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INTERMEDIATE
First Year

CIVICS



Telugu and Sanskrit Akademi
Andhra Pradesh

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First Year Text Book

CIVICS

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SRI. Y.S. JAGAN MOHAN REDDY

**CHIEF MINISTER
ANDHRA PRADESH**

AMARAVATI

MESSAGE

I congratulate Akademi for starting its activities with printing of Intermediate textbooks from the academic year 2021 – 22.

Education is a real asset which cannot be stolen by anyone and it is the foundation on which children build their future. As the world has become a global village, children will have to compete with the world as they grow up. For this there is every need for good books and good education.

Our government has brought in many changes in the education system and more are to come. The government has been taking care to provide education to the poor and needy through various measures, like developing infrastructure, upgrading the skills of teachers, providing incentives to the children and parents to pursue education. Nutritious mid-day meal and converting Anganwadis into pre-primary schools with English as medium of instruction are the steps taken to initiate children into education from a young age. Besides introducing CBSE syllabus and Telugu as a compulsory subject, the government has taken up numerous innovative programmes.

The revival of the Akademi also took place during the tenure of our government as it was neglected after the State was bifurcated. The Akademi, which was started on August 6, 1968 in the undivided state of Andhra Pradesh, was printing text books, works of popular writers and books for competitive exams and personality development.

Our government has decided to make available all kinds of books required for students and employees through Akademi, with headquarters at Tirupati.

I extend my best wishes to the Akademi and hope it will regain its past glory.

Y.S. Jagan Mohan Reddy

Dr. Nandamuri Lakshmiparvathi

M.A. M.Phil., Ph.D.

Chairperson, (Cabinet Minister Rank)
Telugu and Sanskrit Akademi, A.P.



Message of Chairperson, Telugu and Sanskrit Akademi, A.P.

In accordance with the syllabus developed by the Board of Intermediate, State Council for Higher Education, SCERT etc., we design high quality Text books by recruiting efficient Professors, department heads and faculty members from various Universities and Colleges as writers and editors. We are taking steps to print the required number of these books in a timely manner and distribute through the Akademi's Regional Centers present across the Andhra Pradesh.

In addition to text books, we strive to keep monographs, dictionaries, dialect texts, question banks, contact texts, popular texts, essays, linguistics texts, school level dictionaries, glossaries, etc., updated and printed and made available to students from time to time.

For competitive examinations conducted by the Andhra Pradesh Public Service Commission and for Entrance examinations conducted by various Universities, the contents of the Akademi publications are taken as standard. So, I want all the students and Employees to make use of Akademi books of high standards for their golden future.

Congratulations and best wishes to all of you.

Nandamuri Lakshmiparvathi

Chairperson, Telugu and Sanskrit Akademi, A.P.

J. SYAMALA RAO, I.A.S.,
Principal Secretary to Government

Higher Educational Department
Government of Andhra Pradesh

MESSAGE

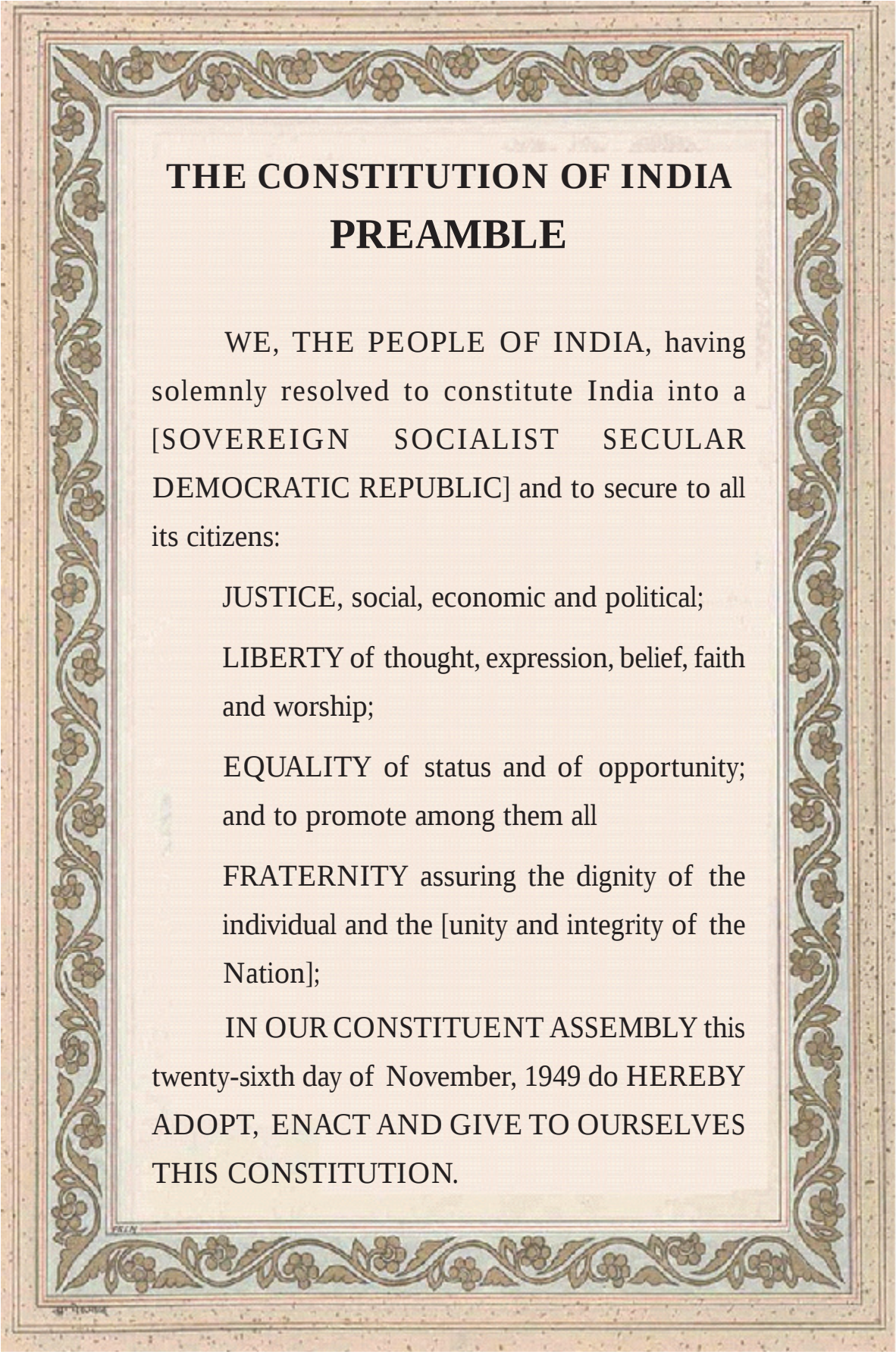
I Congratulate Telugu and Sanskrit Akademi for taking up the initiative of printing and distributing textbooks in both Telugu and English media within a short span of establishing Telugu and Sanskrit Akademi.

