

LIBERALISM

Unit Structure :

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1.0 OBJECTIVE

- 1) To study liberalism in detail.
- 2) To understand liberalism a distinct political movement.
- 3) To explain socialism is an ideology.
- 4) To understand how socialism arose as a reaction against the social and economic conditions.
- 5) To explain anarchism.
- 6) To explain the concept of autonomy.
- 7) To throw light on totalitarianism.
- 8) To study cosmopolitanism is the ideology.
- 9) To understand how nationalism is not the same as patriotism.
- 10) To study how nationalism as ideology includes ethical principles.

1.1 INTRODUCTION

Liberalism is a political and moral philosophy based on the rights of the individual, liberty, consent of the governed, political equality and equality before the law.

Liberalism is also a political theory that places the individual and individual rights as the highest priority and relies on the concept of citizenry for the legitimacy of government power and political leadership.

1.2 LIBERALISM

Liberalism is a political philosophy or worldview founded on ideas of liberty and equality. Liberals espouse a wide array of views depending on their understanding of these principles, but generally they support ideas and programmes such as freedom of speech, freedom of the press, freedom of religion, free markets, civil rights, democratic societies, secular governments, gender equality and international cooperation.

Liberalism first became a distinct political movement during the Age of Enlightenment, when it became popular among philosophers and economists in the Western world. Liberalism rejected the prevailing social and political norms of hereditary privilege, state religion, absolute monarchy and the divine right of kings. The 17th-century philosopher John Locke is often credited with founding liberalism as a distinct philosophical tradition. Locke argued that each man has a natural right to life, liberty and property, while adding that governments must not violate these rights based on the social contract. Liberals opposed traditional conservatism and sought to replace absolutism in government with representative democracy and the rule of law.

Leaders in the Glorious Revolution of 1688, the American Revolution of 1776 and the French Revolution of 1789 used liberal philosophy to justify the armed overthrow of royal tyranny. Liberalism started to spread rapidly especially after the French Revolution. The nineteenth century saw liberal governments established in nations across Europe and South America, whereas it was well-established alongside republicanism in the United States.^[13] In Victorian Britain it was used to critique the political establishment, appealing to science and reason on behalf of the people.^[14] Before 1920, the main ideological opponent of classical liberalism was conservatism, but liberalism then faced major ideological challenges from new opponents: fascism and communism. During 19th and early 20th century liberalism in the Ottoman Empire and Middle East influenced periods of reform such as the Tanzimat and Al-Nahda, as well as the rise of secularism, constitutionalism and nationalism. These changes, along with other factors, helped to create a sense of crisis within Islam, which continues to this day. This led to Islamic revivalism.

During the 20th century, liberal ideas spread even further as liberal democracies found themselves on the winning side in both world wars. Historian Martin Conway argues: "Liberalism, liberal values and liberal institutions formed an integral part of that process of European

consolidation. Fifteen years after the end of the Second World War, the liberal and democratic identity of Western Europe had been reinforced on almost all sides by the definition of the West as a place of freedom. Set against the oppression in the Communist East, by the slow development of a greater understanding of the moral horror of Nazism, and by the engagement of intellectuals and others with the new states (and social and political systems) emerging in the non-European world to the South". As a consequence, liberal values were acquiring a wider

currency, transcending the limited contours of liberal parties and electorates, thus becoming part of how West Europeans recognize and communicated with each other.

In Europe and North America, the establishment of social liberalism (often called simply "liberalism" in the United States) became a key component in the expansion of the welfare state.^[16] Today, liberal parties continue to wield power and influence throughout the world. However, liberalism still has challenges to overcome in Africa and Asia. The fundamental elements of contemporary society have liberal roots. The early waves of liberalism popularised economic individualism while expanding constitutional government and parliamentary authority. One of the greatest liberal triumphs involved replacing the capricious nature of absolute royal rule with a decision-making process encoded in written law. Liberals sought and established a constitutional order that prized important individual freedoms, such as freedom of speech and freedom of association; an independent judiciary and public trial by jury; and the abolition of aristocratic privileges.

These sweeping changes in political authority marked the modern transition from absolutism to constitutional rule.^[17] The expansion and promotion of free markets was another major liberal achievement. However, before they could establish markets liberals had to destroy the old economic structures of the world. In that vein, liberals ended mercantilist policies, royal monopolies and various other restraints on economic activities. They also sought to abolish internal barriers to trade – eliminating guilds, local tariffs, the Commons and prohibitions on the sale of land along the way. Later waves of modern liberal thought and struggle were strongly influenced by the need to expand civil rights. Liberals have advocated gender equality and racial equality in their drive to promote civil rights and a global civil rights movement in the 20th century achieved several objectives towards both goals.

In Europe, liberalism has a long tradition dating back to the 17th century. Scholars often split those traditions into British and French versions, with the former version of liberalism emphasising the expansion of democratic values and constitutional reform and the latter rejecting authoritarian political and economic structures, as well as being involved with nation-building. The continental French version was deeply divided between moderates and progressives, with the moderates tending to elitism and the progressives supporting the universalisation of fundamental institutions, such as universal suffrage, universal education and the expansion of property rights. Over time, the moderates displaced the progressives as the

main guardians of continental European liberalism. A prominent example of these divisions is the German Free Democratic Party, which was historically divided between national liberal and social liberal factions.

Liberalism – both as a political current and an intellectual tradition – is mostly a modern phenomenon that started in the 17th century, although some liberal philosophical ideas had precursors in classical antiquity and in the Imperial China. The Roman Emperor Marcus Aurelius praised, "the idea of a polity administered with regard to equal rights and equal freedom of speech, and the idea of a kingly government which respects most of all the freedom of the

governed".¹ Scholars have also recognised a number of principles familiar to contemporary liberals in the works of several Sophists and in the Funeral Oration by Pericles. Liberal philosophy symbolises an extensive intellectual tradition that has examined and popularised some of the most important and controversial principles of the modern world. Its immense scholarly and academic output has been characterised as containing "richness and diversity", but that diversity often has meant that liberalism comes in different formulations and presents a challenge to anyone looking for a clear definition.

1.3 SOCIALISM

Socialism is an ideology that is defined by its opposition to capitalism and its attempt to provide a more humane and socially worthwhile alternative. The core of socialism is a vision of human beings as social creatures united by their common humanity; as the poet John Donne put it, 'No man is an Island entire of itself; every man is a piece of the Continent, a part of the main'. This highlights the degree to which individual identity is fashioned by social interaction and the membership of social groups and collective bodies. Socialists therefore prefer cooperation to competition, and favour collectivism over individualism. The central, and some would say defining, value of socialism is equality, socialism sometimes being portrayed as a form of egalitarianism. Socialists believe that a measure of social equality is the essential guarantee of social stability and cohesion, and that it promotes freedom in the sense that it satisfies material needs and provides the basis for personal development. The socialist movement has traditionally articulated the interests of the industrial working class, seen as systematically oppressed or structurally disadvantaged within the capitalist system. The goal of socialism is thus to reduce or abolish class divisions.

Socialism, however, contains a bewildering variety of divisions and rival traditions. Utopian socialism, or ethical socialism, advances an essentially moral critique of capitalism. In short, socialism is portrayed as morally superior to capitalism because human beings are ethical creatures, bound to one another by the ties of love, sympathy and compassion. Scientific socialism, undertakes a scientific analysis of historical and social development, which, in the form of Marxism, suggests not that socialism 'should' replace capitalism, but predicts that it inevitably 'would' replace capitalism. A second distinction is about the 'means' of achieving socialism, namely the difference between revolution and reform.

Revolutionary socialism, most clearly reflected in the communist tradition, holds that socialism can only be introduced by the revolutionary overthrow of the existing political and social system, usually based upon the belief that the existing state structures are irredeemably linked to capitalism and the interests of the ruling class. Reformist socialism (sometimes termed evolutionary, parliamentary or democratic socialism), on the other hand, believes in 'socialism through the ballot box', and thus accepts basic liberal democratic principles such as consent, constitutionalism and party competition. Finally, there are profound divisions over the 'end' of socialism, that is, the nature of the socialist project. Fundamentalist socialism aims to abolish and replace the capitalist system, viewing socialism as qualitatively different from capitalism. Fundamentalist socialists, such as Marxists and communists, generally equate socialism with common ownership of some form. Revisionist socialism aims not to abolish capitalism but to reform it, looking to reach an accommodation between the efficiency of the market and the enduring moral vision of socialism. This is most clearly expressed in social democracy.

Socialism arose as a reaction against the social and economic conditions generated in Europe by the growth of industrial capitalism. The birth of socialist ideas was closely linked to the development of a new but growing class of industrial workers, who suffered the poverty and degradation that are so often a feature of early industrialisation. For over two hundred years, socialism has constituted the principal oppositional force within capitalist societies, and has articulated the interests of oppressed and disadvantaged peoples in many parts of the world. The principal impact of socialism has been in the form of the twentieth-century communist and social-democratic movements. However, in the late twentieth century, socialism suffered a number of spectacular reverses, leading some to proclaim the 'death of socialism'. The most spectacular of these reverses was the collapse of communism in the Eastern European Revolutions of 1989-91. Partly in response to this, and partly as a result of globalisation and changing social structures, parliamentary socialist parties in many parts of the world re-examined, and sometime rejected, traditional socialist principles.

The moral strength of socialism derives not from its concern with what people are like, but with what they have the capacity to become. This has led socialists to develop utopian visions of a better society in which human beings can achieve genuine emancipation and fulfilment as members of a community. In that sense, despite its late-twentieth century setbacks, socialism is destined to survive if only because it serves as a reminder that human development can extend beyond market individualism. Critics of socialism nevertheless advance one of two lines of argument. The first is that socialism is irrevocably tainted by its association with statism. The emphasis upon collectivism leads to an endorsement of the state as the embodiment of the public interest. Both communism and social democracy are in that sense 'top-down' versions of socialism, meaning that socialism amounts to an extension of state control and a restriction of freedom. The second line of argument highlights the incoherence and

confusion inherent in modern socialist theory. In this view, socialism was only ever meaningful as a critique of, or alternative to, capitalism. The acceptance by socialists of market principles therefore demonstrates either that socialism itself is flawed or that their analysis is no longer rooted in genuinely socialist ideas and theories.

1.4 ANARCHISM

Anarchism is a political philosophy encompassing theories and attitudes which support the elimination of all compulsory government, i.e. the state. The term anarchism derives from the Greek word *anarcho*, meaning "without archons" or "without rulers", it is defined as **"the view that society can and should be organized without a coercive state."** Specific anarchists may have additional criteria for what constitutes anarchism, and they often disagree with each other on what these criteria are. "There is no single defining position that all anarchists hold, beyond their rejection of compulsory government, and those considered anarchists at best share a certain family resemblance".

There are many types and traditions of anarchism, not all of which are mutually exclusive. Anarchism is usually considered to be a radical left-wing ideology, and as such much of anarchist economics and legal philosophy reflect anti-authoritarian interpretations of communism, collectivism, or participatory economics; however, anarchism has always included an individualist strain, including those who support capitalism and other market-orientated economic structures, e.g. mutualists., anarchism is a "political tradition that has consistently grappled with the tension between the individual and society." Anarchist schools of thought differ fundamentally, supporting anything from extreme individualism to complete collectivism. Some anarchists fundamentally oppose all types of coercion, while others have supported the use of some coercive measures, including violent revolution, on the path to anarchy.

Social anarchism is one of two different broad categories of anarchism, the other category being individualist anarchism. The term social anarchism is often used to identify communitarian forms of anarchism that emphasize cooperation and mutual aid. Social anarchism includes anarcho-collectivism, anarcho-communism, Libertarian socialism, anarcho-syndicalism, social ecology and sometimes mutualism.

Social anarchism, or **socialist anarchism**, is an umbrella term used to differentiate two broad categories of anarchism, this one being the **collectivist**, with the other being **individualist** anarchism. Where individualist forms of anarchism emphasize personal autonomy and the rational nature of human beings, social anarchism sees "individual freedom as conceptually connected with social equality and emphasize community and mutual aid." Social anarchism is used to specifically describe anarchist tendencies within anarchism that have an emphasis on the communitarian and cooperative aspects of anarchist theory and practice.

Collectivist anarchism is a revolutionary form of anarchism. Collectivist anarchists oppose all private ownership of the means of production, instead advocating that ownership be collectivized. This was to be initiated by small cohesive groups through acts of violence,

Social anarchism aims for "free association of people living together and cooperating in free communities."

Anarchism is a philosophy which embodies many diverse attitudes, tendencies and schools of thought; as such, disagreement over questions of values, ideology and tactics is common. The compatibility of capitalism, nationalism and religion with anarchism is widely disputed. Similarly, anarchism enjoys a complex relationship with ideologies such as Marxism, communism and anarcho-capitalism. **Anarchists may be motivated by humanism,** divine authority, enlightened self-interest or any number of alternative ethical doctrines.

Phenomena such as civilization, technology, and the democratic process may be sharply criticized within some anarchist tendencies and simultaneously lauded in others. Anarchist attitudes towards race, gender and the environment have changed significantly since the modern origin of the philosophy in the 18th century.

On a tactical level, while propaganda of the deed was a tactic used by anarchists in the 19th century (e.g. the Nihilist movement), contemporary anarchists espouse alternative methods such as nonviolence, counter-economics and anti-state cryptography to bring about an anarchist society. The diversity in anarchism has led to widely different use of identical terms among different anarchist traditions, which has led to many definitional concerns in anarchist theory.

Robert Paul Wolff (born 1933) is a contemporary political philosopher. Wolff has written widely on many topics in political philosophy such as Marxism, tolerance, liberalism, political justification and democracy. Wolff is also well known for his work on Kant.

After the enormous renewal of interest in normative political philosophy in the Anglo-American world after the publication of John Rawls's *A Theory of Justice*, Wolff made pointed criticisms of this work from a roughly Marxist perspective.

