements of cliques from the bureaucracy and the army.” Whatever pattern is followed in a political system, it is clear that the pressure groups, despite

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being independent of the parties, do still maintain contacts with them, in one way or the other, and try to influence legislation and decision-making process through these contacts.

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Check Your Progress

9. What do you mean by pressure groups?
10. List some of the features of the pressure groups.
11. Which is the first country to have witness the emergence of pressure groups?
12. Who are the lobbyists and how do they build contact?
13. Why is the relationship between political parties and pressure groups not the same everywhere?

5.5 ANSWERS TO 'CHECK YOUR PROGRESS'

1. The party system in India began as a single-party dominant system with the Indian National Congress (INC) at the helm of affairs. The INC enjoyed a dominant position, both in terms of number of seats that it held in the Parliament and the state legislative assemblies, and in terms of its organizational strength at the grassroots level. Initially, it enjoyed a position of hegemony because of its role in the Independence movement. However, this gave way for a balanced multi-party system, when in 1977 the Janata Party government came to power.
2. Some of the fundamental features that appear vital in determining the nature of the Indian party system are as follows:
 - (i) The struggle for freedom and framework of parliamentary government along with politics of national reconstruction, modernization, integration and development has collectively contributed to the evolution of Indian party system.
 - (ii) The national heritage of national movement formed the dimensions of national interest, national unity, political integration and national defence.
 - (iii) The ideological orientation with coexistence of radical 'Left' to traditional 'Right' during the national movement laid down a practice of toleration and accommodation of different points of view.
 - (iv) Moreover, the continental size of the country, comprising well-defined and distinct socio-cultural regions; with linguistic, ethnic and religious diversities; and specific patterns of castes, communities and tribes provided conditions for the rise of regional parties and groups.
 - (v) The task to ensure social equality to remove the inequalities perpetuated by centuries of caste oppression gave birth to political parties and groups who strove to use these castes as perpetual vote-banks
 - (vi) On economic fronts, it was a mixture of feudal but emerging developed agricultural and developing industrial economy.

3. The major reason for victory was the de-linking of the Lok Sabha elections from the state assembly elections. The Parliamentary election campaign was de-linked from state-level politics and the state leaders could not exercise the same influence as they had done in the past. Indira Gandhi's campaign injected a powerful element of ideology by raising the slogan of social change and by calling upon the electorate to support her endeavour to initiate new government policies for the benefit of the poor, resulting in a new consensus in political arena.
4. Today, political parties are the main vehicles for organising political representation, political competition and democratic accountability.
5. Although the Indian political landscape is full of political parties, there are only a few parties that have a national support base. According to the Election Commission of India, in order to gain recognition in a state, a political party must have had political activity for at least five continuous years, and must send at least 4% of the state's quota to the Lok Sabha, or 3.33% of members to the Legislative Assembly of that state. If a party is recognised in four or more states, it is declared as a 'National party' by the EC. As per these guidelines, there are six National Political Parties in India — Indian National Congress (INC), Bharatiya Janata Party (BJP), Bahujan Samaj Party (BSP), Communist Party of India (CPI), Communist Party of India (Marxist) and the Nationalist Congress Party (NCP).
6. The Communist Party of India is a Left-wing political party. It was founded on 26 December 1925, making it the second oldest political party in India. Besides the Congress, the Communist Party of India played an important role during India's freedom struggle. The CPI claims to be a political party of workers, peasants, intelligentsia and others devoted to the cause of socialism and communism. The stated goal of the party is 'a just socialist society in which equal opportunities for all and the guarantee of democratic rights will clear the way for ending all forms of exploitation, including caste, class and gender, and exploitation of man by man, a society in which the wealth produced by the toiling millions will not be appropriated by a few.'
7. One of the prominent features of Indian democracy is the presence of a large number of parties with a regional support base. These parties generally operate within a limited geographical area and their activities are often confined only to a single or a handful of states. As compared to the broad ranging diverse interests of national level political parties, these parties represent the interest of a particular area. In simple words, regional parties differ from All India parties both in terms of their outlook as well as the interests they pursue. Their activities are focused on specific issues concerning the region and they operate within the limited area.