Number of students of Andhra Pradesh are competing of National Level for admissions into Medicine and Engineering courses. In order to help these students Telugu and Sanskrit Akademi consultation with NCERT redesigned their Textbooks to suit the requirement of National Level Examinations in a lucid language.

As the content in Telugu and Sanskrit Akademi books is highly informative and authentic, printed in multi-color on high quality paper and will be made available to the students in a time bound manner. I hope all the students in Andhra Pradesh will utilize the Akademi textbooks for better understanding of the subjects to compete of state and national levels.



(J. SYAMALA RAO)

The entire page is framed by a decorative border featuring a repeating floral and vine motif in a light blue and gold color scheme. The text is centered within this frame.

THE CONSTITUTION OF INDIA

PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a [SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC] and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all

FRATERNITY assuring the dignity of the individual and the [unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

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Foreword

The role played by the Akademi in stabilizing Telugu Medium at the level of Higher Education since its inception (1968) is well known. The Akademi has rendered needful services by publishing a number of Text Books, Reference Books, Translations, Popular Series, Monographs, Dictionaries, Glossaries, Readings, etc., over the years. Many among the above mentioned books were also reprinted as per the demand. Sincere effort is being made to improve the quality of these books by conducting workshops, refresher courses and also by taking suggestions given by the intellectuals in general and the students and the teachers in particular.

Akademi has been revising and updating its publications in accordance with the prescribed syllabi, as and when necessary. Akademi is publishing Text Books for Intermediate in Telugu Medium since its inception. In addition, the Akademi has entered a new phase of activity with the publication of language books from the year 1995, and preparation and publication of Intermediate Text books in English medium from the year 1998, as entrusted by the Board of Intermediate education.

For the academic year 2014-15, the Board of Intermediate Education has revised the syllabus of all Humanities Text Books for first year of Intermediate and entrusted the preparation, printing and distribution of Text Books to Akademi. Accordingly, Akademi prepared this Text Book strictly in accordance with the prescribed syllabus for the academic year 2014-15.

We are indeed very much grateful to the Government of India, State Government, State Universities, the Board of Governors of Telugu and Sanskrit Akademi. We also thank the Commissioner, Intermediate Education and Secretary, Board of Intermediate Education of Andhra Pradesh. We are also very much grateful to Text Book Development Committee of the subject concerned for their valuable cooperation.

Constructive suggestions are solicited for the improvement of this book. The suggestions received will be examined and incorporated in the subsequent editions.

Sri. V. Ramakrishna I.R.S.

Director

Telugu and Sanskrit Akademi,
Andhra Pradesh

Preface

The present text book is in consonance with the new syllabus prescribed by the Board of Intermediate Education, Andhra Pradesh with effect from the academic year 2014-2015 for the first year Intermediate course. The focus of the syllabus is to create in the students' broad understanding and proper perspective of the basic concepts of Civics / Political Science. We presume that this text book apart from realizing this end would also provide a strong foundation for advanced learning of the subject in higher classes.

Political Science is an academic discipline that involves all individuals, all groups i.e., associations and institutions found in a definite territory identified as state. Study of State, Government, Constitution, and Citizenship have attracted the attention of all sections of people. The subject has been proved as the most interesting and glamorous activity for people of all professions. The major concern of Political Science is the exercise of power and authority which influences and moulds public life. Political Science explains the relation between the rulers and the ruled i.e., the Government and the people. The study of Political Science provides immense knowledge about the rights and responsibilities of citizens and inculcates in people civic sense which is essential for good citizenship. Political Science is instrumental for resolving the issues of every kind-political, economic or social- in a civil society.

There are twelve chapters in this book. The **First** Chapter deals with the scope and significance of Political Science. The **Second** Chapter describes the State and its relation with society, associations and government. The **Third** chapter discusses nation, nationality and nationalism. The **Fourth** chapter depicts Law and its relation with morality. The **Fifth** chapter concerns itself with Liberty and Equality of individual in the state. The **Sixth** chapter highlights the rights and responsibilities of citizens. The **Seventh** chapter focuses on Justice including social justice relevant to the contemporary society. The **Eighth** chapter presents a clear picture of the citizenship. Chapter **Nine** narrates vividly about democracy. The **Tenth** chapter analyses secularism in Indian context. Chapter **Eleven** elucidates the matters on Constitution. The **Last** chapter throws light on Government and its powers and functions in modern democratic states.

Any suggestions for improvement of the book are always welcome.

- Editors

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Scope and Significance of Political Science

CHAPTER

1

- 1.0 Introduction
- 1.1 Origin and Definitions
- 1.2 Nature of Political Science
- 1.3 Scope of Political Science
- 1.4 Significance of Political Science

1.0 INTRODUCTION

There are several social sciences. Of them, Political Science is a premier social science. Political Science is mainly concerned with the study of the State in its relation with citizens, society, associations and the world at large.