1.5 THE CONCEPT OF AUTONOMY

The arguments of these philosophical anarchists take either an "a priori" or an "a posteriori" form. Arguments of the first kind maintain that it is impossible to provide a satisfactory account of a general obligation to obey the law. According to Robert Paul Wolff, the principal advocate of this view, there can be no general obligation to obey the law because any such obligation would violate the "primary obligation" of autonomy, which is "the refusal to be ruled. As Wolff defines it, **autonomy combines freedom with responsibility. To be autonomous, someone**

must have the capacity for choice, and therefore for freedom; but the person who has this capacity also has the responsibility to exercise it — to act autonomously. Failing to do so is to fail to fulfill this “primary obligation” of autonomy.

This primary obligation dooms any attempt to develop a theory of political obligation, Wolff argues, except in the highly unlikely case of a direct democracy in which every law has the unanimous approval of the citizenry. Under any other form of government, autonomy and authority are simply incompatible. Authority is “the right to command, and correlatively, the right to be obeyed”, which entails that anyone subject to authority has an obligation to obey those who have the right to be obeyed. **But if we acknowledge such an authority, we allow someone else to rule us, thereby violating our fundamental obligation to act autonomously.** We must therefore reject the claim that we have an obligation to obey the orders of those who purport to hold authority over us and conclude that there can be no general obligation to obey the laws of any polity that falls short of a unanimous direct democracy.

Arguments of the second, a posteriori form are more modest in their aims but no less devastating in their conclusions. In this case the aim is not to show that a satisfactory defense of political obligation is impossible but that no defense has proven satisfactory, despite the efforts of some of the best minds in the history of philosophy. All such attempts have failed, according to those who take this line, so we must conclude that only those relatively few people who have explicitly committed themselves to obey the law, perhaps by swearing allegiance as part of an oath of citizenship, have anything like a general obligation to obey the laws under which they live

In the end, of course, the best response to philosophical anarchists, especially those of the a posteriori kind, will be to produce or defend a theory of political obligation that proves to be immune to their objections. At present, though, no single theory has the support of all of those who continue to believe in political obligation, let alone the assent of philosophical anarchists. Several theories remain in contention, however, as the next section will attest.

1.6 TOTALITARIANISM

The concept of totalitarianism as a “total” political power stated and formulated in 1923 by Giovanni Amendola, First conceptually developed in the 1920's by Italian fascists, primarily Giovanni Amendola, totalitarianism has been present in a variety of movements throughout history. Giovanni Amendola described Italian Fascism as a system fundamentally different from conventional dictatorships. The term was later assigned a positive meaning in the writings of Giovanni Gentile, Italy's most prominent philosopher and leading theorist of fascism. He used the term “totalitario” to refer to the structure and goals of the new

state, which were to provide the “total representation of the nation and total guidance of national goals.

Totalitarianism is a political system where the state recognizes no limits to its authority and strives to regulate every aspect of public and private life wherever feasible. Totalitarian regimes stay in political power through an all-encompassing propaganda campaign, which is disseminated through the state-controlled mass media, a single party that is often marked by political repression, personality cultism, control over the economy, regulation and restriction of speech, mass surveillance, and widespread use of terror. A distinctive feature of totalitarian governments is an "elaborate ideology, a set of ideas that gives meaning and direction to the whole society."

According to Benito Mussolini, this system politicizes everything spiritual and human: "Everything within the state, nothing outside the state, nothing against the state." Schmitt used the term, Totalstaat, in his influential work on the legal basis of an all-powerful state, *The Concept of the Political* (1927).

Totalitarian regimes are different from authoritarian ones. The latter denotes a state in which the single power holder – an individual "dictator", a committee or a junta or an otherwise small group of political elite – monopolizes political power. "[The] authoritarian state ... is only concerned with political power and as long as that is not contested it gives society a certain degree of liberty."^[4] Authoritarianism "does not attempt to change the world and human nature."^[4] In contrast, a totalitarian regime attempts to control virtually all aspects of the social life, including the economy, education, art, science, private life, and morals of citizens. "The officially proclaimed ideology penetrates into the deepest reaches of societal structure and the totalitarian government seeks to completely control the thoughts and actions of its citizens."^[5] It also mobilizes the whole population in pursuit of its goals. Carl Joachim Friedrich writes that "a totalist ideology, a party reinforced by a secret police, and monopoly control of [...] industrial mass society" are the three features of totalitarian regimes that distinguish them from other autocracies.

Some governments and movements that Westerners have accused of being totalitarian in nature include Nazi Germany, Soviets during communism, and the Stalinist movement in particular.

The difference between totalitarianism and authoritarian regimes is important to note.

- While authoritarian commands place all of the power into a single dictator or group, that power is only political.
- Within totalitarian rules, the leadership controls nearly all aspects of the state from economical to political to social and cultural. Totalitarian regimes control science, education, art and private lives of residents to the degree of dictation proper morality. The reach of the government is limitless.

Strategies to Implement Totalitarianism

Examples of totalitarian regime strategies to gain control of the nation include:

- Having a dictatorship
- Employing only one ruling party
- Rule through fear
- Censorship of media
- Propaganda in media, government speeches and through education
- Criticism of the state is prohibited
- Mandatory military sign up
- Secret police forces
- Controlling reproduction of the population (either in hopes to increase or to decrease)
- Targeting of specific religious or political populations
- Development of a nationalist party

Totalitarianism as a society in which the ideology of the state had influence, if not power, over most of its citizens. According to Benito Mussolini, this system politicizes everything spiritual and human: "Everything within the state, nothing outside the state, nothing against the state."

Totalitarian Systems, Leaders and Countries

Examples of totalitarian leaders/regimes/countries include:

- Joseph Stalin – In the Soviet Union, after the conclusion of Civil War, Stalin took over the country and began executing any people who were not in alignment with the goals of the state.
- Benito Mussolini – Having seized power in Italy in 1922, Mussolini became the leader of the nation and immediately began to rule in a totalitarian manner.
- Adolf Hitler – Notorious for his reign in Germany, Hitler employed totalitarianism as a means to attempt to achieve an obedient nation that was his personal vision for the country.
- North Korea – North Korea has been ruled by the same family since 1948. The family has been running the country based on the concept of self-reliance. However, severe economic declines have contributed to the country's struggle to maintain totalitarianism.

Cosmopolitanism is the ideology that all human beings belong to a single community, based on a shared morality. A person who adheres to the idea of cosmopolitanism in any of its forms is called a **cosmopolitan** or **cosmopolite**. A cosmopolitan community might be based on an inclusive morality, a shared economic relationship, or a political structure that encompasses different nations. In a cosmopolitan community individuals from different places (e.g. nation- states) form relationships of mutual respect. As an example, Kwame Anthony Appiah suggests the possibility of a cosmopolitan community in which individuals from varying locations (physical, economic, etc.) enter relationships of mutual respect despite their differing beliefs (religious, political, etc.)

Various cities and locales, past or present, have or are defined as "cosmopolitan"; that does not necessarily mean that all or most of their inhabitants consciously embrace the above philosophy. Rather, locales could be defined as "cosmopolitan" simply by the fact of being where people of various ethnic, cultural and/or religious background live in proximity and interact with each other.

In his 1795 essay *Perpetual Peace: A Philosophical Sketch*, Immanuel Kant stages a *ius cosmopoliticum* (cosmopolitan law/right) as a guiding principle to protect people from war, and morally grounds this cosmopolitan right by the principle of universal hospitality. Kant there claimed that the expansion of hospitality with regard to "use of the right to the earth's surface which belongs to the human race in common" (see common heritage of humanity) would "finally bring the human race ever closer to a cosmopolitan constitution".

The philosophical concepts of Emmanuel Levinas, on ethics, and Jacques Derrida, on hospitality, provide a theoretical framework for the relationships between people in their everyday lives and apart from any form of written laws or codes. For Levinas, the foundation of ethics consists in the obligation to respond to the Other. In *Being for the Other*, he writes that there is no "universal moral law," only the sense of responsibility (goodness, mercy, charity) that the Other, in a state of vulnerability, calls forth. The proximity of the Other is an important part of Levinas's concept: the face of the Other is what compels the response.

For Derrida, the foundation of ethics is hospitality, the readiness and the inclination to welcome the Other into one's home. Ethics, he claims, is hospitality. Pure, unconditional hospitality is a desire that underscores the conditional hospitality necessary in our relationships with others. Levinas's and Derrida's theories of ethics and hospitality hold out the possibility of an acceptance of the Other as different but of equal standing. Isolation is not a feasible alternative in the world, therefore, it is important to consider how best to approach these interactions, and to determine what is at stake for ourselves and the others: what conditions of hospitality to impose, and whether or not we have responded to the call of the Other.

Further, both theories reveal the importance of considering how best to interact with the Other and others, and what is at stake.

Contemporary Cosmopolitanisms

Even this brief glance backwards reveals a wide variety of views that can be called cosmopolitan. Every cosmopolitan argues for some community among all human beings, regardless of social and political affiliation. For some, what should be shared is simply moral community, which means only that living a good human life requires serving the universal community by helping human beings as such, perhaps by promoting the realization of justice and the guarantee of human rights. Others conceptualize the universal community in terms of political institutions to be shared by all, in terms of cultural expressions that can be shared or appreciated by all, or in terms of economic markets that should be open to all.

The most common cosmopolitanism — moral cosmopolitanism — does not always call itself such. But just as ancient cosmopolitanism was fundamentally a ‘moral’ commitment to helping human beings as such, much contemporary moral philosophy insists on the duty to aid foreigners who are starving or otherwise suffering, or at least on the duty to respect and promote basic human rights and justice. One can here distinguish between strict and moderate forms of cosmopolitanism. The strict cosmopolitans in this sphere operate sometimes from utilitarian assumptions (e.g., Singer, Unger), sometimes from Kantian assumptions (e.g., O'Neill), and sometimes from more ancient assumptions (e.g., Nussbaum), but always with the claim that the duty to provide aid neither gets weighed against any extra duty to help locals or compatriots nor increases in strength when locals or compatriots are in question. Among these strict cosmopolitans some will say that it is permissible, at least in some situations, to concentrate one's charitable efforts on one's compatriots, while others deny this — their position will depend on the details of their moral theory. Other philosophers whom we may call moderate cosmopolitans (including, e.g., Scheffler) acknowledge the cosmopolitan scope of a duty to provide aid, but insist that we also have special duties to compatriots. Among the moderate cosmopolitans, many further distinctions can be drawn, depending on the reasons that are admitted for recognizing special responsibilities to compatriots and depending on how the special responsibilities are balanced with the cosmopolitan duties to human beings generally. Anti-cosmopolitanism in the moral sphere best describes the position of those communitarians (e.g., MacIntyre) who believe either that our obligations to compatriots and more local people crowd out any obligations to benefit human beings as such or that there are no obligations except where there are close, communal relationships.

Moral cosmopolitanism has sometimes led to political cosmopolitanism. Again, we can draw useful distinctions among the political cosmopolitans. Some advocate a centralized world state, some favor a federal system with a comprehensive global body of limited coercive power, some would

prefer international political institutions that are limited in scope and focus on particular concerns (e.g., war crimes, environmental preservation), and some defend a different alternative altogether. Prominent philosophical discussions of international political arrangements have recently clustered around the heirs of Kant (e.g., Habermas, Rawls, Beitz, and Pogge) and around advocates of 'cosmopolitan democracy' (e.g., Held) or 'republican cosmopolitanism' (Bohman 2001). Again, there are anti-cosmopolitans, who are skeptical of all international political institutions.

A number of theorists have objected to the focus, in much of the debate over political cosmopolitanism, on the role of states. In their view, a genuinely cosmopolitan theory should address the needs and interests of human individuals directly—as world citizens—instead of indirectly, as state citizens, that is via their membership in particular states. What is needed instead is a theory that focuses not merely on the moral duties of individuals or on the political relations among states, but on the justice of social institutions world-wide and the measures required to attain it. The 'cosmopolitan' position in the debate over global distributive justice, is especially critical of what they see as John Rawls' privileging of the interests of states over those of individuals, in his *Theory of Justice* as well as in his subsequent *Law of Peoples*. In order to establish principles of global justice, Rawls should have applied his famous thought experiment of the 'original position' at the global level of all human individuals, they charge, instead of arguing, as Rawls does, for a second original position, one that involves representatives of all 'peoples'. The debate between Rawls and his cosmopolitan critics points to the issue of the proper role and status of states: are they indispensable instruments in the pursuit of justice (ideally embodying the principle of the democratic self-determination of peoples), or are they rather inimical to it, because they entrench state interests at the expense of individuals in need?

Furthermore, there has been a good deal of debate over cultural cosmopolitanism. Especially with disputes over multiculturalism in educational curricula and with resurgent nationalisms, cultural claims and counter-claims have received much attention. The cosmopolitan position in both of these kinds of disputes rejects exclusive attachments to a particular culture. So on the one hand, the cosmopolitan encourages cultural diversity and appreciates a multicultural *mélange*, and on the other hand, the cosmopolitan rejects a strong nationalism. In staking out these claims, the cosmopolitan must be wary about very strong 'rights to culture,' respecting the rights of minority cultures while rebuffing the right to unconditional national self-determination. Hence, recent advocates of 'liberal nationalism' (e.g., Margalit and Raz, Tamir) or of the rights of minority cultures (e.g., Kymlicka) generally seem to be anti-cosmopolitan. But the cosmopolitan's wariness towards very strong rights to culture and towards national self-determination need not be grounded in a wholesale skepticism about the importance of particular cultural attachments. Cosmopolitanism can acknowledge the importance of (at least some kinds of) cultural attachments for the good human life (at least within certain limits), while denying that this implies that a person's cultural identity

should be defined by any bounded or homogeneous subset of the cultural resources available in the world (e.g., Waldron).