Regional parties have been playing a major role in state politics and have captured governmental power from the hands of the all India parties in states like Punjab, Tamil Nadu, Andhra Pradesh, Assam, Sikkim, Nagaland, Goa, Meghalaya, Manipur and Jammu and Kashmir, etc. The regional parties that have been able to secure political power in states include: Telugu Desam, Janata Dal (United), National Conference, Janata Dal (Secular), Samajwadi

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Party, Trinamool Congress, Biju Janata Dal, All India Anna Dravida Munnetra Kazhagam (AIADMK), Dravida Munnetra Kazhagam (DMK), etc

8. The system of coalition has certain characteristics. These are:

- First, coalitions are formed for the sake of some reward, material or psychic.
- Second, the underlying principle of a coalition system is temporary conjunction of specific interest.
- Third, coalition politics is not a static but a dynamic affair as coalition players and groups dissolve, and form new one. The parties to the coalition do not lose their identity and can withdraw from the coalition as and when they find it difficult to continue as partners. As a result of such a withdrawal, the coalition may break up or some other group may join the coalition or lend support to another party, it then ceases to be a coalition.
- Fourth, the keynote of coalition politics is compromise and a rigid dogma has no place in it. While entering into coalition, the partners are expected to give up their rigid stand and make compromises in the spirit of give and take.
- Fifth, a coalition government works on the basis of a minimum programme, which may not be ideal for each partner of the coalition.
- Sixth, pragmatism and not ideology is the hallmark of coalition politics. In making political adjustments, principles may have to be set aside and in this process ideology is the first casualty.
- Seventh, the purpose of a coalition adjustment is to seize power; it may seek to stake its claim for the formation of a ministry or for pulling a ministry down.

9. Pressure groups are voluntary associations of people who have common interests to promote and protect. These interests may be economic, social, cultural, linguistic or religious. They do not have any political characteristics, which differentiates them from political parties. As the name suggest, they create pressure on the ruling political party and government to acquiesce to their demands.

10. Some of the features of the pressure groups are:

- Pressure groups are part of the political process of a country
- They attempt either to strengthen or change the direction of government policy
- They do not seek, as pressure groups to directly capture political power and run the government

11. United States was the first country to have witness the emergence of pressure groups where private institution groups put pressure on the state apparatus. Gradually, official and public groups started exerting pressure, and the process of pressure politics began. Official groups may even include those officials who secretly align themselves with one or more pressure groups to serve certain interests.

12. 'Lobbyists', in the words of Alfred de Grazia, 'are highly organized; they claim large membership lists; they have agents who are skilled in persuasion and public relations; they insist that their purposes are consonant with the public welfare'. The lobbyists build contacts with the members of parliament, shadow their footsteps, and try to influence their decisions and votes. Generally, they seek to promote the legitimate interests of the groups, but at times do indulge in selfish politics. Although rarely, there are cases when bribery, direct or indirect, and blackmail have been used to influence legislators. A strong willed Congressman may even be coerced by arranging a flood of letters, telegrams and telephonic calls from the voters in his district.
13. The relationship between the parties and pressure groups is not the same everywhere. Each political system has different nature of parties and groups, as also their relationship. In the United States and Britain, the interest groups articulate demands, seeking to transform them into authoritative policies by influencing the political processes. While the groups are functionally specific and differentiated, the parties play the aggregated role. As Almond wrote, "the party system stands between the interest groups system and the authoritative policy-making agencies and screens them from the particularistic and disintegrative impact of special interests." France and Italy offer a different type of relationship.

NOTES

5.6 SUMMARY

- India has an extremely unique party structure that cannot be 'classified' easily. This structure is defined by the singular nature of Indian politics on one hand and the nature of the relationship between the state and the society on the other.
- The origin of the Indian party system can be traced to the formation of the Indian National Congress in 1885. Various other parties emerged later. Party formation during the period 1885–1947 occurred in the context of British Raj, and its policy of divide and rule, pursued by encouraging separate electorates, led to the formation of the Muslim League, the Akali Dal and the Hindu Mahasabha.
- India had a party system characterized by dominance of the Congress and the existence of smaller opposition parties, which could not provide an alternative either at the Central or state level.
- In the 1967 Assembly elections, Congress lost majority in eight states and was reduced to 54 per cent of Lok Sabha seats. This brought a number of opposition parties to the forefront, which intensified inter-party conflict.
- The imposition of an authoritarian Emergency in 1975 signalled the erosion of the popular support of the Congress party, the institutional decline and the weakening of the party system by suspending civil liberties, particularly freedom of the press and representative government.
- The next phase in the evolution of India's party system may be considered from the defeat of the Congress in 1977 elections to the restoration of its

NOTES

rule in 1980. The 1977 elections provided a major step towards party institutionalization and possibilities of the emergence of a two-party system.