Political Science is regarded as the science of State. It enables the individual to become a citizen in the state. It deals with the matters of citizen such as his rights and responsibilities. Political Scientists felt that the study of Political Science had its origin in the ancient Greek city states. They described that civilisation at first flourished in those city states like Athens, Corinth, Macedonia, Thebes, Sparta, Milan etc. These city states enjoyed sovereignty. They possessed self sufficiency and self- reliance. Prof. Catlin described them as city communities. Residents of the above city states belonged to three categories, namely, (i) Citizens (ii) Aliens and (iii) Slaves. Of the above, citizens actively participated in the activities of the city states. However, their number was very less. For instance in Athens of 5th century B.C. citizens included famous persons like Pericles, Socrates, Aeschylus, Sophocles and

Euripedes. Even after its defeat in the peloponnesian war (431 – 404 B.C) and consequent decline, it had citizens like Plato, Aristotle, and Aristophanes, the comic poet. On the other hand, aliens, who resided for a temporary period in a state will have certain immunities, of course, without any political rights. Slaves depended upon the citizens. They have many responsibilities without rights. Political Science deals with the above matters.

1.1 ORIGIN OF POLITICAL SCIENCE

It was Aristotle, a great Greek philosopher and the father of Political Science, who used the term 'Politics' for the first time in his classic work '**Politics**'. The term '**Politics**' is derived from a greek word '**Polis**' and latin word '**Politicus**' which means the **city state**. Aristotle and other Greek political philosophers regarded city state as the primary unit of political organization. They conceived politics as a series of activities of citizens in ancient city states. They viewed the State and the Government as synonymous. They made no differentiation between the personal and social life of individuals.

Aristotle described that man is a social animal. He further remarked that the State originated for fulfilling the basic needs of the individuals. He opined that the State continues forever for rendering good and benevolent life to the individuals. State was the only agency meant for achieving all-round progress of individuals. He emphasised the significance of the State by expressing the truth that individuals in the absence of society and state, remain indolent, uncivilized and selfish. The medieval and modern political philosophers viewed Political Science as a science dealing with the national and international affairs. They described that Political Science ultimately aims at achieving individual progress, social welfare and international peace and order.

Political Science became a prominent academic subject when the London School of Economics (LSE – founded in 1895) at first recognized it as an independent discipline for teaching and research. Harold J. Laski, Professor of Political Science of London School of Economics, strived very much for the popularity of this subject in developing nations. Political Science became a separate empirical discipline in the latter part of 19th century.

1.1.1 Definitions of Political Science

Political Scientists gave various definitions on Political Science. Their definitions are classified into two categories, i.e, (i) Traditional and (ii) Modern. They may be explained below.

1.1.2 Traditional definitions of Political Science

Traditional definitions of Political Science may be classified under three sub-categories. They are mentioned as follows.

(i) Political Science - a study of the State

Political Philosophers like J.W.Garner, R.G.Gettle, Appadorai and others described Political Science as a study of the State.

1. **J.W.Garner** : “Political Science begins and ends with the state.”
2. **R.G.Gettle** : “Political Science is a historical investigation of what the state has been, an analytical study of what the state is and a politico-ethical discussion of what the state should be.”
3. **Appadorai** : “Political Science is concerned with the conditions essential for the existence and development of the state.”

(ii) Political Science -a study of the Government

Some political philosophers like Stephen Leacock, John Richard Seely and others pointed out that Political Science is a study of the Government.

1. **Stephen Leacock** : “Political Science deals with the Government.”
2. **John Richard Seely** : “Political Science investigates the phenomenon of the Government”.

(iii) Political Science - a study of the State and the Government

Political Philosophers like Prof. Catlin, Dimock, Paul Janet, R. N. Gilchrist, and others revealed that Political Science is a study of the State and the Government

1. **Paul Janet** : “Political Science is that part of social science which treats the foundations of the state and the principles of the government.”
2. **R. N. Gilchrist** : “Political Science is a study of foundations of the State and the Government.”

3. **Dimock** : “Political Science is concerned with the State and principles of government.”
4. **Prof.Catlin** : “Political Science is a study of the political activities of individuals and various organs of government.”

1.1.3 Modern definitions of Political Science

Modern Political Scientists viewed the above traditional definitions as narrow, legal and institutional in their approach. They enunciated that after the Second World War, the focus of Political Science has shifted from political institutions to political processes. Behavioural approach came into being. It brought about a great change in the study of Political Science. It laid more stress on political behaviour. Modern political scientists conceived Political Science as a Policy Science. They laid more emphasis on the element of ‘power’ in the study of Political Science.

On the whole, Modern definitions of Political Science can be classified into two sub-categories. They are discussed as follows.

(i) Political Science – a study of power

1. **Lasswell and Kaplan** : “Political Science, as an empirical discipline, is the study of shaping and sharing of power.”
2. **William A. Robson** : “Political Science is primarily concerned with the power in society.”

(ii) Political Science- a study of allocation of values

1. **David Easton** : “Political Science is concerned with the authoritative allocation of values for a society.”
2. **Hillman** : “Politics is the science of who gets what, when and why?”

We may conclude that the modern definitions conceived Political Science as a social science concerning with the study and evaluation of activities, power and processes of political institutions.

On the whole, the various categories of above definitions reveal the fact that Political Science deals with all the matters concerning society, government, state and international organizations.

1.2 NATURE OF POLITICAL SCIENCE

There prevailed a controversy among the political scientists in regard to the nature of Political Science. Some viewed Political Science as a Science. Others treated it as an Art. Those who viewed Political Science as a Science include some prominent political philosophers like Aristotle, Bluntschli, Bodin, Hobbes, Jellinick, Montesquieu, Sidgwick and others. On the other hand, some political writers like Barker, Collin, Maitland and J.S. Mill regarded Political Science as an Art. Let us examine the two aspects (Science and Art) of Political Science.

1.2.1 Is Political Science a Science?

Political Science is considered as a Science on the following grounds.

- (i) Political Science is studied in a systematic manner.
- (ii) Experimentation is possible in Political Science. Principles are applied in the actual organisation of political institutions.
- (iii) Political Science, like other Sciences, has absolute and universal laws.
- (iv) Predictions are easily applicable in Political Science.
- (v) Certain generally agreed principles can be applied into the study of Political Science.
- (vi) Political Science embraces scientific nature. Scientific principles are applicable in the study of this discipline.
- (vii) Political Science, like other sciences, gives scope for establishing relationship between cause and effect.

1.2.2 Is Political Science an Art?

Political Science is considered as an Art on the following grounds.