Economic cosmopolitanism is perhaps less often defended among philosophers and more often among economists (e.g., Hayek, Friedman) and certain politicians, especially in the richer countries of this world. It is the view that one ought to cultivate a single global economic market with free trade and minimal political involvement. It tends to be criticized rather than advanced by philosophical cosmopolitans, as many of them regard it as at least a partial cause of the problem of vast international economic inequality. These debates about the desirability of a fully globalized market have intensified in recent years, as a result of the end of the Cold War and the increasing reach of the market economy.

Political cosmopolitanism

It is often argued that it is impossible to change the current system of states and to form a world-state or a global federation of states. This claim is hard to maintain, however, in the face of the existence of the United Nations, the existence of states with more than a billion people of heterogeneous backgrounds, and the experience with the United States and the European Union. So in order to be taken seriously, the objection must instead be that it is impossible to form a good state or federation of that magnitude, i.e., that it is impossible to realize or even approximate the cosmopolitan ideal in a way that makes it worth pursuing and that does not carry prohibitive risks. Here political cosmopolitans disagree among themselves. On one end of the spectrum we find those who argue in favor of a strong world-state, on the other end we find the defenders of a loose and voluntary federation, or a different system altogether.

The defenders of the loose, voluntary and no coercive federation warn that a world-state easily becomes despotic without there being any competing power left to break the hold of despotism (Rawls). Defenders of the world-state reply that a stronger form of federation, or even merger, is the only way to truly exit the state of nature between states, or the only way to bring about international distributive justice (Nielsen, Cabrera). Other authors have argued that the focus among many political cosmopolitans on only these two alternatives overlooks a third, and that a concern for human rights should lead one to focus instead on institutional reform that disperses sovereignty vertically, rather than concentrating it in all-encompassing international institutions. On this view, peace, democracy, prosperity, and the environment would be better served by a system in which the political allegiance and loyalties of persons are widely dispersed over a number of political units of various sizes, without any one unit being dominant and thus occupying the traditional role of the state.

Of the objections brought up by non- or anti-cosmopolitans, two deserve special mention. First, some authors argue that the (partial or whole) surrender of state sovereignty required by the cosmopolitan scheme is an undue violation of the principle of the autonomy of states or the principle of democratic self-determination of their citizens. Second, so-called

'realists' argue that states are in a Hobbesian state of nature as far as the relations among them are concerned, and that it is as inappropriate as it is futile to subject states to normative constraints. To these objections cosmopolitans have various kinds of response, ranging from developing their alternative normative theory (e.g., by arguing that global democracy increases rather than diminishes the democratic control of individual world citizens) to pointing out, as has been done at least since Grotius, that states have good reasons even on Hobbesian grounds to submit to certain forms of international legal arrangements.

1.8 NATIONALISM

Nationalism is defined as "loyalty and devotion to a nation, especially a sense of national consciousness," and "exalting one nation above all others and placing primary emphasis on promotion of its culture and interests as opposed to those of other nations or supranational groups."

Nationalism centers on a country's culture, language, and often race. It may also include shared literature, sports, or the arts, but is primarily driven by cultural associations. And, it promotes the nation at the expense of others. Nationalist countries or leaders don't join international organizations or associations, and maintain a superior view of themselves to the detriment of other nations. Nationalism has a positive view of conquering other nations as it sees itself as the ultimate nation. Any ideologies that undercut or contradict the nation are opposed.

Nationalism is not the same as patriotism. While patriotism is a bit more of a vague word to describe the love and devotion to a country, its ideals and values, nationalism is more the promotion of a nation's culture, language, and supremacy above others. In this sense, nationalism is often race or ethnicity-driven, which can have dangerous implications.

Patriotism can be seen in things like the singing of the national anthem at a World Cup soccer game, the decorations on a table for the 4th of July, or the dedication service men and women show through their heroism. It is far less ideologically destructive than nationalism and doesn't necessitate the same devotions.

Nationalism is an ideology that holds that a nation is the fundamental unit for human social life, and takes precedence over any other social and political principles. Nationalism typically makes certain political claims based upon this belief.

Nationalism refers to both a political doctrine and any collective action by political and social movements on behalf of specific nations. Nationalism has had an enormous influence upon world history, since the nation-state has become the dominant form of state organization.

Nationalist movements see themselves as the representative of an existing, centuries-old nation. However, some theories of nationalism imply the reverse order - that the nationalist movements created the sense of national

identity, and then a political unit corresponding to it, or that an existing state promoted a 'national' identity for itself.

Nationalists see nations as an **inclusive categorisation** of human beings - assigning every individual to one specific nation. In fact, nationalism sees most human activity as national in

character. Nations have national symbols, a national culture, a national music and national literature; national folklore, a national mythology and - in some cases - even a national religion. Individuals share national values and a national identity, admire the national hero, eat the national dish and play the national sport.

Nationalists define individual nations on the basis of certain criteria, which distinguish one nation from another; and determine who is a member of each nation. These criteria typically include a shared language, culture, and/or shared values which are predominantly represented within a specific ethnic group.

Nationalism has a strong territorial component, with an inclusive categorisation of territory corresponding to the categorisation of individuals. For each nation, there is a territory which is uniquely associated with it, the national homeland, and together they account for most habitable land. This is reflected in the geopolitical claims of nationalism, which seeks to order the world as a series of nation-states, each based on the national homeland of its respective nation. **Territorial claims** characterise the politics of nationalist movements. Established nation-states also make an implicit territorial claim, to secure their own continued existence: sometimes it is specified in the national constitution. In the nationalist view, each nation has a moral entitlement to a sovereign state: this is usually taken as a given.

The nation-state is intended to guarantee the existence of a nation, to preserve its distinct identity, and to provide a territory where the national culture and ethos are dominant - nationalism is also a philosophy of the state. It sees a nation-state as a necessity for each nation: secessionist national movements often complain about their second-class status as a minority within another nation. This specific view of the duties of the state influenced the introduction of national education systems, often teaching a standard curriculum, national cultural policy, and national language policy. In turn, nation-states appeal to a national cultural-historical mythos to justify their existence, and to confer political legitimacy - acquiescence of the population in the authority of the government.

Nationalism as ideology includes ethical principles: that the moral duties of individuals to fellow members of the nation override those to non-members. Nationalism claims that national loyalty, in case of conflict, overrides local loyalties, and all other loyalties to family, friends, profession, religion, or class.

1.9 SUMMARY

Liberalism a political doctrine that takes protecting and enhancing the freedom of the individual to the central problem of politics.

Underlying the liberal belief in adversariality is the conviction that human beings are essentially rational animals capable of settling political disputes through dialogue and compromise.

1.10 QUESTIONS

- 1) Define Anarchism. What does Wolf mean by the concept of authority and autonomy?
- 2) State the theory of Marxism.
- 3) Explain democratic socialism of Nehru in Brief.
- 4) State the meaning of anarchism and what do you understand by the term authority.
- 5) Explain how Wolf tries to give solution to the conflict of autonomy and authority.

Short Notes.

- a) Contemporary cosmopolitanisms
- b) Nationalism
- c) Totalitarianism – A political System
- d) Autonomy
- e) Socialism and Anarchism



POSITIVE AND NEGATIVE LIBERTY ISAIAH BERLIN

Unit Structure :

- 2.0 Objective
- 2.1 Introduction
- 2.2 Positive and Negative Liberty Isaiah Berlin
- 2.3 Martin Luther King Jr. Civil Disobedience
- 2.4 Thomas Hobbes – Negative Liberty
- 2.5 Rousseau- Positive Liberty
- 2.6 Third Concept of Liberty: Republican Theory of Liberty (Liberty As Non-Domination)
- 2.7 Summary
- 2.8 Questions

2.0 OBJECTIVE

- 1) To study positive liberty.
- 2) To understand negative Liberty
- 3) To explain positive and negative liberty of Isaiah Berlin.
- 4) To understand civil disobedience
- 5) To study negative liberty of Thomas Hobbes.
- 6) To understand positive Liberty of Rousseau.
- 7) To understand third concept of Liberty.

2.1 INTRODUCTION

Positive Liberty means that freedom is the ability of society to achieve an and negative liberty means a 'realm' or 'zone' of freedom. Thus, negative liberty is the absence of obstacles, barriers or constraints. One has negative liberty to the extent that actions are available to one in this negative sense.

2.2 POSITIVE AND NEGATIVE LIBERTY ISAIAH BERLIN

Positive and Negative
Liberty Isaiah Berlin

Isaiah Berlin (1909–97) was a British philosopher, historian of ideas, political theorist, educator and essayist. His essay 'Two Concepts of Liberty' (1958) contributed to a revival of interest in political theory in the English-speaking world, and remains one of the most influential and widely discussed texts in that field. Over the years Berlin's distinction between positive and negative liberty has remained a basic starting-point for theoretical discussions about the meaning and value of political freedom.

Isaiah Berlin's 1958 lecture "Two Concepts of Liberty," which was later published in *Four Essays on Liberty* (1969) formally framed the differences between these two perspectives as the distinction between two opposite concepts of liberty: positive liberty and negative liberty. Berlin distinguished between positive and negative liberty. Positive liberty denotes rational self-determination or autonomy, while negative liberty denotes the absence of constraints imposed by others. Despite its simplicity, however, Berlin's conceptualization was controversial and required further clarification. In 1969 he reformulated the concept by introducing two questions.

Negative freedom can be determined by answering the question: "How much am I governed?" By contrast, the positive concept can be determined by the answer to the question: "By whom am I governed?" Thus Berlin offered a revised definition of negative liberty: "not simply the absence of frustration (which may be obtained by killing desires), but the absence of obstacles to possible choices and activities." Berlin's negative freedom concerns "opportunity for action rather than action itself," which was labeled later by Charles Taylor as an "opportunity-concept."

Positive liberty asserts that freedom is the ability of society to achieve an end. In the negative sense, one is considered free to the extent to which no person interferes with his or her activity. This is in consonance with John Stuart Mill's idea of differentiating between liberty as the freedom to act and liberty as the absence of coercion. The absence of coercion designates a negative condition in which an individual is protected from tyranny and the arbitrary exercise of authority, while freedom refers to having the means or opportunity, rather than the lack of restraint, to do things.

Negative liberty defines a realm or "zone" of freedom (in the "silence of law"). In Berlin's words, "liberty in the negative sense involves an answer to the question 'What is the area within which the subject -- a person or group of persons -- is or should be left to do or be what he is able to do or be, without interference by other persons.'" Some philosophers have disagreed on the extent of this realm while accepting the main point that liberty defines that realm in which one may act unobstructed by others. Second, the restriction (on the freedom to act) implicit in negative liberty is imposed by a person or persons and not due to causes such as nature,

lack, or incapacity. As Berlin showed, negative and positive liberty are not merely two distinct kinds of liberty; they can be seen as rival, incompatible interpretations of a single political ideal. Since few people claim to be against liberty, the way this term is interpreted and defined can have important political implications. Political liberalism tends to presuppose a negative definition of liberty: liberals generally claim that if one favors individual liberty one should place strong limitations on the activities of the state. Positive liberty, for Berlin, is an active principle. It is the possibility of freely acting out one's ends, or self-realization, and "derives from the wish on the part of the individual to be his own master." Negative liberty, on the other hand, is the absence of constraints to one's will.

Berlin's negative conception is essentially a freedom from interference, but according to Philip Pettit there is a third conception of liberty which is that of liberty as non-domination, where "freedom as non-domination is defined by reference to how far and how well the bearer is protected against arbitrary interference

2.3 MARTIN LUTHER KING JR. CIVIL DISOBEDIENCE

Martin Luther King was an American clergyman, activist and prominent leader in Afro-American civil rights movement. His mission was to secure progress on civil rights in the United States of America. He was the first president of Southern Christian Leadership Conference. Inspired by Gandhi's success with non-violent activism, King visited in India in 1959. The trip to India affected King in a profound way, deepening his understanding of Civil Disobedience and his commitment to America's struggle for civil rights.

In a radio address Martin Luther King said, "The method of nonviolent resistance is the most potent weapon available to oppressed people in their struggle for justice and human dignity. In a real sense, Mahatma Gandhi embodied in his life certain universal principles that are inherent in the moral structure of the universe, and these principles are as inescapable as the law of gravitation. Bayard Rustin counseled King to dedicate himself to the principles of non-violence. On December 1, 1955, Rosa Parks was arrested for refusing to give up her seat. The Montgomery Bus Boycott urged and planned by Nixon and led by King, soon followed. The boycott lasted for 385 days and the situation became so tense that King's house was bombed.

King was arrested during this campaign, which ended racial segregation on all Montgomery public buses.

His "Letter from Birmingham Jail", written in 1963, is a "passionate" statement of his crusade for justice. This letter gives a detailed account of King's views about Civil Disobedience. In this letter, King argues that it is unfortunate that the demonstrations for Civil Rights are going on in

Birmingham. He further says, "It is even more unfortunate that the city's white power structure left the Negro community with no alternative." King maintains that the non-violent movement of Civil Disobedience has Four basic steps----

1. Collection of the facts to determine whether injustice really exists.
2. The negotiations must be carried out with the opposite party. The authorities must be made aware of the condemnation of unjust laws. The efforts must be done to amend or change the laws in a peaceful manner.
3. Self- purification is a necessary condition in the struggle for justice. It involves selflessness. The concept of Self-purification is connected with the law of Suffering. The protesters should be ready to accept the pains or punishments imposed on them.
4. Direct Action is the last stage when the negotiations fail. Without selfish or personal interests, the protestors actively refuse to obey the unjust law. The protest is shown in marches, demonstrations, picketing and even by boycott.

The principle of Non-violence is the fundamental principle of the protest. Martin Luther King explains how a law can be unjust. A law is unjust when it is inflicted upon a minority without

allowing the minority to enact or devise the law. The law that is imposed by some people in power with an intention to exploit and to deprive of the privileges of some other people is unjust law. The law that authenticates discrimination is unjust law. For example, the right to vote was denied to black people.