- The 1980 Lok Sabha election was a verdict on the Janata Party's failure to consolidate the electoral alignments. Thus, in 1980s, the success of Congress (I) was mainly due to the failure of national-level non-Congress parties.
- The assassination of Indira Gandhi in 1984 and the landslide victory of the Congress due to the resultant sympathy wave made opposition in Lok Sabha irrelevant in 1984 elections. During Rajiv Gandhi's regime from 1984 to 1989, there was complete absence of dialectical interaction between the government and the opposition.
- The 1989 elections transformed the scene at the Centre by establishing a non-Congress coalition government with a true multi-party character. The government was called the National Front government under the Prime Ministership of VP Singh.
- The 1999 national election saw a major victory for the National Democratic Alliance (NDA), a broad-based coalition of 24 regional parties led by the BJP. This was a new type of the dominant coalition of parties headed by Atal Bihar Vajpayee.
- In the 2004 elections the people rejected the tall claims of Indian 'shining' of the ruling NDA coalition and provided an opportunity to all non-NDA political parties led by Congress, named as UPA (United Progressive Alliance), to evolve an alternative political coalition.
- In 2008, the Left pulled out of supporting the UPA government because it felt that Congress had rejected its traditional non-alignment foreign policy posture and had become closely allied to the United States.
- Political parties of a country are the key organisations in any contemporary democracy. The political scientist E. E. Schattschneider famously asserted more than half a century ago that, 'Modern democracy is unthinkable save in terms of the parties.'
- If a party is recognised in four or more states, it is declared as a 'National party' by the EC. As per these guidelines, there are six National Political Parties in India — Indian National Congress (INC), Bharatiya Janata Party (BJP), Bahujan Samaj Party (BSP), Communist Party of India (CPI), Communist Party of India (Marxist) and the Nationalist Congress Party (NCP).
- One of the prominent features of Indian democracy is the presence of a large number of parties with a regional support base. These parties generally operate within a limited geographical area and their activities are often confined only to a single or a handful of states.
- Regional parties have been playing a major role in state politics and have captured governmental power from the hands of the all India parties in states like Punjab, Tamil Nadu, Andhra Pradesh, Assam, Sikkim, Nagaland, Goa, Meghalaya, Manipur and Jammu and Kashmir, etc

- In multi-party countries, coalition governments often serve as stop-gaps. Sometimes, such arrangements take place between parties owing allegiance to similar ideologies.
- Coalition governments in India, in spite of problems, have been successful in retaining democratic legitimacy and national unity. Major policy shifts like liberalization, economic reforms, grassroots decentralization, federal decentralization, in theory or practice can be largely attributed to the onset of coalition governance.
- Coalition politics in India is now inevitable. It is unavoidable because the social, economic and political order in the country has changed beyond recognition since Independence.
- Pressure groups are voluntary associations of people who have common interests to promote and protect. These interests may be economic, social, cultural, linguistic or religious. They do not have any political characteristics, which differentiates them from political parties.
- Political scientist Gabriel Almond has classified pressure groups under four categories. This classification has generally been supported by Hitchner and Levine.
- French political scientist Jean Blondel have classified interest groups on the basis of factors responsible for their formation. Broadly speaking, there are two categories of groups.
- United States was the first country to have witness the emergence of pressure groups where private institution groups put pressure on the state apparatus.
- Pressure groups play a vital role in a democratic society in terms of influencing the government for expressing the common concern of a section of society and promote their interests. The vitality of the pressure groups is mainly determined by their ability to influence the government.
- The role of pressure groups depends to a large extent on the type of government that a country has. Their role in the presidential system, as in the United States is more significant than that in parliamentary democracies, like Britain and India.
- ‘Lobbyists’, in the words of Alfred de Grazia, ‘are highly organized; they claim large membership lists; they have agents who are skilled in persuasion and public relations; they insist that their purposes are consonant with the public welfare’.
- Most agendas of interest groups are economic in character. There are labour pressure groups that seek to represent the point of view of organized labour in elections and in the Congress.
- In addition to the Federation of Chambers of Commerce and Industry, there are other national business groups namely the All India Manufacturers Organization, the associated Chambers of Commerce and Industry of India, etc.