- (i) Political Science has no absolute and universal laws like Physical Sciences.
- (ii) The phenomena studied in Political Science are interpreted in various ways depending upon the context and situation. So this Science lacks uniformity in the interpretation of various concepts.
- (iii) Political Science gives no scope for the exact theory of cause and effect which is the basis of all sciences.
- (iv) Political Science is not evolutionary in nature as its concepts are not developed in a steady, regular and continuous manner.
- (v) Scientific methods of observation and experimentation are not applicable in Political Science.
- (vi) Complete objectivity and detachment are not found in the case of various phenomena in Political Science.
- (vii) Political Science gives no scope for accuracy.

1.3 SCOPE OF POLITICAL SCIENCE

It will be interesting to everyone to make an enquiry into the scope of Political Science. Scope of Political Science means subject matter covered by it or topics which are included in its study. Political scientists expressed different views in regard to the scope of Political Science. Broadly speaking they viewed Political Science under two important dimensions, namely, limited and wider. Political Science, in its limited dimension, examines the various affairs of citizens in a particular locality. On the other hand, Political Science in its wider and broader dimension, deals with the comprehensive activities of various individuals and diversified organizations prevailing in local, regional, national and international levels.

Scope of Political Science has extended in course of time in a steady manner due to the diversification of state activities and increased political consciousness among the people all over the world. Consequently the scope of Political Science embraced all the activities and operations related to the individuals, institutions, associations and organizations at local, national and international levels. But on the whole, it is confined to the contours of the modern state. Political Science discusses every matter involving individuals as members of modern

political organization, i.e., the state. It ultimately aims at the all-round development of individuals.

At one time scope of Political Science was confined only to the study of State and Government. But certain elements like passage of time, increase in population, emergence of nation –states and development of science and technology etc. paved the way for the extension in the scope of Political Science.

The scope of Political Science comprises the following points

(i) Study of Man in relation to Society and State

Aristotle stated that ‘Man is a social animal.’ Man can satisfy his basic needs like food, clothing and protection in the society. Political Science explains the relationship between man and society. It also explains the origin, evolution and purpose of the society. It examines how man adjusts himself with the society. In this context, Dillan opined thus: “The proper study of Political Science is significant both to society and individual”. It is imperative that the modern man should develop proper attitude towards the society. This is possible only when he identifies himself with the society.

Political Science is concerned with the perennial and central issue of establishing proper relationship between the state and the individuals. Political Science enables us to find solutions to the complex issues by explaining the significance of political institutions in the state. It deals with many topics of state activity such as limitations of political authority and sphere of individual freedoms.

(ii) Study of State

Political scientists like Paul Janet, Bluntschli and Garner viewed Political Science as a study of the affairs of the state. They conceived the state as a political institution. The state is indispensable for every individual. Political Science studies the intimate relationship between the state and the citizens. It explains the various theories of the origin of the state. It also studies the nature, functions and various theories of state authority.

R.G. Gettle rightly said that in its historical aspect, Political Science deals with the origin of the state and the development of the political theories in the past. It also attempts to describe and classify the political institutions and ideas in the present and future.

The scope of Political Science comprises many aspects of the state. It can be analysed under three categories i.e., (i) the state in present situation; (ii) the state in the past; and (iii) the state as it should be in future.

i) Study of State in the present

Political Science deals with the state as it exists today. It explains the meaning, nature, purpose, growth and functioning of the state. It also studies about the origin and theories of the state. It also deals with public opinion, political parties and pressure groups which seek to acquire the political power or influence public policies.

ii) Study of State in the past

Political Science explains about the origin and transformation of the state. It also discusses about the diverse political institutions that existed within the state. It studies various factors that influenced the origin and evolution of the state. This sort of historical study is possible only in Political Science.

iii) Study of State in future

Political Science tries to determine the principles and concepts of a ideal state. It lays down the conditions under which a perfect state is realized. Political scientists conceive the future with a view to improve the standards of political institutions and their activities in the light of changing conditions.

On the whole, the scope of Political Science includes several aspects of the state such as its nature, origin, growth, development etc. It also studies about the various theories of origin of state. It also comprises a study of the various activities of the state from that of ancient Polis State to the modern Welfare State. Hence, Political Science deals with the present, past and future aspects of the State.

(iii) Study of Government

Scope of Political Science includes study of government. Some political scientists like Stephen Leacock and John Richard Seeley confined the scope of the discipline to the government alone. They conceived Political Science as a study of government. Government is an agency of the state. There can be no State without a government. The state realises its

aims through the device of government. Government formulates, expresses and implements the will of the state. There must be some men or body of men who are authorised to issue directives on behalf of the State. They are known as the government. Political Science studies the meaning, forms, structure, nature and functions of the government. It discusses the relationship among the various organs of the government. It makes a differentiation between State and Government. While dealing with the government, Political Science narrates the classification of various governments as illustrated by Aristotle, Leacock and others. Political Science also discusses the various merits and demerits, essential conditions and manifold activities of the government. Hence, Political Science is treated as a science of government.

(iv) Study of Associations and Institutions

There are several associations and institutions which influence the life of an individual. Every individual is a member of various associations and institutions in the state. While the state fulfils various political needs of individuals, associations and institutions help the individuals for their moral, religious, cultural, scientific and technological progress. These carry on their functions at local, national and international levels. Individuals join as members in these associations out of their interests or purposes. Associations help them to realise their personality. They play a significant role in the all-round growth of human personality. Individuals receive several benefits from different associations like family, caste, political parties, religion etc. Political Science explains the nature, structure and functions of various associations. Associations and institutions in modern times play a significant role in the formulation and implementation of policies of State and Government. Voluntary bodies such as trade unions, peasant groups, professional bodies etc., will have a great impact on the State and Government.

Political Science studies and examines the informal processes including the voluntary associations and institutions as well as the formal structure of the government- legislature, executive, judiciary and bureaucracy.

(v) Study of Rights and Responsibilities

Scope of Political Science includes study of rights and responsibilities of citizens. Citizens in democratic states, enjoy certain rights such as right to life, right to liberty, right

to property etc. Political Science enumerates the definition, classification and different theories of rights. It also focuses its attention on fundamental rights and their constitutional provisions. Similarly, citizens will have some responsibilities towards the state. These include paying taxes, obeying laws etc. Political Science also deals with the fundamental responsibilities of the citizens. It explains the significance of rights and responsibilities of the citizens.