He further adds that sometimes a law is just on its face and it is unjust in its application. King was arrested on the charge of parading without a permit. When the law maintains segregation in its citizens, it becomes unjust in its application. The unjust laws must be broken. But it should be done openly, lovingly and with a willingness to accept the penalty. King maintains that an individual who breaks the law which is unjust law as per his conscience and who willingly accepts the penalty of imprisonment; is in reality expressing the highest respect for law. This is Civil Disobedience.

However, Civil Disobedience is not a new technique. King argues that this technique is ancient. It was used by Socrates, by the early Christians against Roman Empire. In America itself, the Boston Tea Party was a massive act of Civil Disobedience. Martin Luther King had an intensive influence of Mahatma Gandhi.

The success of Civil Disobedience in the form of Indian Independence was an open secret. Martin Luther King had a hope that the clouds of racial prejudice will soon pass away. The deep fog of misunderstanding will be lifted from our fear-drenched communities and the radiant stars of love and brotherhood will shine over America. Mahatma Gandhi's

nonviolent techniques were useful to King's campaign to correct the civil rights laws implemented in Alabama. King applied non-violent philosophy to the protests organized by him. King's organized, nonviolent protest against the system of southern segregation had extensive media coverage.

The Civil Rights Movement was the most important issue in American politics in the early 1960s. King organized and led marches for blacks' right to vote, desegregation, labor rights and other basic civil rights. The struggle for black equality and voting rights was noticed by the American citizens. The publicity of the daily deprivation and indignities suffered by southern blacks, and of segregationist violence and harassment of civil rights workers and marchers, produced a wave of sympathetic public opinion. Most of the demanded rights were successfully enacted into the law of the United States.

The Albany Movement mobilized thousands of citizens for a broad-front nonviolent attack on every aspect of segregation within the city and attracted nationwide attention. The Birmingham campaign was a strategic effort to promote civil rights for African Americans. During the protests, the Birmingham Police Department used high-pressure water jets and police dogs to control protesters, including children. At the end of the protest, public places became more open to blacks. The Washington March made specific demands: an end to racial segregation in public school; meaningful civil rights legislation, including a law prohibiting racial discrimination in employment; protection of civil rights workers from police brutality; the minimum wage of two dollars for all workers.

King's "I Have a Dream" speech was so influential that it is regarded as one of the finest speeches in the history of American oratory. King began to speak of the need for fundamental changes in the political and economic life of the nation. He frequently expressed his opposition to the Vietnam War and his desire to see a redistribution of resources to correct racial and economic injustice. On October 14, 1964, King became the youngest recipient of the Nobel Peace Prize, which was awarded to him for leading non-violent resistance to racial prejudice in

the United States. King's main legacy was to secure progress on civil rights in the United States, which has enabled more Americans to reach their potential. He is frequently referenced as a human rights icon. On the international scene, King's legacy included influences on the Black Consciousness Movement and Civil Rights Movement in South Africa.

Martin Luther King (Jr) followed the footsteps of Mahatma Gandhi in his mission of life to secure Civil Rights of Black people. He wanted justice and dignified life for all the people. King followed the footsteps of Mahatma Gandhi at the time of his death too. Like Mahatma Gandhi, he was the soldier of Non-violent movement. Like Mahatma Gandhi, King too, was shot dead on 4th April 1968 in Memphis. The assassination led to a nationwide wave of riots in more than 100 cities. The same thing happened in India after the assassination of Mahatma Gandhi.

2.4 THOMAS HOBBS – NEGATIVE LIBERTY

Positive and Negative
Liberty Isaiah Berlin

Thomas Hobbes (5 April 1588 – 4 December 1679) was an English philosopher, considered to be one of the founders of modern political philosophy.

Hobbes is best known for his 1651 book *Leviathan*, in which he expounds an influential formulation of social contract theory

Leviathan, Hobbes's most important work and one of the most influential philosophical texts produced during the seventeenth century, was written partly as a response to the fear Hobbes experienced during the political turmoil of the English Civil Wars.

In the 1640s, it was clear to Hobbes that Parliament was going to turn against King Charles I, so he fled to France for eleven years, terrified that, as a Royalist, he would be persecuted for his support of the king.

Hobbes composed *Leviathan* while in France, brilliantly articulating the philosophy of political and natural science that he had been developing since the 1630s.

Hobbes's masterwork was finally published in 1651, two years after Parliament ordered the beheading of Charles I and took over administration of the English nation in the name of the Commonwealth.

Negative liberty is freedom from interference by other people. Negative liberty is primarily concerned with freedom from external restraint and contrasts with positive liberty (the possession of the power and resources to fulfil one's own potential).

According to Thomas Hobbes, "a free man is he that in those things which by his strength and wit he is able to do is not hindered to do what he hath the will to do" (*Leviathan*, Part 2, Ch. XXI). *Leviathan* portrays the commonwealth as a gigantic human form built out of the bodies of its citizens, the sovereign as its head.

Hobbes calls this figure the "*Leviathan*," a word derived from the Hebrew for "sea monster" and the name of a monstrous sea creature appearing in the Bible; the image constitutes the definitive metaphor for Hobbes's perfect government.

His text attempts to prove the necessity of the *Leviathan* for preserving peace and preventing civil war.

"How is men's desire for liberty to be reconciled with the assumed need for authority?"

Leviathan rigorously argues that civil peace and social unity are best achieved by the establishment of a commonwealth through social contract.

Hobbes's ideal commonwealth is ruled by a sovereign power responsible for protecting the security of the commonwealth and granted absolute

authority to ensure the common defense. The work concerns the structure of society and legitimate government,

Written during the English Civil War (1642–1651), it argues for a social contract and rule by an absolute sovereign.

Hobbes wrote that civil war and the brute situation of a state of nature (“the war of all against all”) could be avoided only by strong, undivided government.

Hobbes begins his treatise on politics with an account of human nature.

He presents an image of man as matter in motion, attempting to show through example how everything about humanity can be explained materialistically.

Hobbes describes human psychology without any reference to the summum bonum, or greatest good, as previous thought had done.

Not only is the concept of a summum bonum superfluous, but given the variability of human desires, there could be no such thing.

Consequently, any political community that sought to provide the greatest good to its members would find itself driven by competing conceptions of that good with no way to decide among them. The result would be civil war.

However, Hobbes states that there is a summum malum, or greatest evil. This is the fear of violent death. A political community can be oriented around this fear.

Since there is no summum bonum, the natural state of man is not to be found in a political community that pursues the greatest good.

But to be outside of a political community is to be in an anarchic condition. (STATE OF SOCIETY WITHOUT AUTHORITIES)

Given human nature, the variability of human desires, and need for scarce resources to fulfill those desires, the state of nature, as Hobbes calls this anarchic condition, must be a war of all against all.

Even when two men are not fighting, there is no guarantee that the other will not try to kill him for his property or just out of an aggrieved sense of honour, and so they must constantly be on guard against one another.

Hobbes is explicit that in the state of nature nothing can be considered just or unjust, and every man must be considered to have a right to all things. The second law of nature is that one ought to be willing to renounce one's right to all things where others are willing to do the same, to quit the state of nature, and to erect a commonwealth with the authority to command them in all things.

Hobbes and Locke give two influential and representative solutions to this question.

As a starting point, both agree that a line must be drawn and a space sharply delineated where each individual can act unhindered according to their tastes, desires, and inclinations.

Positive and Negative
Liberty Isaiah Berlin

This zone defines the space of personal liberty.

But, they believe no society is possible without some authority, where the intended purpose of authority is to prevent collisions among the different ends and, thereby, to demarcate the boundaries where each person's zone of liberty begins and ends.

Hobbes, who took a rather negative view of human nature, argued that a strong authority was needed to curb men's intrinsically wild, savage, and corrupt impulses.

Only a powerful authority can keep at bay the permanent and always looming threat of anarchy.

Thomas Hobbes' Leviathan outlines a commonwealth based upon a monarchy to whom citizens have ceded their rights. The basic reasoning for Hobbes' assertion that this system was most ideal relates more to Hobbes' value of order and simplicity in government.

The monarchy provides for its subjects, and its subjects go about their day-to-day lives without interaction with the government:

The purpose of a commonwealth as given at the start of Part II:

The commonwealth is instituted when all agree in the following manner:

1. Because a successive covenant cannot override a prior one, the subjects cannot (lawfully) change the form of government.
2. Because the covenant forming the commonwealth results from subject giving to the sovereign the right to act for them, the sovereign cannot possibly breach the covenant; and therefore the subjects can never argue to be freed from the covenant because of the actions of the sovereign.
3. The sovereign exists because the majority has consented to his rule; the minority have agreed to abide by this arrangement and must then assent to the sovereign's actions.
4. Every subject is author of the acts of the sovereign: hence the sovereign cannot injure any of his subjects and cannot be accused of injustice.
5. Following this, the sovereign cannot justly be put to death by the subjects.
6. The sovereign may judge what opinions and doctrines are averse, who shall be allowed to speak to multitudes, and who shall examine the doctrines of all books before they are published.

7. To prescribe the rules of civil law and property.
8. To be judge in all cases.
9. To make war and peace as he sees fit and to command the army.
10. To choose counsellors, ministers, magistrates and officers.
11. To reward with riches and honour or to punish
12. To establish laws about honour and a scale of worth.

2.5 ROUSSEAU- POSITIVE LIBERTY

Positive liberty is the possession of the capacity to act upon one's free will, It include freedom from internal constraints. The concepts of structure and agency are central to the concept of positive liberty. In order to be free, a person should be free from inhibitions of the social structure in carrying out their free will.

The first man who, having fenced in a piece of land, said 'This is mine', and found people naïve enough to believe him, that man was the true founder of civil society. From how many crimes, wars, and murders, from how many horrors and misfortunes might not any one have saved mankind, by pulling up the stakes, or filling up the ditch, and crying to his fellows: Beware of listening to this impostor; you are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody.

— Rousseau 1754

Rousseau criticized Thomas Hobbes for asserting that since man in the "state of nature... has no idea of goodness he must be naturally wicked; that he is vicious because he does not know virtue".

On the contrary, Rousseau holds that "uncorrupted morals" prevail in the "state of nature" "...[N]othing is so gentle as man in his primitive state, when placed by nature at an equal distance from the stupidity of brutes and the fatal enlightenment of civil man"

This has led some critics to attribute to Rousseau the invention of the idea of the noble savage

Rousseau's ideas of human development were highly interconnected with forms of mediation, or the processes that individual humans use to interact with themselves and others while using an alternate perspective or thought process. In Rousseau's philosophy, society's negative influence on men centers on its transformation of amour de soi, a positive self-love, into amour-propre, or pride. Amour de soi represents the instinctive human desire for self-preservation, combined with the human power of reason.

Individual freedom is achieved through participation in the process whereby one's community exercises collective control over its own affairs

in accordance with the "general will- the will of the people as a whole. The phrase "general will," as Rousseau used it, occurs in Article Six of the Declaration of the Rights of Man and of the Citizen (French: Déclaration des droits de l'Homme et du citoyen), composed in 1789 during the French Revolution:

The law is the expression of the general will. All citizens have the right to contribute personally, or through their representative, to its formation. It must be the same for all, whether it protects or punishes. All citizens, being equal in its eyes, are equally admissible to all public dignities, positions, and employments, according to their capacities, and without any other distinction than that of their virtues and their talents. Rousseau believed that liberty was the power of individual citizens to act in the government to bring about changes; this is essentially the power for **self-governance and democracy**. Rousseau himself said, "the mere impulse to appetite is slavery, while obedience to law we prescribe ourselves is liberty."

2.6 THIRD CONCEPT OF LIBERTY: REPUBLICAN THEORY OF LIBERTY (LIBERTY AS NON-DOMINATION)

"A Third Concept of Liberty" is Quentin Skinner's Isaiah Berlin Lecture (Published 2002, Proceedings of the British Academy 117, pp. 237-68)

Skinner accepts Berlin's distinction: there are, indeed, at least two concepts of freedom, one positive and one negative. Skinner will try to add a third: a conception of negative freedom as non-domination.

Hobbes was, Skinner notes, responding to a particular set of historical circumstances: early Seventeenth century critics of the 'royal prerogative'.

These critics employed a powerful alternative conception of freedom, according to which one is unfree – indeed, in a state of servitude insofar as one is dependent on the will of another.

On this view, freedom is not only restricted by actual interference, but by the mere knowledge that one is dependent on another. Berlin, Skinner notes, did consider whether there was a 'third concept of liberty'. Berlin thought the answer was no: for there to be unfreedom, there must be actual interference.

The republican critics Skinner discusses rejected this very idea. They thought that the mere fact of living under domination leads one to make different kinds of choices that constrain one's freedom. Of course, these are 'self-constraints', in a sense, for they are indeed choices. But the same is true, Skinner thinks, in cases of coercion. The republican critics noted certain 'psychological impacts' associated with two kinds of responses: subjects of domination tend to have to the fact of their being dominated.

First, such subjects refrain from doing certain things — not only expressing their disagreement with their lord, but also exercising their talents and virtues, for fear that this will inspire jealousy or be perceived as

a threat. Second, such subjects are compelled to do certain things — to agree with the king, and to flatter him.

- **A Third Concept**

republican idea really expresses a third concept of freedom. freedom as non-interference holds that one is autonomous if one is not coerced or threatened, freedom as non-domination adds the further condition that one must not be subject to the will of another.

The difference between democracy and republic is that in a democracy, the people meet and exercise the **government**

Imagine a group of slaves with a generally well-meaning master. While the latter has an institutionally-protected right to treat his slaves more or less as he pleases (he might start whipping them just for the heck of it, say), let us suppose that this master in particular leaves his slaves for the most part alone. Now to the extent that he does not in fact interfere with his slaves on a day-to-day basis, we are committed to saying—on the non-interference view of liberty—that they enjoy some measure of freedom.

We are committed to saying that the slaves of our well-meaning master enjoy greater freedom than the slaves of an abusive master down the road. Of course, the former slaves are better off in some respect than the latter, but do we really want to say that they are more free?