NOTES

NOTES

- Farmers groups are basically concerned with protecting the interest of farmers from adverse effects of modernization and getting facilities of modernization to the farmers.
- Professional organizations are mainly concerned with the service conditions and other facilities for their respective professions. Associations like teachers' association, medical association, bar association etc., are regarded as pressure groups based on their professions
- Religious pressure groups generally attempt to protect the interest of a particular religion. In the USA, the National Council of Churches is a religious pressure group.
- The role of pressure groups tends to change the public attitude towards a specific issue. The extent of influence of pressure groups on government is mainly determined by their position to represent public opinion.
- In India, the judiciary is asserting its position under the influence of the pressure groups which are bringing before it the public interest litigation which is seen clearly in case of environmental pressure groups and economic pressure groups.
- Comparatively, the Indian pressure groups are concerned more with domestic policy issues and problems, and less with foreign policy matters.
- A distinguishing feature of pressure groups is that they seek to influence public policy-makers, but without attempting to take over directly the control and conduct of the government.
- The relationship between the parties and pressure groups is not the same everywhere. Each political system has different nature of parties and groups, as also their relationship.
- In several third world countries of Asia, Africa and Latin America, neither the parties nor the pressure groups stand very well differentiated.
- Whatever pattern is followed in a political system, it is clear that the pressure groups, despite being independent of the parties, do still maintain contacts with them, in one way or the other, and try to influence legislation and decision-making process through these contacts.

5.7 KEY TERMS

- **The Sangh Parivar:** This refers, as an umbrella term, to the collection of Hindu nationalist organisations spawned by the Rashtriya Swayamsevak Sangh (RSS).
- **National Party:** If a political party fulfils certain conditions or criteria then it is recognised as the national or state political party by the Election Commission of India.
- **Hindu Nationalism:** This has been collectively referred to as the expression of social and political thought, based on the native spiritual and cultural traditions of the Indian subcontinent.

- **Regional Parties:** These are the parties whose main holds are in one certain state and mostly they participate in the elections only within that state.
- **Radicalism:** It refers to the beliefs or actions of people who advocate thorough or complete political or social reform.
- **Coalition Government:** A coalition government in a parliamentary system is a form of government in which multiple political parties cooperate, reducing the dominance of any one party within that “coalition”.
- **Interest Groups:** It refers to groups that use various forms of advocacy in order to influence public opinion and ultimately policy. They play an important role in the development of political and social systems.
- **Lobbying:** This is the act of attempting to influence the actions, policies, or decisions of officials, most often legislators or members of regulatory agencies.
- **Third World:** During the Cold War, the term Third World referred to the developing countries of Asia, Africa, and Latin America, the nations not aligned with either the First World or the Second World. This usage has become popular, mostly in the western countries, due to the ending of the Cold War.

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5.8 SELF-ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. When did the party system in India begin?
2. Which are the major political parties that contributed to the development of multiparty system in India?
3. How did party formation take place during Pre-Independence period?
4. Write a short note on the period of conflict between Congress and the regional parties.
5. When was the first National Democratic Alliance (NDA) government formed in India?
6. Which are the two major parties in India?
7. What does the term ‘coalition’ signify in India’s political system?
8. What are the main objectives of pressure groups?
9. Write a short note on various categories of pressure groups.
10. What are the main differences between political parties and pressure groups when it comes to acquire power?

Long-Answer Questions

1. Discuss the evolution of the Indian party system after Independence.
2. Analyse critically how Congress formed an alternative coalition government at the Centre.

NOTES

3. Discuss how political parties emerged as the key organizations in India's democracy.
5. Examine the various problems that coalition politics in India is facing today.
6. Discuss Jean Blondel's classification of pressure groups.
7. Analyse the differences between Indian and Western pressure groups.

5.9 FURTHER READING

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