(vi) Study of National and International Issues

Scope of Political Science comprises a study of National and International Relations which have become significant since the beginning of the 20th century. Political Science deals with the matters of upcoming nation states as well as international politics. It covers various issues of modern state in relation with other states in matters of safeguarding territorial integrity and sovereignty. Its study includes various topics like cold war, balance of power, disarmament, détente etc. Modern states are not isolated. They depend upon other states in many spheres like importing raw materials, exporting finished goods, transport, technology, services and communications. This requires close relations among the states in international sphere. So elements of harmony, understanding, mutual economic help, transfer of technology etc are very much required in the relations of the states. In this context, Political Science discusses not only the domestic policies of the state but also the issues of international dimensions stretching from the regional blocks to that of world organizations. It covers a wide range of topics such as diplomacy, international politics, international law, international organisations etc.

(vii) Study of Power

The Behaviouralists of twentieth century regarded Political Science as a study of sharing and shaping of power. They pointed out that Political Science discusses how power is grabbed, manipulated and perpetuated in order to have a control over the political society. They included several topics in Political Science such as political socialization, political culture, political participation etc. They further stated that Political communication, interest articulation, aggregation etc., are the aspects which are viewed as non-formal political power in the arena of Political Science.

(viii) Study of Public Policy

Modern political scientists like Anderson, David Easton and Charles Lindholm argued that Political Science is a 'Policy Science'. They considered Political Science as the study of formulation, execution and evaluation of Public Policy. They emphasized the role of formal political structures and informal political groups.

With the advent of public policy the scope of Political Science has further widened to include the dimensions of vital topics such as industrial policy, agricultural policy, land reforms policy, education policy, population policy, afforestation etc.

Public Policy of a nation in the context of international relations plays a crucial role in the formulation of diplomatic, economic, military and scientific strategies.

The above contents show the wide range of subjects that come under the purview of Political Science. Broadly speaking, Political Science includes the topics dealing with both empirical facts and philosophical values. Modern Political Science in the era of post-behaviouralism deals with both empirical facts and value preferences. It is regarded as a combination of both science and philosophy. Hence it is a dynamic social science and its scope is ever expanding.

Thus, the scope of Political Science has expanded in recent times. The social life of human beings has a direct or indirect influence on their political life. Political Science embraces every sphere of human activities.

1.4 SIGNIFICANCE OF POLITICAL SCIENCE

Political Science is very useful and valuable science. Its knowledge is indispensable to the rulers as well as the ruled. Its significance is explained as follows.

(i) Information about the State

The primary aim of studying Political Science is to inculcate knowledge of the state-its origin, nature, structure and functions. Knowledge of the State is of great significance to everyone. Solutions to various political issues are found only when we have a proper understanding of the political institutions, their role and importance in the state. These issues can also be solved by having a proper social awareness. Political Science provides sufficient knowledge and awareness in this regard.

(ii) Knowledge of Government and Administration

The administrators, political leaders and diplomats who manipulate the affairs of the State require a sound knowledge of Political Science in order to perform their functions with efficiency. Political Science creates awareness about the organization, control and coordination of administrative machinery, personnel and administration, public relations management, administrative law and negotiations etc. It also covers the study of local self-governing bodies like Corporations, Municipalities, Zilla Parishads, Mandal Parishads, Panchayats etc.

(iii) Provides Information about Democratic Values

Political Science provides accurate information about the various political terms such as State, Government, Nation, Nationality, Constitution, Democracy, Liberalism, Capitalism, Socialism and Communism which are used commonly in every sphere of human life. It gives the exact meaning of the content, nature and scope of the above mentioned terms.

Political Science assumed special significance in modern democratic states. The success of democracy depends to a great extent upon the political consciousness of the people. In this context, Political Science provides a good knowledge and awareness about political ideas like Rights, Liberty, Equality and Justice. It points out that ignorance and indifference of citizens may prove detrimental to the cause of democracy.

(iv) Makes Democracy Successful

Democracy has now become the most popular government in the world. It is regarded as “world’s greatest political religion”. People in democracy elect their representatives and are ruled by them. If honest, self-less and committed representatives are not elected, the expectations of the people will not be fulfilled. People will not be benefitted in democracy when their representatives are not honest, selfless and committed in their work. Besides they (people) must be vigilant and enlightened for preserving and promoting democratic ideals. Political Science explains the significance of franchise. It educates the common men on the ideas and ideals of democracy. Its study is vital for the success of democracy. Its study makes the citizens intelligent, patriotic and vigilant in democratic system.

(v) Awareness about Rights and Responsibilities

The study of Political Science makes people conscious of their rights and responsibilities. It also enables the citizens to be familiar with their rights and responsibilities and the interrelationship between the two. The success or failure of democracy depends upon the proper understanding of the relationship between the rights and responsibilities. Political Science enlightens the individuals on their rights and responsibilities so as to play a positive and responsible role in society and state. Its study makes the citizens to realize the fact that a proper exercise of rights and responsibilities is a must for leading civilised life.

(vi) Teaches Good Citizenship Qualities

The study of Political Science is valuable for creating good citizenship and for securing national unity. It makes the citizens conscious of their national objectives and goals. A good citizen must know how laws are made and enforced? What interests and forces lay behind the policies of the government? What results are likely to emerge out of such policies. Political Science teaches the lessons of various aspects and virtues of good citizenship. It trains the people to become ideal citizens. It inculcates good citizenship qualities such as obedience, social service, self-sacrifice etc. It promotes and strengthens among them a sense of responsibility towards society and state. It inculcates the feelings of selflessness and enhances the spirit of social service. Ultimately it promotes the personality of individuals.

(vii) Knowledge about world affairs

Political Science enriches individual's knowledge on world affairs. It widens his intellectual horizon. Its study is useful for observing and understanding the contemporary world affairs. It stimulates right thinking, broad vision and universal understanding of various phenomena of international politics. It serves as a device for achieving the goal of realising universal family. Besides its study is useful for proper analysis and solution of various national and international issues.