It defines freedom as a sort of structural independence—as the condition of not being subject to the arbitrary or uncontrolled power of a master. Freedom in the republican sense consists in the secure enjoyment of non-domination

In sum, according to the third concept of liberty, One can enjoy non-interference without enjoying non-domination; conversely, according to Pettit, one can enjoy non-domination while nevertheless being interfered with, just as long as the interference in question is constrained, through republican power structures, to track one's interests. Only arbitrary power can obstruct freedom, not power as such.

2.7 SUMMARY

Positive liberty is the possession of the power and resources to act in the context of the structural limitations of the broader society which impacts a person's ability to act, as apposed to negative liberty, which is freedom from aexternal restraint on one's actions.

2.8 QUESTIONS

- 1) What are the two concepts of liberty put forth by Issiah Berlin ?
- 2) What are Dworkin's views on Liberty ?
- 3) What are the three main parts of what Mills calls "the appropriate region of human liberty"?

- 4) Why is liberty considered as value ? Discuss.
- 5) Negative liberty in the light of Thomas Hobbes : Explain.
- 6) Discuss : Martin Luther King's Civil disobedience.

Positive and Negative
Liberty Isaiah Berlin

Short Notes

- a) Possitive liberty – Rousseau
- b) Republican theory of liberty
- c) Civil Disobedience
- d) Negative Liberty



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EQUALITY

Unit Structure :

- 3.0 Objective
- 3.1 Introduction
- 3.2 Equality
- 3.3 Summary
- 3.4 Questions

3.0 OBJECTIVE

- 1) To understand the modern concept of equality.
- 2) To know individual freedom and human rights.
- 3) To understand what exactly equality is.
- 4) To understand different types of equality.
- 5) To think about sarvodaya.
- 6) To consider the principles of Sarvodaya.
- 7) To discuss the benefits of Sarvodaya.
- 8) To study the drawbacks of Sarvodaya.

3.1 INTRODUCTION

Human being is a social animal he/ she can not live alone. Therefore this or more than two human beings come together and there is a formation of different types of relationships among human beings. This relationship itself called as society. If these relationships are healthy then we can call healthy society. For this purpose there is a need of equality. But when there is formation of society, due to human nature, there are different types of discrimination with the help of equality, there is a need to destroy all these discriminations.

After establishment of equality, then there is a possibility of integrated development of all human beings, in society. This is called "Sarvodaya".

3.2 EQUALITY

The modern concept of equality was introduced in the 17th century. It evolved after scientific research. The concept of 'equality' was first delivered by the British philosopher John Locke. The first human condition

is a natural state in which all human beings were independent and all had equal rights. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of circumscription. The only limit to individual freedom was natural law. Natural freedom means we must protect our lives and the lives of our brothers and sisters, and no one should try to take away the freedom and power of others, Locke says. A government appointed by the people is right. Thomas Jefferson was a follower of John Locke. John Locke's principle of equality was openly advocated by Thomas Jefferson in the American Declaration of Independence of 1776. The protection of human rights was the main objective.

The French Declaration of the Rights of the individual freedom and Civil Rights was published in 1789, and the principle of equality gained prominence. The French Revolution was inspired by human rights. In the 19th century, after the 1870s, the 15th Amendment to the Constitution gave bondman the right to vote. Further complete freedom to slaves, as well as to women Equality was provided by the 23rd and 24th Amendments in the 20th century. Therefore, the distinction between rich and poor, black and white or male and female did not remain in accordance with the law.

The Universal Declaration of Human Rights was issued by the United Nations in 1948 after World War 2nd. This also gave impetus to the value of equality. Criticism of apartheid began in South Africa through the United Nations. Steps were taken firmly against inequality. So the global referendum was affected. The importance of equality is enshrined in the human rights enshrined in the Constitution of India and the government is committed to protecting the fundamental rights of the individual.

All should be given equal opportunity without any discrimination on the basis of religion, sect, caste or wealth. This is called social equality. Also political equality is the main principle of representative democracy. All citizens should have equal opportunity to get political rights, citizens should be able to protect their rights, equal opportunities for all citizens across the state is the main sign of political equality.

No one should have the opportunity to live without work and the one who works should get a fair return for his performance, these two important things are related to economic equality. Because equality is justice. In a society where there is inequality, there can be no justice.

Aristotle, the famous philosopher, says that inequality leads to revolution. Too much poverty or too much wealth leads to moral degradation. In government. The desire to have equal opportunities and equal rights with others is behind the revolution. The feeling that the class that is considered inferior to others is getting stronger and stronger, is leading to political upheaval. If the surgery of inequality continues in the society for a long time, it becomes detrimental to the society. Inequality

in the social sphere is man-made. So man must try to eliminate it, this principle is important in the context of equality. The essence of 20th century history is the discovery of the principle of equality. For this, people fought, died and by gaining this principle, they strengthened democracy. Equality was the main motivation behind the social movement during this period. She conquered the continent of Europe and also inspired the communist movement in European countries. Although the principle of equality has been formally accepted without any discrimination between men and women, it does not seem to have given full equality in practice.

Equality is not a lack of diversity. Society needs a variety of qualities, attitudes and inventions. That's where the progress comes from. In the same way, equality is not a lifeless mold. Mold closure strangles independent thinking and the goal of equality fails. It is impractical and impossible to apply the principle of equality in the economic field on the basis of any reality and emotionally, without taking into account the intelligence and intellectual capacity, efficiency, etc. of the individual. The right of all such persons to be paid according to their ability and efficiency cannot be denied.

Equality:-

In political thought, the French Revolution of 1789 proclaimed the principles of freedom, equality and fraternity. The Declaration of the French Revolution clearly states that every person is born free and has the right to freedom and equality. The US Constitution makes it clear that all people are equal. The principle of equality is enshrined in the Indian Constitution.

What is equality?

Equality means everyday equal treatment. But without considering such a narrow meaning, equality is to create equality in various fields like politics, economic, social etc. from a broad point of view. Equality is an abstract concept so it is impossible to establish complete equality. Whether equality should be created or established, Human beings accepted a goal to establish or create complete equality it is political ideal & social value.

Definition: -

Equality means eliminating man-made inequality. Equality means eliminating inequality in various fields such as political, social, economic and treating everyone equally, giving everyone equal opportunity for development.

Pvt. According to Lasky, "equality is basically a levelling process. This means that as long as individuals continue to enjoy privileges in society, equality will not be established. Hence the privileges that are given to individuals in the society on the basis of birth, caste, ethnicity, language and wealth. Equality must be established by eliminating inequalities in various areas, political, economic and social. "

"Equality means the absence of privileges and equal opportunities for all."

Equality

Types of equality:

1) Numerical Equality & Proportional Equality: -

Aristotle considered two types of equality, numerical and proportional equality. When we treat all individuals together or treat them as equals without separating them from each other, it is a way of treating others and from that the distribution of equality is numerically equal. Equality in the treatment that is given to each person needs to be given to that person. So there is a fair and equal distribution of equality. Numerical similarity is an important aspect of quantitative similarity. The characteristic of numerical similarity is that it exists only in special circumstances. When all the persons present will be the same in this particular case, the numerical similarity will be the same is proportional. Proportional similarity further specifies formal similarity. It is a more accurate and comprehensive formula of formal equality and is indicative of sufficient equality.

To have proportional similarity is to distribute two or more objects between two or more persons in equal proportions. In a particular case when individuals are unequal and in such cases when there is unequal distribution of elements, the distribution of elements is just. Unequal claims for distribution must be considered proportionately. This is a prerequisite for a person considered equally. This principle can also be incorporated into hierarchical inequality theory. The same output with the same input is demanded. Classical perfectionists and meritorious people all believe that individuals should be judged according to their different needs. It should be in the form of rewards and punishments, advantages and disadvantages. Both Plato and Aristotle are of the opinion that the inequality and value of natural rights can lead to great inequality.

Aristotle's idea of proportional equality has a fundamental insight. This idea provides a framework for rational individualism between the egalitarian and non-egalitarian notions of justice. Its focus is on the question of adequate equality. Both sides accept justice as proportional equality. Aristotle explains that individualism includes features that determine whether two persons are equal or unequal.

At the level of pure conceptual explanation, the two concepts of justice and equality are connected by formal and quantitative principles. Justice cannot be explained by these principles of equality. Formal and proportional equality is a conceptual scheme. That's where the facts need to be implemented.

I.e. its unit must be determined. The hypothesis persists until it is clear by what characteristics two or more persons or cases should be considered equal. All disputes over the concept of justice can be understood as disputes over who is

responsible for what, which cases are equal and which are unequal. Only when one knows or is told what kind of equality is being given can the process of giving equality be considered true? It is necessary to identify the basic principles of the concept of equality. Each theory of equality suggests different aspects of equality. To understand that aspect, egalitarians must consider the specific concept of equality. For that, they should identify the basic principles of equality and discuss it.

2) Ethical equality:

Human were unequal in nature till 8th century. But the idea of a natural human right undermined it. A sequence of natural rights was assumed, in which all human beings were considered equal. When an action helps each person determine his or her worthiness, there is a sense of equality. Everyone have equal respect. it is a widely articulated concept of objective universal moral equality.

In Christianity, the idea that all human beings are equal before God was first proposed. But this principle was not followed in later times. This idea was also taken up in Islam. It was based on both Greek and Hebrew elements. In modern times beginning in the sixteenth century, there was a strong notion of natural equality in the tradition of natural law and social contract theory. Hobbes(1651) stated that individuals have equal rights in their natural state. This is because they have the same ability to harm each other over time.

John Locke states that all human beings have the same natural right to both ownership and liberty. Rousseau declared that social inequality is the result of an element of natural equality. According to Rousseau, the inequality of outcome and the rules of violence can only be overcome by binding individual personalities to equal civic existence and popular sovereignty. Kant's moral principle recognizes equal freedom for all animals. Enlightenment ideas led to

the great modern social movement and revolution. It was taken up in the modern constitution and in the Declaration of Human Rights.

Natural differences between humans, they should be considered equal to each other, a principle often referred to as human equality or basic equality or equal value or human dignity. To create a powerful principle of this term Come together. Moral equality can be understood as an often unimaginable principle of providing equal treatment to individuals.

The principle of moral equality is very abstract and if we want to reach clear moral standards, it must be solidified. Yet no concept of justice equality can be deduced from the notion of moral equality. On the contrary, we find competing philosophical concepts of equal treatment that mean moral equality. They must be evaluated according to their commitment to the deep ideals of moral equality.

Ronald Dworkins View on the Equality of Resources: -

Ronald Dworkin was born in Worcester, Massachusetts. He completed his undergraduate education from Harvard Law School. He was Professor Juris Prudence at Oxford University. He made significant contributions to the philosophy of law and political philosophy. Ronald Dworkin's political philosophy is consistent with his legal ideas. 'Unless political power treats citizens equally, they have no rights. They should give equal status to everyone,' he said. Dworkin advocates a freedom in which the right to equality is the highest political principle.

According to Dworkin, there seems to be a conflict between the right to equality and the right to freedom. But that is not the case. Equality is the basis of civil and political freedom. As is the right to equality. It is doubtful whether there is a right to freedom. Everyone has the right to equality. Everyone has the right to equality, regardless of caste, creed or ethnicity, rich or poor,

educated or uneducated. Everyone is expected to be treated equally. The right to equality and the right to freedom are compromised. Everyone is expected to receive equal treatment, and this is their right.

Dworkin makes a difference in resource equality. According to him, resources are of two types. 1. External resources and 2. Internal resources. External resources are social and economic. They are outside the personality of the person, while the internal resources are within the personality of the person. Natural talent or physical fitness as well as mental toughness are internal resources. Internal resources are useful for balancing one's personality and thinking process in adverse situations, while external resources are useful for leading one's life in an emergency situation. In any of these adverse situations, the individual tries to maintain a balance at the social and mental level by using the right amount of internal and external resources.

Sarvodaya:-

Mahatma Gandhi was an idealistic thinker and politician. Along with idealism, Gandhiji was also a pragmatist. Gandhiji had traveled all over India on the occasion of India's freedom struggle. He was of the view that development of all should be achieved in our country, which is at the lowest level of society, its development should be given priority. With this in mind, he gave India independence on 15th August 1947.

The philosophies of John Ruskin, Thoreau and Tolstoy have a special influence on the thoughts of Mahatma Gandhi. Gandhi says that Ruskin's book 'Unto This Last' gave us a new vision. Ruskin has built his ideology on the idea that the fruits of development should reach the last element of society. He was of the opinion that the progress made in human society should reach the last man in the society.

Definition of Sarvodaya:

The word Sarvodaya is a collective word of all and Uday. It means Uplift or Development of All. Sarvodaya means welfare of all, service to all. One

of the meanings of this is the socialist co-operative society meant by Gandhi.

According to Gandhi, the rise of all in the society should be at the same time and the benefit of social progress should be given to all at once.

Principles of Sarvodaya:

The idealistic social structure in Gandhiji's dream is Sarvodaya.

The principles of Sarvodaya can be stated as follows.

1. Ideal society for the welfare of all: -

Sarvodaya philosophy is a society that thinks of the welfare or interest of all in the society. According to the economic attainment of the society, it is classified as poor class, middle class and rich or affluent class. The utilitarian ideology thinks of the happiness of the officers. But the Sarvodaya ideology does not think of the welfare of a particular class, but of the welfare of all.

2. Society without state:-

According to Mahatma Gandhi, a stateless society should be established. Even if the state is welfare state, penalties have to be used to achieve the objectives of the welfare state. According to Gandhiji, the state is a tool for personal development. Sarvodaya will be a non-violent neo-society. Everyone in this society will voluntarily obey the law. So the state will not be needed in the Sarvodaya society.