(viii) Provides knowledge about International Organisations

The Study of Political Science promotes the spirit of internationalism. It provides a good knowledge about international organizations like the United Nations. It educates the people about the importance of internationalism in the present day world for alleviating

political tensions between states. It teaches them about the need for harmonious relations among the nations. It alerts them about the dangers of arms race and emphasises the need for disarmament. Besides it acquaints them about the dangers of cold war, colonialism, imperialism and neo-colonialism and the need for world peace and security.

(ix) Develops political awareness

The study of Political Science provides the necessary knowledge about political ideals namely Liberty, Equality, Fraternity, Justice etc. It also discusses about some political ideologies like Fascism, Socialism and Communism. It removes ignorance among the people regarding the above political ideals. It ultimately develops political awareness among the people.

(x) Explains the need for Co-operation and Toleration

National integration has become a crucial factor in several states. Many obstacles like communalism, linguism, sub-national, regional and sub-regional feelings etc., have been threatening the national integration in these states. In this context, the study of Political Science teaches about the need for adjustment, co-operation and toleration. It eliminates narrow mentality and selfish outlook among the people. It emphasizes the need for overcoming the sectarian and sectional interests. It further explains the need for respecting each other in society.

(xi) Knowledge of Political Science is indispensable

The study of Political Science has special significance in all states of the world. Its study helps everyone to understand the mechanism and constitutional systems of modern governments. Political Science creates awareness among them about the contemporary issues in national and international spheres. Its study embraces many elements such as principles of government, domestic and foreign policy of a nation, various organs of government etc. Besides, its study is significant for knowing the concepts of liberty, equality and fraternity.

It is in this context that Aristotle regarded Political Science as the supreme science and the master of all social sciences. The study of Political Science is of great utility to

various sections of society as it creates awareness about their rights and responsibilities. Ultimately, its study transforms a person as a citizen and a citizen as a good citizen. Its study is indispensable for the people in developing nations like India. As the majority people in these states are poor, ignorant, illiterate and sentimental in their outlook, the study of Political Science inculcates a good political knowledge among them.

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QUESTIONS

I. Long Answer Type Questions

1. Define Political Science and explain its scope.
2. Discuss the significance of the study of Political Science.
3. Define Political Science and explain its nature.

II. Short Answer Type Questions

1. Write about the traditional definitions of Political Science.
2. What are the various modern definitions of Political Science?
3. Explain about the nature of Political Science.
4. Mention any three topics covered under the scope of Political Science.
5. Describe the scope of Political Science in the sphere of Government.
6. "Political Science is a study of the present, past and future of the State." Analyse this statement.

III. Very Short Answer Type Questions

1. Write about ancient city states.
2. Give any two traditional definitions of Political Science.
3. Write about any two modern definitions of Political Science.
4. How does Political Science teach the qualities of good Citizenship?
5. Justify the statement that Political Science is an Art.
6. On what grounds is Political Science considered as a Science?
7. Name any four topics covered under the scope of Political Science.
8. In what way Political Science is considered as a study of the government?

State

CHAPTER

2

2.0 Introduction

2.1 Definitions of State

2.2 Essential elements of State

2.3 Other elements of State

2.4 State Vs. Society, Association and Government

2.0 INTRODUCTION

State is considered as the most important, powerful and sovereign institution. It is the most dominant over all social institutions. It has become an indispensable and inevitable organisation in our social life. State was established for regulating and improving the relations between individuals. It was also meant for avoiding dissent, conflicts and tensions in human society. The present day modern States have their origin in the city states of Ancient Greece and Medieval Europe. Athens, Corinth, Thabes, Sparta etc. were some prominent City States in the ancient period. The ancient City States became popular during the 5th and 4th centuries B.C. There were several hundred city States prevalent around the coasts of Mediterranean and Black Seas. The first Italian City States hail their origin to the Greek colonies. Only male citizens participated in government and large portions of population remained as slaves. Rome, founded as a City State, centralised powers and pursued an expansionist foreign policy that led to the decay of ancient City States. After the fall of roman empire many prosperous Italian cities were reconstituted as city States. Venice, Amalfi, Genoa, Florence – Pisa etc., developed through trade with the Byzantine empire. MacIver described that blood relationship (kinship) created society and society in turn led

to the State. In ancient period, City States were prominent in oriental and western countries. These City-States achieved tremendous progress in various spheres. The City-States in Ancient Greece and Rome were simple and small. At the beginning of the medieval period, there prevailed lawlessness in Europe. The feudal lords acquired power over the peasants and farmers in this era. In the modern period, a unique political institution, namely, the State emerged. The theory of national self-determination led to the origin of modern nation – State system.

In ancient period, the Greek philosophers used the word, 'State' in the sense of Polis or City-State. Ancient Romans used the word 'Civitas' for State. On the first part of the sixteenth century, Machiavelli, an eminent statesman of Italy, was the first political scientist who used the word 'La Stato' which means the State. He used this term in his book "The Prince". In his view, State is a 'power system'. In the end of the sixteenth century, Jean Bodin, a prominent french philosopher, called the State as a 'republic'. He said that the State possessed sovereign powers. Such a power is considered as the main feature of the State in the latter part. In seventeenth century, Thomas Hobbes, a famous british political philosopher, argued that the State had unlimited powers. The socialists considered the State as a class structure. In the modern period, the term 'State' is used as a synonym for 'Government', 'Province', 'Nation' etc.

2.1 DEFINITIONS OF STATE

The term 'State' is defined by various political thinkers in different ways. Some of them are listed out as below.

1. **Aristotle** : "State is a union of families and villages having for its end a perfect and self-sufficient life by which we mean a happy and honourable life."
2. **Bluntschli** : "State is a politically organized people of a definite territory."
3. **Jean Bodin** : "State is an association of families and their possession governed by the supreme power and reason."
4. **Burgess** : "State is a particular portion of mankind viewed as an organized unit."
5. **J.W. Garner** : "State is a community of persons, more or less numerous, permanently occupying a definite portion of territory,

independent (or nearly so) of external control and possessing an organized government to which the great body of inhabitants render habitual obedience.”