3. Decentralization and Constitution Ramrajya

Mahatma Gandhiji awarded the Panchayat State. In ancient times there were small village kingdoms. In the same way, in modern times, there is a village kingdom. Gandhiji uses the words Gramrajya and Ramrajya synonymously. Of wealth and power in the state

Centralization will not be in the hands of specific characters or specific individuals. In the consumer state, our economic and social problems must be solved at the local level. People in rural areas should exercise political power. In order for true democracy to be established, the people should rule at the district, state and central levels. Each village will be a small state.

4. Emphasis on End means parity:

Special importance is given to the suggestion of simple tools in governance. The money required for good governance in the rural areas should not be made available in a bad way, both the means and the means should be valid.

5. Bhudana Property Donation (Bhudana):

In our country, there is a contradictory picture of large land grants and geometry. On the one hand there is more land, so there is waste, while on the other hand there is no land of one's own for subsistence. So, through Sarvodaya philosophy, Sarvodaya activists like Vinoba Bhave got lands

and donated them to the landless by changing the minds of the land donation class and keeping as much land as you need and donating the surplus land.

A) Merits of Sarvodaya:

Sarvodaya is an idealistic ideology. The advantages of this system are as follows.

- I) Non-violent society Violence has no place in the Sarvodaya system.
- II) State is not required. Since state power originates from penal power, there is no need for a state system called Sarvodaya. In Sarvodaya, people will be autonomous. There is self-government, there is no need for external control.
- III) Decentralization of rights Sarvodaya will have decentralization of community administration. So there is no question of influencing anyone.

B) Demerit of Sarvodaya:

Sarvodaya is a way of life. The ascetic greats like Mahatma Gandhi, Jayaprakash Narayan, Vinoba Bhave had expressed optimism that India too could have a society based on idealism so that the faults of foreign powers that ruled India for a long time would not penetrate into Indian society. He also supported them. This ideology is certainly acceptable as a philosophy of humanism. Nevertheless, critics of Sarvodaya have pointed out the following flaws in this ideology.

1. Though the Sarvodaya ideology is based on the supreme values of truth, non-violence, justice, it cannot be put into practice. The nature of all men the above principles are not useful for one's own welfare due to being selfish by nature, then who will accept them?
2. In order to live according to the Sarvodaya ideology, a high level of spiritual and moral progress of the society and the individual is required. Since both these things are lacking in the society, the creation of Sarvodaya Samaj is a daydream.
3. The Sarvodaya ideology opposes politics based on partisanship in society. In democratic countries, partisan politics is the need of the hour. We can control politics and democracy based on party system.

3.3 SUMMARY

Equality is when people have the same opportunities, social status and rights. The core principle of equality is that people should not be treated differently on the basis of any identity with which they identify of which is ascribed to them, including their race, gender, identity, class, language, religion, age, national origin, birth status, disability and so forth.

Sarvodaya means, progress of all or 'Universal uplift'. Mahatma Gandhi started this sarvodaya movement and people consider it an addition to his efforts in his non-violence movement. The main objective of this event was to establish a new India based on non-violence and love.

3.4 QUESTIONS

- 1) What is equality? Explain the types of equality.
- 2) Illustrate the Dworkin's view on equality of resources.
- 3) Define sarvodaya. Discuss the principles of Sarvodaya.
- 4) Discuss the merits and demerits of Sarvodaya.

Short Notes.

- a) Equality
- b) Ethical equality
- c) Sarvodaya
- d) Proportional equality



JUSTICE

Unit Structure :

- 4.0 Objective
- 4.1 Introduction
- 4.2 Plato : Justice as Preservation
- 4.3 John Rawls
- 4.4 Robert Nozick and Theory of Justice
- 4.5 Self-Ownership, Individual Rights, And The Minimal State
- 4.6 Critique Of Distributive Justice And Entitlement Theory Of Justice
- 4.7 Dr. Ambedkar Theory Of Justice
- 4.8 Summary
- 4.9 Questions

4.0 OBJECTIVE

After studying the unit you will be able.

- To understand the concept of justice.
- To know justice as fairness, as advocated by John Rawls.
- To be familiar with notion of social Justice as propounded by Dr. B. R. Ambedkar.
- To know justice as quality of soul as advocated by Plato.
- To know the Theory justice according to Robert Nozick.
- To Entitlement theory of justice.
- To aware of self ownership Individual rights as well the minimal state.

4.1 INTRODUCTION

Justice is the philosophical particularly ethical idea that people are to be treated impartially, fairly, properly and reasonably. Justice is important to almost everyone. It is obviously opposite of arbitrariness.

Justice has been subject to philosophical, legal and theological reflection and debate throughout history. A number of important questions

surrounding justice have been fiercely debated over the course of Western history.

Plato used the Greek word "Dikaisyne" for justice which comes near to 'morality'. For Gandhi, Action alone is just." He wrote "Which does not harm either party to a dispute." Aristotle's discussions of the virtue of justice has been the starting point for almost all western accounts. In its broadest sense, Justice is the concept that individuals are to be treated in a manner that is equitable and fair. Justice has been a moral value irrespective to time and space that is region. So it is considered. As universal moral value.

4.2 PLATO : JUSTICE AS PRESERVATION

Plato in his philosophy gives very important place to the idea of justice. He used the Greek word "Dikaisyne" for justice which comes very near to the word 'morality' or 'righteousness', it properly includes within it the whole duty of man. It also covers the whole field of the individual's conduct in so far as it affects others. Plato contended that justice is the quality of soul, in virtue of which men set aside the irrational desire to taste every pleasure and to get a selfish satisfaction out of every object and accommodated themselves to the discharge of a single function for the general benefit.

Plato was highly dissatisfied with the prevailing degenerating conditions in Athens. The Athenian democracy was on the verge of ruin and was ultimately responsible for Socrates' death. Plato saw in justice the only remedy of saving Athens from decay and ruin, for nothing agitated him in contemporary affairs more than amateurishness and political selfishness which was rampant in Athens of his day in particular and in the entire Greek world in general. In addition, Sophistic teaching of the ethics of self-satisfaction resulted in the excessive individualism also induced the citizens to capture the office of the State for their own selfish purpose and eventually divided Athens into two hostile camps of rich and poor, oppressor and oppressed. "Evidently, these two factors amateur and excessive individualism became main targets of Plato's attack. The attack came in the form of the construction of an ideal society in which "Justice" reigned supreme, since Plato found in justice the remedy for curing these evils. Thus, we are to inquire in this study the nature of justice as propounded by Plato as a fundamental principle of well-order society.

Plato's views can conveniently be grouped under three headings – The class system, Property and the family and the Philosopher ruler.

The class system - In The Republic (415a), Plato explains the origin of the three classes with the help of the myth. The myth first states that the guardians are reared and formed from the earth and thus they all respect and cherish their native land. Secondly, the myth talks of the fact that when God was molding the human beings he put gold in the rulers, silver in the auxiliaries and bronze in the farmer and craftsmen. Their different capacities are innate and they are intimately attached. The rulers exercise

supreme authority in the state to rule. The guardians and the auxiliaries discharge military and executive duties under the orders of the Rulers. Everything that the ruler does is good for the community and the last class has to merely fulfill the physical needs of the community. They have to refrain from participating in the workings of the State.

Plato believed that any society to some extent is bound to show some economic groupings, a need for a professional army and all societies will have someone to give the order and someone to execute the order. The real reason for bringing about this change is to promote the aristocracy of talent.

The three class distinction corresponds to the tripartite division of the soul. (428b-434d). The rational part of the soul filled with knowledge and wisdom is the Ruler Class. The other part is the one who does good, without the real knowledge of what is good and this would be the auxiliary class. Lastly, the last class is the one that is involved in doing nothing else but satisfying the physical needs. Plato at length discusses that the State that he will form will have the four cardinal virtues – wisdom, courage, discipline and justice. The State possesses wisdom because of the knowledge possessed by the Rulers, courage because of the group of auxiliaries and of self discipline because of the harmony of all three classes. Justice will be the principle followed throughout, in each group doing their own function; what they are most suited to do.

Property and the family – after establishing the three-tier system of the society, the life of the guardians and auxiliaries will have to be drawn out.

After establishing this 3 tier structure of the society the life of the guardians and auxiliaries is drawn out. The rulers lead a life of simplicity without private property or family life etc. the happiness of both would lie in the service to the community for it is the happiness of the community as a whole which is the main objective. The auxiliaries must be armed when guided by the rulers. They must be like sheep, dogs, gentle and forbearing to their flock but fierce towards enemies. This will be ensured by their education which would give them rigorous physical and mental training. No private property beyond bare essentials of free access between houses, basic rationing and common messes would be provided. They were not allowed to possess any kind of wealth and they must in no way harm the State.

The guardian should be trained for defense and internal security. They must all the times be ready to place the city's interest before their own. For this purpose from early childhood they

would be tested for resistance to violence and persuasion and beguilement of pleasures and fears. Those who succeed would be given authority and honour. They would be called guardian in full sense and their function would be to defend the state against enemies. After abolishing all family life (449b- 466d) for the rulers and auxiliaries he had been asked in greater detail to elaborate on the community of wives and children. He said that the status of women in the community would be the same as men except

for the fact that men would be able to discharge their duties better. If men and women were to lead the same lives, the family must be abolished. But the sex instincts would have to be satisfied and new citizens would have to be born. Thus Plato substituted eugenic kind of breeding instead of the family system analogous to that of breeding animals.

There would be mating festivals where appropriate couple would mate and their children would be taken care of in State nurseries. All this will get rid of the distracting loyalties, affection and interests of the family system. This would ensure unconditional service to the State.

The Philosopher Ruler (474c-479e) – The ruler would be a philosopher who would love wisdom in the widest sense, including specially learning, knowledge and truth. Here he brings in his theory of Forms to explain the knowledge that the ruler possesses, different from the knowledge of the sensible. The philosopher would possess this knowledge while others possess the knowledge of the beliefs and opinions. The philosopher mind is that which apprehends all Goodness and he alone can rule the state. He alone had the pattern of good in his soul and thus he alone could make the State approximate to the Realities. He alone can detach himself from particulars and rule the community in an infallible fashion. The other communities were expected to submit themselves to the rulers and follow his heed and commands and advice without and questioning because the philosopher ruler having knowledge of Forms, would know the best.

Justice is thus a sort of specialization. It is simply the will to fulfill the duties of one's station and not to meddle with the duties of another station, and its habitation is, therefore, in the mind of every citizen who does his duties in his appointed place. It is the original principle, laid down at the foundation of the State, "that one man should practice one thing only and that the thing to which his nature was best adopted". True justice to Plato, therefore, consists in the principle of non-interference. The State has been considered by Plato as a perfect whole in which each individual which is its element, functions not for itself but for the health of the whole. Every element fulfils its appropriate function. Justice in the platonic state would, therefore, be like that harmony of relationship where the Planets are held together in the orderly movement. Plato was convinced that a society which is so organized is fit for survival. Where man are out of their natural places, there the co-ordination of parts is destroyed, the society disintegrates and dissolves. Justice, therefore, is the citizen sense of duties.

Justice is, for Plato, at once a part of human virtue and the bond, which joins man together in society. It is the identical quality that makes good and social. Justice is an order and duty of the parts of the soul, it is to the soul as health is to the body. Plato says that justice is not mere strength, but it is a harmonious strength. Justice is not the right of the stronger but the effective harmony of the whole. All moral conceptions revolve about the good of the whole-individual as well as social.

Neo-Liberalist John Rawls's in the chapter III and chapter VII of his book „Theory of Justice“, attempts to bring back the theories of liberalism which had suffered contempt at the hands of the logical positivists and answers the central questions on rights through a complex theory of primary goods and an argument from the original position.

He rejects the idea that the notion of good is goal dependent, he argues that it is possible to define a set of primary goods which are wanted by any person whatever their notion of good maybe. In a pluralistic society it will be possible to come to a consensus on a certain notion of good and this is the thin goods while a particular plan needing particular goods will differ and thus they would be classified thick theory of goods. These thick goods differ but not the necessary goods such as rights, liberties, opportunities, power, income, wealth, self-worth etc needed for executing the plan. Now once this is done what is required merely is a principle of distribution of these goods. To answer this issue he draws a contractual conception of the original position and the veil of ignorance. In this an individual would conceive of ones on self as a potential constructor of a mythical just future society and all this while that individual would be ignorant of all social and economical positions within the society. From this original position Rawls believes that the response of the rational person would be to secure only 2 basic principles of justice.

- a) Schedule and protection of basic rights i.e. liberty of conscience and movement, freedom of religion etc.
- b) Equality of opportunity.

The former can be secured only when the institution of a state is neutral with regard to any theory of thick goods that its citizens may be pursuing. 3 things are essential for the functioning of a value neutral state.

- 1) Reasonableness among individuals coming from different backgrounds.
- 2) Overlapping consensus to bridge the gap between cultures and to allow a diverse field governing lawmaking etc.
- 3) Autonomy of the citizens of the states in public sphere by invoking the idea of public reason. The latter that is equality of opportunity can be assured with the enforcement of the maxim „no distribution of resources which in such a state can occur unless it benefits the least well off.“

This version of a liberal democrat state does attempt the problem mentioned earlier in the sense that no longer does there exist a savage state of nature which suddenly matures into a contractual state. Here there is only a hypothetical original position and the state does not play a mere negative role of restraint, rather it makes a positive impact in terms of being redistributively just and thus ensuring rights and opportunities. The individual does not literally submit to the contract rather this is a liberal

state which hopes to incorporate the life plans of many cultures under one roof.

But does this satisfactorily bridge the gap between the original position of ignorance to that of a state of philanthropy and concern for social well being. Illusioned by the veil of ignorance how will the rational individual see the good of others – will the ignorance never misguide them in judging the good of others?

Rawls Theory of Good vs. Right

A person's good is that which is needed for the successful execution of a rational long-term plan of life (thick or primary goods) given reasonably favorable circumstances.

- Liberty
- Opportunity
- Income
- Wealth
- Self-respect

"The good is the satisfaction of rational desire." (Theory of Justice Section 15)

Each person has his or her own plan of life - what is good may vary. Right is set down in the social contract, the same for everyone, influenced by the "veil of ignorance." Rawls specializes the concept of something's being right as it being fair.

Principles of Justice

First Principle: Liberty

Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.

Second Principle: Wealth

Social and economic inequalities are to be arranged so that they are both:

- (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and
- (b) attached to offices and positions open to all under conditions of fair equality of opportunity.

Representative persons: prototypical members of any identifiable group (e.g., women, high school students, citizens of Haiti, etc.).

Efficiency: any re-arrangement in which every representative person gains is more efficient.

Difference principle: in order for any change to be accepted as an improvement, it must help the least advantaged representative person.

Priority Rules

Rawls explicitly addresses the fact that there will be situations where these two primary principles will be in conflict with each other. Rather than compromise between them in such cases, he takes the position that there is a specific priority.

The Priority of Justice over Efficiency and Welfare

The second principle of justice is lexically prior to the efficiency and to that of maximizing the sum of advantages; and fair opportunity is prior to the difference principle. There are two cases:

- (a) an inequality of opportunity must enhance the opportunities of those with the lesser opportunity;
- (b) an excessive rate of saving must on balance mitigate the burden of those bearing this hardship.

The Difference Principle :

"The difference principle is a strongly egalitarian conception in the sense that unless there is a distribution that makes both persons better off (limiting ourselves to the two-person case for simplicity), an **equal distribution** is to be preferred

In other words, there should be **no differences** except those that can be justified on grounds of efficiency.

The Veil of Ignorance

Rawls supposes that a (virtual) committee of rational but not envious persons will exhibit mutual disinterest in a situation of moderate scarcity as they consider the concept of right:

1. general in form
2. universal in application
3. publicly recognized
4. final authority
5. prioritizes conflicting claims

Rawls claims that rational people will unanimously adopt his principles of justice if their reasoning is based on general considerations, without knowing anything about their own personal situation. Such personal knowledge might tempt them to select principles of justice that gave them unfair advantage - rigging the rules of the game. This procedure of reasoning without personal biases Rawls refers to as "The Veil of Ignorance."

In his famous theory of justice, the philosopher John Rawls asks us to imagine a social contract drawn up by self-interested agents negotiating under a veil of ignorance, unaware of the talents or status they will inherit at birth--ghosts ignorant of the machines they will haunt. He argues that a just society is one that these disembodied souls would agree to be born into, knowing that they might be dealt a lousy social or genetic hand. If you agree that this is a reasonable conception of justice, and that the agents would insist on a broad social safety net and redistributive taxation (short of eliminating incentives that make everyone better off), then you can justify compensatory social policies **even if you think differences in social status are 100 percent genetic**. The policies would be,

quite literally, a matter of justice, not a consequence of the indistinguishability of individuals.

Natural Duties and Obligations

- Support just institutions
- Mutual respect
- Mutual aid
- Do no harm
- Do your fair share
- Be faithful (keep your promises)

Possible Problems

- Stability
- Envy
- Priority of liberty depends on "progress."
- Self-respect vs. material goods
- Is justice a zero-sum game?

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Robert Nozick in fact sees more problems with Rawls's theory. In the chapter on „The Minimal State and the Ultraminimal State“, which occurs in his book „Anarchy, State and Utopia“ his chief complaint against Rawls is that his type of government is politically unjustified. Like the classical liberals Rawls too is making his state coercive. His principle of distribution and redistribution do not lay down any justifications as to why any individual must submit to it.

Nozick would probably believe that Rawls theory is not an improvement over the oppressive contract theories as they both face the consequence of making the individual submissive in the pretext of protecting their rights.

Nozick's „Entitlement Theory“ (107) is based on the idea that only free market exchanges respect people as equal. Even if a free market did not for instance, produce the most overall well being in Nozick's view this is permissible. He calls it a historical theory of justice which is opposed to the end state theory of justice. His theory takes a look at the historical facts about how some pattern of distribution was arrived at to determine whether the society arranged in that pattern is just or not. According to Nozick the only question of distribution that matters is whether the holder of the goods acquired those goods by legitimate means. If the answer is yes, then the distribution is just; and of course if this is all that is to justice then Fair opportunity and difference principle does not matter. Nozick thinks that liberty has got to involve the right to retain any good acquired through legitimate means. Nozick, thus as mentioned earlier is advocating an unrestricted free market capitalism.

Nozick puts forward the self ownership argument which is based on the Kantian principle of people being ends in themselves. Human beings have the ability to direct their own behavior by rational decision and choice and thus they can be used only in the way that respects this capacity of theirs i.e. people cannot be used without their consent. Since people own themselves they also own their own talents, capacities and the products which is a result of abilities. A patterned distribution like Rawls allows people to own the products of others talents and thus his principle must be disregarded.

Nozick's theory seems to rest on 3 principles –

- 1) Holdings freely acquired from others who had initially acquired them in a just way legitimate and uphold the principle of liberty.
- 2) Acquisition principle which states that patrons are entitled to holdings initially acquired in a just way. Nozick re-interprets the Lockean proviso to mean that if initial acquisition does not make anyone worse off who was using the resource before, then it is justly acquired. Hence, A can even entirely appropriate available unowned resources as long as A offers B, who was using the resource before, access to it, to the extent that B is not made worse off by A's appropriation. B can

become a sharecropper for instance, or just a laborer, for A, earning a wage that keeps him at least as well off as he was before A's appropriation. But since the resource is now A's, the terms of their agreement is completely within A's hands.

- 3) Rectification principle – if either of the two principles is violated it can be rectified by a one time distribution according to the difference principles.

Now would this kind of liberalism really protect liberty? Leaving distribution only to free market is very likely to result in vast inequalities between rich and poor. Since economic means partly determine how many opportunities are available to person, and since what opportunities somehow determine what they are at liberty to do, economic means determines how much liberty someone has.

4.5 SELF-OWNERSHIP, INDIVIDUAL RIGHTS, AND THE MINIMAL STATE

Nozick takes his position to follow from a basic moral principle associated with Immanuel Kant and enshrined in Kant's second formulation of his famous Categorical Imperative: "Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only." The idea here is that a human being, as a rational agent endowed with self-awareness, free will, and the possibility of formulating a plan of life, has an inherent dignity and cannot properly be treated as a mere thing, or used against his will as an instrument or resource in the way an inanimate object might be.

In line with this, Nozick also describes individual human beings as self-owners (though it isn't clear whether he regards this as a restatement of Kant's principle, a consequence of it, or an entirely independent idea). The thesis of self-ownership, a notion that goes back in political philosophy at least to John Locke, is just the claim that individuals own themselves - their bodies, talents and abilities, labor, and by extension the fruits or products of their exercise of their talents, abilities and labor. They have all the prerogatives with respect to themselves that a slaveholder claims with respect to his slaves. But the thesis of self-ownership would in fact rule out slavery as illegitimate, since each individual, as a self-owner, cannot properly be owned by anyone else. (Indeed, many libertarians would argue that unless one accepts the thesis of self-ownership, one has no way of explaining why slavery is evil. After all, it cannot be merely because slaveholders often treat their slaves badly, since a kind-hearted slaveholder would still be a slaveholder, and thus morally blameworthy, for that. The reason slavery is immoral must be because it involves a kind of stealing - the stealing of a person from himself.)

But if individuals are inviolable ends-in-themselves (as Kant describes them) and self-owners, it follows, Nozick says, that they have certain rights, in particular (and here again following Locke) rights to their lives, liberty, and the fruits of their labor. To own something, after all, just is to

have a right to it, or, more accurately, to possess the bundle of rights - rights to possess something, to dispose of it, to determine what may be done with it, etc. - that constitute ownership; and thus to own oneself is to have such rights to the various elements that make up one's self. These rights function, Nozick says, as side-constraints on the actions of others; they set limits on how others may, morally speaking, treat a person. So, for example, since you own yourself, and thus have a right to yourself, others are constrained morally not to kill or maim you (since this would involve destroying or damaging your property), or to kidnap you or forcibly remove one of your bodily organs for transplantation in someone else (since this would involve

stealing your property). They are also constrained not to force you against your will to work for another's purposes, even if those purposes are good ones. For if you own yourself, it follows that you have a right to determine whether and how you will use your self-owned body and its powers, e.g. either to work or to refrain from working.

So far this all might seem fairly uncontroversial. But what follows from it, in Nozick's view, is the surprising and radical conclusion that taxation, of the redistributive sort in which modern states engage in order to fund the various programs of the bureaucratic welfare state, is morally illegitimate. It amounts to a kind of forced labor, for the state so structures the tax system that any time you labor at all, a certain amount of your labor time - the amount that produces the wealth taken away from you forcibly via taxation - is time you involuntarily work, in effect, for the state. Indeed, such taxation amounts to partial slavery, for in giving every citizen an entitlement to certain benefits (welfare, social security, or whatever), the state in effect gives them an entitlement, a right, to a part of the proceeds of your labor, which produces the taxes that fund the benefits; every citizen, that is, becomes in such a system a partial owner of you (since they have a partial property right in part of you, i.e. in your labor). But this is flatly inconsistent with the principle of self-ownership.

The various programs of the modern liberal welfare state are thus immoral, not only because they are inefficient and incompetently administered, but because they make slaves of the citizens of such a state. Indeed, the only sort of state that can be morally justified is what Nozick calls a minimal state or "night-watchman" state, a government which protects individuals, via police and military forces, from force, fraud, and theft, and administers courts of law, but does nothing else. In particular, such a state cannot regulate what citizens eat, drink, or smoke (since this would interfere with their right to use their self-owned bodies as they see fit), cannot control what they publish or read (since this would interfere with their right to use the property they've acquired with their self-owned labor - e.g. printing presses and paper - as they wish), cannot administer mandatory social insurance schemes or public education (since this would interfere with citizens' rights to use the fruits of their labor as they desire, in that some citizens might decide that they would rather put their money into private education and private retirement plans), and cannot regulate economic life in general via minimum wage and rent control laws and the

like (since such actions are not only economically suspect - tending to produce bad unintended consequences like unemployment and housing shortages - but violate citizens' rights to charge whatever they want to for the use of their own property).

The state, it is held (by, for instance, Rawls and his followers), simply must engage in redistributive taxation in order to ensure that a fair distribution of wealth and income obtains in the society it governs. Nozick's answer to this objection constitutes his "entitlement theory" of justice.

4.6 CRITIQUE OF DISTRIBUTIVE JUSTICE AND ENTITLEMENT THEORY OF JUSTICE

Talk about "distributive justice" is inherently misleading, Nozick argues, in that it seems to imply that there is some central authority who "distributes" to individuals shares of wealth and income that pre-exist the distribution, as if they had appeared like "manna from heaven." Of course this is not really the way such shares come into existence, or come to be "distributed," at

all; in fact they come to be, and come to be held by the individuals who hold them, only through the scattered efforts and transactions of these innumerable individuals themselves, and these individuals' efforts and transactions give them a moral claim over these shares. Talk about the "distribution of wealth" covers this up, and unjustifiably biases most discussions of distributive justice in a socialist or egalitarian liberal direction.

A more adequate theory of justice would in Nozick's view enumerate three principles of justice in holdings. The first would be a principle of justice in acquisition, that is, the appropriation of natural resources that no one has ever owned before. The best-known such principle, some version of which Nozick seems to endorse, is the one enshrined in Locke's theory of property, according to which a person (being a self-owner) owns his labor, and by "mixing his labor" with a previously unowned part of the natural world (e.g. by whittling a stick found in a forest into a spear) thereby comes to own it. The second principle would be a principle of justice in transfer, governing the manner in which one might justly come to own something previously owned by another. Here Nozick endorses the principle that a transfer of holdings is just if and only if it is voluntary, a principle that would seem to follow from respect for a person's right to use the fruits of the exercise of his self-owned talents, abilities, and labor as he sees fit. The final principle would be a principle of justice in rectification, governing the proper means of setting right past injustices in acquisition and transfer.

Anyone who got what he has in a manner consistent with these three principles would, Nozick says, accordingly be entitled to it - for, his having abided by these principles, no one has any grounds for complaint against him. This gives us Nozick's entitlement theory of distributive

justice: a distribution of wealth obtaining in a society as a whole is a just distribution if everyone in that society is entitled to what he has, i.e. has gotten his holdings in accordance with the principles of acquisition, transfer, and rectification. And it is therefore just however equal or unequal it happens to be, and indeed however "fair" or "unfair" it might seem intuitively to be.

Standard theories of distributive justice, Nozick says, are either ahistorical "end-state" or "end- result" theories, requiring that the distribution of wealth in a society have a certain structure, e.g. an egalitarian structure (regardless of how the distribution came about or how people got what they have); or they are historical theories requiring that the distribution fit a certain pattern reflecting such historical circumstances as who worked the hardest or who deserves the most.

The entitlement theory of justice is historical yet unpatterned: The justice of a distribution is indeed determined by certain historical circumstances (contrary to end-state theories), but it has nothing to do with fitting any pattern guaranteeing that those who worked the hardest or are most deserving have the most shares. What matters is only that people get what they have in a manner consistent with the three principles of justice in holdings, and this is fully compatible with some people having much more than others, unlucky hard workers having less than lazier but luckier ones, morally repulsive individuals having higher incomes than saints, and so forth.