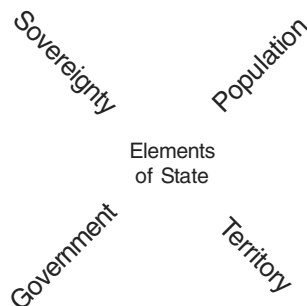
6. Harold J. Laski : “State is a territorial society divided into government and subjects claiming within its allotted physical area, a supremacy over all other institutions.”

7. Woodrow Wilson : “State is a people organized for law within a definite territory.”

2.2 ESSENTIAL ELEMENTS OF STATE

The various definitions of State reveal some essential elements of State. They are- (1) Population (2) Territory (3) Government and (4) Sovereignty.

This may be illustrated through the following figure.



1. Population

State is an organised human association. Population is its first and foremost element. No State can exist and survive without people, as there must be some to rule and others to be ruled. A desert where human beings do not live is not regarded as a State.

The population of a State comprises all individuals who, in principle, inhabit the territory on permanent basis. It consists of citizens, aliens and minors. The population of a State may not be completely homogeneous in culture, language, race etc. In fact, it is rare to find a State with a homogeneous people.

Political thinkers expressed different opinions in regard to the size of the population of a State. For Plato, the ideal State should not comprise more than 5040 people. Rousseau, the french philosopher, viewed 10,000 inhabitants as the ideal population. However, in modern times the maximum and minimum size of population has not been prescribed.

Modern States greatly vary in their size of population. Some modern States like the United States, Russia and Canada are still under populated relating to the area, resources and similar other factors. Some other States like China and India are confronted by the problem of over population.

According to the recent census, States like China and India have more than 125 crores of population each. On the other hand, Vatican City having 839 persons and Nauru having 9,945 persons remain as independent States in the world. There is no such hard rule as to the exact number of people required to make a State. On the whole, the population of a State must be large enough to preserve the independence and sovereignty and to exploit its natural resources. It must be small enough to be well governed. Although modern tendency is in favour of large populations, it is not wise to have a very large population when the resources of a nation are scarce.

The qualitative aspect of population is more important for a State. What kind of people comprises a particular State? Are they literate, well educated and culturally advanced? In this regard Aristotle rightly said that good citizens make a good State. So what is important is the quality of people – their character, culture and sense of belonging to the State. If the people are committed, disciplined, hard working, honest and intelligent, then the State achieves rapid progress.

2. Territory

Territory or a fixed geographical area is the second essential element of State. Territory denotes geographical area of State. It is owned and controlled by a government which exercises sovereign power. It encompasses that portion of earth's surface which is the exclusive possession and control of the State.

People cannot constitute a State, unless they inhabit in a definite territory. When they reside permanently in a particular place, they develop a commonality of interests and a sense of unity. It becomes easy to organize them into a political unit and control them. In the absence of a fixed territory, a State cannot be constituted. For example, the nomadic tribes like Gypsies were not considered as a State owing to their migratory nature.

State requires a fixed territory with clear demarcated boundaries for exercising undisputed authority. Territory is its "material basis". Territory of a State comprises: i) Land, mountains, rivers and lakes within its frontiers, ii) Territorial waters extending upto 12 nautical miles into the sea from the coast and iii) Terrestrial space lying above its land.

Like population, there are no limitations for the territory of a State. It may vary from a few square miles as in the case of Monaco and few million square miles as in the case of the United States. In the modern world small States as well as big States exist. From the administrative point of view small States are always better than big States. But from the defence point of view, they are not good.

But how much territory is essential for the maintenance of a State? There is no accepted rule as to the size of territory of a State. In the modern world, we find States of various sizes and shapes. More important than the size are the nature, resources and the location of the State. A geographically contiguous territory is an asset; otherwise it creates problems of administration and control. It is required that the State must consist of a certain coherent territory for effective governance. The territory of a State need not be exactly fixed by definite frontiers.

3. Government

State must possess an organized government. Government is the machinery through which the State exercises its supreme power. It constitutes the brain and heart of the State. Government is indeed an indispensable machinery by means of which the State maintains

its existence, carries on its functions and realises its policies and objectives. It may be noted that a community of persons does not form a State unless it is organized by an established government. Without government, there can be no civilised body like State. Prof. Gattel remarked that without government population would be an illogical, unorganized and anarchic with no means of collective action.

Government is the executive branch of the State. It is essential for administering political, economic, social and cultural affairs. It is also required for supervising various matters like natural resources, environmental protection, defence, security and foreign affairs.

State performs its various functions through Government. Prof. Garner says thus: “Government is the agency or machinery through which common policies are determined common affairs are regulated and common interests are promoted.”

Government comprises three organs - Legislature, Executive and Judiciary. Their respective functions are legislation, administration and adjudication of laws. The form of government depends upon the nature of the State which in turn depends upon the political habits and character of the people.

4. Sovereignty

Sovereignty is the fourth essential element of the State. It is this element that distinguishes the State from other associations. Sovereignty denotes the supreme and final authority beyond which no further coercive power exists. It is the supreme power or ultimate authority of the State.

It enables the government to rule and make laws within the State.

Sovereignty has two aspects- internal and external. Internal aspect of sovereignty relates to the supreme authority of the State over all individuals and associations within its geographical sphere. All individuals in the State must obediently submit to its will. By virtue of it, State makes and enforces laws applicable to all persons and associations. Any violation of these laws is regarded as a crime. External sovereignty denotes freedom of State from foreign control. State will have final and absolute authority. It is independent of foreign control. No external authority can limit its power. For instance, India before 1947

was not a State. Even though it has population, territory and government it lacked sovereignty. Sovereignty of a State extends all over its territory. Its people must accept it as undisputed. However, absolute sovereignty is neither feasible nor practicable in the contemporary world.

Besides the above, International recognition, Permanence, General Obedience and Popular Will are considered as other elements of State.

2.3 OTHER ELEMENTS OF STATE

1. INTERNATIONAL RECOGNITION

It implies recognition of the sovereign status of a State by other States. In modern times relations among nations have grown and many international organizations have come into being. Therefore some scholars have argued that international recognition became an essential element of State.

Every State requires recognition of other sovereign States. Such recognition is rendered by some international organizations like the United Nations. The UN membership is a means for recognizing State's sovereignty. Whenever a new State comes into existence, its recognition by other States and by the UN is considered as very essential.