Nozick illustrates and defends the entitlement theory in a famous thought-experiment involving the basketball player Wilt Chamberlain. Imagine a society in which the distribution of wealth fits a particular structure or pattern favored by a non-entitlement conception of justice - suppose, to keep things simple, that it is an equal distribution, and call it D1. Nozick's opponent must of course grant that this distribution is just, since Nozick has allowed the opponent himself to determine it. Now suppose that among the members of this society is Wilt Chamberlain, and that

he has as a condition of his contract with his team that he will play only if each person coming to see the game puts twenty-five cents into a special box at the gate of the sports arena, the contents of which will go to him. Suppose further that over the course of the season, one million fans decide to pay the twenty-five cents to watch him play. The result will be a new distribution, D2, in which Chamberlain now has \$250,000, much more than anyone else - a distribution which thereby breaks the original pattern established in D1. Now, is D2 just? Is Chamberlain entitled to his money? The answer to these questions, Nozick says, is clearly "Yes." For everyone in D1 was, by hypothesis, entitled to what he had; there is no injustice in the starting point that led up to D2. Moreover, everyone who gave up twenty-five cents in the transition from D1 to D2 did so voluntarily, and thus has no grounds for complaint; and those who did not want to pay to see Chamberlain play still have their twenty-five cents, so they have no grounds for complaint either. But then no one has any grounds for a complaint of injustice; and thus there is no injustice.

What this shows, in Nozick's view, is that all non-entitlement theories of justice are false. For all such theories claim that it is a necessary condition for a distribution's being just that it have a certain structure or fit a certain pattern; but the Wilt Chamberlain example (which can be reformulated so that D1 is, instead of an egalitarian distribution, a distribution according to hard work, desert, or whatever) shows that a distribution (such as D2) can be just even if it doesn't have a particular structure or pattern.

Moreover, the example shows that "liberty upsets patterns," that allowing individuals freely to use their holdings as they choose will inevitably destroy any distribution advocated by non-entitlement theories, whether they be socialist, egalitarian liberal, or some other theory of distribution. And the corollary of this is that patterns destroy liberty, that attempts to enforce a particular distributional pattern or structure over time will necessarily involve intolerable levels of coercion, forbidding individuals from using the fruits of their talents, abilities, and labor as they see fit. As Nozick puts it, "the socialist society would have to forbid capitalist acts between consenting adults." This is not merely a regrettable side-effect of the quest to attain a just distribution of wealth; it is a positive injustice, for it violates the principle of self-ownership.

Distributive justice, properly understood, thus does not require a redistribution of wealth; indeed, it forbids such a redistribution. Accordingly, the minimal state, far from being inconsistent with the demands of distributive justice, is in fact the only sure means of securing those demands.

4.7 DR. AMBEDKAR THEORY OF JUSTICE

Select Works of Dr. Ambedkar

- 1) The untouchables; who were they? and Why they became Untouchables
- 2) Who were the Shudras and why they came to be fourth in the Indo – Aryan society?
- 3) Mr. Gandhi and the Emancipation of the Untouchables
- 4) The Buddha and his Dhamma (the last work of Dr. Ambedkar)

QUOTATIONS

Following are the statements made by Ambedkar which reveal his fearless spirit and provocative ideas that led to the mobilization of the 'Untouchables'.

"... There is no place for an individual in Hindu society. The Hindu religion is constituted of a class concept. Hindu religion does not teach how an individual should behave with another

individual. A religion that does not teach this is not personally acceptable to me..."

-- Speech at Mahad Satyagraha

“ ... I tell you very specifically; Religion is for man and not man for Religion. To get human treatment convert yourself. Convert for getting organized. Convert for becoming strong Convert for securing equality. Convert for getting liberty. Convert so that your domestic life may be happy.”

-- Concluding lines of the speech at Mahad Satyagraha

“...I prefer Buddhism because it gives three principles in combination which no other religion does. Buddhism teaches Prajna (understanding as against superstition and supernaturalism), Karuna (love) and Samanta (equality). This is what man wants for a good and happy life.”

-- Buddha and his Dhamma

“My heart breaks to see the pitiable sight of your faces and to hear your sad voices. You have been groaning from times immemorial and yet you are not ashamed to hug your helplessness as

an inevitability... why do you worsen the and sadden the picture of the sorrows, poverty, slavery, and the burdens of your life with the deplorable, despicable and detestable miserable life? As a matter of fact it is your birthright to get food, shelter and clothing in this land in equal proportion with every individual high or low. If you believe in leading a respectable life you believe in self

– help which is the best help...”

-- Speech at Mahad Satyagraha

“Unfortunately I was born a Hindu. It was beyond my power to prevent that, but I solemnly assure you that I will not die a Hindu”

-- Speech at Mahad Satyagraha

THEORY OF JUSTICE - DR. B. R. AMBEDKAR

OUTLINE	References
1) Background and influences	1) Dr.B.R. Ambedkar –A Crusader of social justice Sanjay Prakash Sharma Vol 1 Chap 1 Vol 2 Chap 7,8
2) a. Impact of Buddhism on Ambedkar b. Ambedkar’s Neo – Buddhism	2) Article from Manushi
3) a. Ambedkar’s justice ideology b. Activism of Ambedkar	

1) Background and influences :

Dr. Ambedkar was born in Mhow in M.P. near Indore on 14th April 1891. Born in the community of the untouchables and thus had almost no identity by the way of religion. In childhood except for some kindness that he received from his Brahmin teacher, his childhood was generally filled with experiences of humiliation from his classmates, peons librarians etc. once when in school he rushed to drink water, the peon asked him to squat on the ground and cup his hands so that he could pour water, he was not allowed to drink water from the common cooler, his sister would cut his hair because the village barber would not be willing to do so, he was stoned because he had water from the common village well and later in life had to study in public gardens and not in library!

All these experiences led him to ask the question „Why? did the Dalits had to suffer so much and once he traced the historical, social and religious reasons he sets on the mission to undo the unjust practices.

Inspite of all odds he completes his Matriculation (was the 1st to do so in his community) and came to Bombay to do his graduation. There too he was not allowed to do Sanskrit and had to settle into doing Persian. In fact all this was possible only because his father was in the British army. The British did not recognize any of these caste barriers and were ready to give education and employment to anyone deserving. It is only because of this that his father could afford all the education that Ambedkar got. This had a deep impact on him because he later in his socio political ideology never looked upon the British as an enemy, in fact in their policies he sees the scope of liberation of the untouchables and the unequals.

With the help of his friend, king of Baroda and the British tolerance he manages to go to the University of Columbia and it is there that he gets his Masters and the Doctorate degree. Even then after returning to India he is not able to avail of a suitable job because of his caste and this too had a deep impact on him. He does not lose hope and manages to go to the London school of Economics for his further Degree. When he comes back he notices how all his education would be a waste as nothing would be recognized because of his caste.

He realizes that though his country was moving towards freedom from slavery it was still backward as he had left it because of the rigid caste system.

Influences –

As a child Ambedkar read the Ramayana and the Mahabharata and was greatly influenced by the characters of Karna and Eklavya. From the former he learned the capacity to prove oneself in spite of all adversities. Karna was rejected by his true mother and brothers and yet with the help of Duryodhana he proves to be an equally competent warrior.

From Eklavya he learnt the passion of learning and knowledge against all odds. Eklavya was not taught by the Guru because he belonged to the

lower community, but he observed and was able to learn with precision what the Guru taught. When his right thumb was cut he was not

demoralized, instead he continued to practice with left hand. This undying spirit is what inspired Ambedkar

Apart from this the autocratic caste system of Hinduism too contributed to him turning to Buddhism. He believed that any kind of equality was not possible within the Indian set up. Caste system had killed the Indian system of charity, sympathy. Public opinion had become impossible and that the caste system meant a deep crippling of the healthy society. Caste system in fact served as a powerful weapon to curb all kind of reforms and he believed it was that which brought about separatist tendencies and emotions of jealousy and empathy.

He thus turns to Buddhism. It is only in Buddhism that he sees scope for all kinds of liberation. It is the only religion in his opinion which sees a combination of Prajna (understanding against superstition and supernaturalism), Karuna (love) and Samanta (equality).

2) a. Impact of Buddhism on Ambedkar

Ambedkar wrote Buddha and his Dhamma and in a way re-interpreted the ideals of Buddhism. The 4 areas that he explores in his introduction to the book are the understandings of the Buddhist doctrines that he finds a little problematic.

- Buddha could not have been so naïve so as to have only a first encounter with the old man, sick man and dead man and then be so deeply affected that he renounces the world. He must have the knowledge of things so common to mankind.
- The 4 noble truths make Buddhism a gospel of pessimism. If life is so full of suffering what is the incentive for change?
- The doctrine of no soul is not compatible with the notion of rebirth and law of karma mentioned in the classical liberal texts.
- What is the role of the monks in the Buddhist tradition? Is he suppose to be the Ultimate man seeking liberation or is he suppose to be a social reformer?

What appealed to him about Buddhism is that it struck a middle path between the religious orthodoxy on one hand and severe self torture on the other hand. It was one religion that proposed universal brotherhood and would abolish caste system. also it aimed to educate the people that the 4 noble truths were enough to attain „liberation“, one need not need aids like temple, priests, rituals etc.

b. Ambedkar's Neo – Buddhism :

Ambedkar consciously reconstructs the chosen religion to meet the needs of the Dalit community he spoke for.

- The 1st major reinterpretation that he talks about is the reason for Buddha to seek renunciation. The various encounters were not the reason behind him renouncing the world. Infact it was an escape from the socio political issues that he was unable to solve. A fued over water dispute between two communities is what he wanted to settle and failed in the attempt. This is what made him renounce the world, he did so not in search of some ultimate truth but because he saw the unsolvable nature of disputes. This interpretation is what the Dalits could easily relate to. The crisis that Buddha faced was very much like the dilemma faced by the politicians of his times and the problem of a certain community being privileged over the otherover use of water is what they experienced and thus close to their heart.
- The 2nd is his interpretation of the 4 noble truths. They are – there is pain in the world, there is cause (desire) for this pain, there is cessation of pain and there is a way to get out of this suffering. Ambedkar believed that not everything can be traced to desire as the root cause of all suffering. Also suffering cannot be the first truth, it is too pessimistic to believe that. Desire cannot be the sole cause as there are other factors like poverty, social inequality, political crisis etc which too are a cause of suffering, in fact the root cause of suffering. This is what has been ignored in Buddhism. The only way out or cessation of it can come about by elimination of all inequalities. The aim of the eight fold path is to attain Nirvana which is to be understood as a provocative knowledge of how to remove this suffering and make mankind happy.
- As far as the views on karma, soul and rebirth are concerned, Ambedkar held the following views. He accepted the no soul doctrine of Buddhism but believed that there is the lawof karma and the notion of rebirth. What he means by karma is the actions of this world. No action is ever carried forward to the next birth as there exists no orthodox notion of rebirth. By rebirth what is meant is that the soul is reborn with several other individuals. Thus the same soul is never reborn. This inspired the Dalits to act and believe that there current state could be changed and is not because of any previous birth. His aim of arousing sentiments of self help and courage is made prominent in this-world Karma doctrine.
- Lastly the role of the monk according to Ambedkar is not merely to do social service. Infact he must be a social reformer. He must be instrumental in radically changing the situation. He must participate and must be the kind who will remove injustice and create History. They should be the driving force behind a revolution in mind and body.

3) a. Ambedkar's social ideology

There is a clear element of anti-Brahmanism that one sees in the ideology of Ambedkar. He sees no scope for emancipation in the Hindu tradition and thus turns to Buddhism. He gives the entiresocial theory an extremely

religious bias. His notion of Nirvana all are reinterpreted so as to give it a nature which theoretically and practically attainable. In his opinion political democracy rests on 4 premises.

- The individual is an end in himself
- The individual has certain unalienable rights which must be guaranteed to him by the constitution.
- No individual must be forced to give up any of his rights as a precondition to the privileges enjoyed by the other communities.
- The state should not delegate powers to any special people to govern them.

b. Social activities of Ambedkar

Dr. Ambedkar was instrumental in bringing about various constitutional and legislative rights for the Untouchables. He was always aware of their backwardness in education and thus in 1928 he organized the Depressed Classes Education Society which organized school education for the people of his community. The problem of education was faced with one more problem. The institutions refused to give admission to the children of the depressed class and thus Ambedkar had to fight even at this level. In 1923 the British government issued a resolution stating that no grant would be given to any aided institution if they would discriminate during admission on the basis of caste and community.

The British had to be very careful in dealing with the religious and caste feelings and hence they remained neutral at the same time not discriminating while giving out justice.

Dr. Ambedkar also championed the cause of the women as well as the depressing and miserable plight of the Scheduled caste and the Scheduled tribe. At a conference Ambedkar emphasized on the need for women organizations and their emancipation and believed that there could not be any progress without their upliftment.

To conclude, Ambedkar's political thought had deep faith in the fundamental human rights and in the dignity of the individual in social and economic justice, in the promotion of social progress and better standards of life.

4.8 SUMMARY

As it is an universal value, 'justice' a concept, which has occupied important space in political philosophy. We have seen above that how much important has been given by these political philosopher to the concept. Plato was very dissatisfied with Athenian Democracy. According to him justice is the only remedy to save the Athens from decay and ruin. Justice is for Plato at once a part of human virtue and the bond, which joins man together in society.

Rawls believes that the response of the rational person would be to secure two principles of justice are liberty of conscience and movement, freedom of religion and Equality of opportunity But Robert Nozick says, that Rawls type of government is politically unsatisfied. Nozick has given answer the problem by his work entiternent “theory of Justice.”

For the sake of justice, Dr. Ambedkar. Preformed Buddhism rather than where he born –ie Hindusm. He says that he was born hindu but he will not die a Hindu. He finds Justice in Buddhism and only for that he with thousands of his people accepted buddhism.

4.9 QUESTIONS

- 1) What does Rawls asks us to imagine ourselves behind a veil of ignorance ?
- 2) Which two kinds of goods are distinguished by Rawls theory ?
- 3) State the contributions of Dr. Ambedkar towards achiving social justice.
- 4) Explain the concept of justice in brief.
- 5) Elaborate rawls idea of Justice as fairness.
- 6) Discuss Plato’s justice as preservation.
- 7) Elaborate the theory of justice according to Robert Nozic.

Short Notes.

- a) The Minimal State
- b) Individual Rights
- c) Nozick’s entitlement theory
- d) Distributive justice