International recognition also comprises a political dimension. China was a full-fledged State for many years before the establishment of the United Nations in 1945. China came under communist rule in 1949. Communist China was not recognized by the United States during cold war. After a longtime, it acquired legitimate place in the United Nations in 1970's only after the establishment of rapprochement between the United States and Communist China. It needs to be emphasized that even when Communist China was not a member of the United Nations, it was very much considered as a State.

2. Permanence

State is a permanent institution. Since ancient period, people led their lives and carried on their activities under one or the other form of State. The permanence of a State cannot be eliminated. If the State surrenders to the other States during war or aggression, it loses its significance but not the feature of permanence. Sometimes through the process of

integration or disintegration, the States will change the form of their existence. For instance, in 1990's Soviet Union got disintegrated and new 15 independent States came into being.

3. General Obedience

General obedience implies the supreme power of State over all individuals and institutions within its territorial limits. State commands obedience over its subjects and associations within its limits. Such obedience to State power is binding on people and groups within a State. No person or association can deny the power or authority of State. People can criticize the policies and programmes of government but not State. The obedience to State is mandatory on the part of the people.

4. Popular Will

Willoughby pointed out that the will of the people is an important element of the State. State continues to exist as long as it is supported by the majority of the people. The strong desire for protecting the State against invasions and internal revolutions is compulsory for the continuation of the State.

2.4 STATE VS SOCIETY, ASSOCIATION AND GOVERNMENT

2.4.1 State and Society

State and Society are two important human organizations. Society is a sum of all relationships – political, religious, cultural etc. It is a web of social relationships. Social life is natural to every individual. The instinct for association is their inbuilt quality. Nature and necessity prompted them to lead social life.

The term 'Society' refers to the interaction of complex norms among the people. People are the agents of social relationship. They are not regarded as things. Society is indefinable. It is a process rather than a thing, motion rather than structure.

Some scholars defined society as a collection of individuals held together by certain enduring relationships in pursuit of common ends. MacIver stated that society is a system of usages and procedures, authority and mutual aid of many groupings and divisions of human behaviour and of liberties.

Some others opined that society exists only when the members know each other and possess common objectives. Society consists of individuals who establish, maintain and

promote close contacts among themselves. It also consists of different groups and associations which help individuals in different matters.

Relationship between State and Society

The relationship between State and Society can be discussed as follows:

1. Common Features

State and Society have some common features. The two sometimes include practically the same persons in many cases. A vast majority of the members of society may be included in the same State.

2. Complementary

State and Society go hand in hand. They help each other. Social progress depends upon the progress of the State. The working of the State is influenced by social customs and traditions.

3. Synonymous

State and society were considered as the same in the past. At first the greek philosophers like Plato and Aristotle and later Idealists like Hegel and Bosanquet equated State with society. The greek philosophers viewed the City States and society as synonymous.

4. Interrelation

No one can deny the relationship between State and Society. State regulates the external conduct of individuals in society through laws. It provides a broad framework of social order. Thus State and society cannot be separated as different entities. Society nourishes the State with economic, cultural, religious and humanitarian activities.

Differences between State and Society

Inspite of close relationship, State and Society differ from one another. This may be illustrated through the following table.

Differences between State and Society

State	Society
1. State is a political organization.	1. Society is a social organization.
2. State regulates only the external relation of men in society. State formulates rules in this regard.	2. Society controls both internal and external activities of the individual. Society regulates all forms of social conduct.
3. State has the nature of compulsion. Disobedience to its laws is followed by punishment.	3. Society is not a compulsory organisation. So disobedience to its principles is not followed by any punishment.
4. State derives its strength mainly from laws.	4. Society derives its strength from customs, conventions and traditions.
5. State is a territorial organisation. It has its own well defined territory. Territoriality is its distinguishing feature.	5. Society is not confined to any geographical area. It has no territorial jurisdiction. Society may be broader or narrower than the State.
6. State alone has sovereignty. It operates through the instruments of compulsion and coercion. It uses force to implement its laws and policies.	6. Society does not possess sovereignty. It is supported by social customs, conventions and morality. It has no coercive power.
7. State is an important part of society. It refers only to the politically organised portion of society.	7. Society is wider than the State. Society is the complex of social relations formed and developed through various groups and associations.
8. State is a developed form of social organisation. It is created from Society.	8. Society is a bigger one. State is just a part of it. Society comes first. It is prior to the State. Man by nature is a social being.

9. State may not be permanent. It may disintegrate. It may be forcibly occupied by another State.	9. Society is permanent. It continues forever.
10. The laws and rules of State are definite and clear. They are made by the legislature.	10. The rules of the society are not so clear. They are generally ambiguous and vague. They are based on customs and conventions.
11. Laws of State are uniform. The punishments which are imposed upon the individual for violating the laws are same.	11. Rules of society are not uniform. The rules of one group may be differ from those of another group on the same matter. Similarly, different social groups have different punishments for violating the same rule.
12. Government is the political organ of the State. It makes and implements laws of the State.	12. Society does not possess such machinery. It regulates itself by customs, traditions and conventions.

Prof. Barker has summed up the above differences thus: “State and Society overlap, they blend and they borrow from one another.”

Though there are some differences between the State and Society, the two have some common features as well. State and Society sometimes include practically the same members. In most cases an overwhelming majority of the members of a particular society fall within the limits of a single State. Hence, relationship between State and Society is intimate.

2.4.2 State and Association

The social nature of man finds expression in numerous groups and associations which satisfy his various needs in life. Man cannot live in isolation. He seeks the cooperation and help of others to fulfill his needs and to develop his personality.

Intimate social relationship for achieving certain ends or purposes gives rise to the formation of associations. An association may be defined “as a group of people united for a specific purpose or a limited number of purposes.”

It will have similar views meant for the pursuit of certain common aims. As man is a social animal, he organises several associations for satisfying his associative character and various needs.

MacIver defined an association as an organization deliberately formed for the collective pursuit of some interests or a set of interests which its members share”.

Morris Ginsberg stated thus: “An association is a group of social beings related to one another by the fact that they possess or have instituted a common organization with a view to secure specific ends.”

Relationship between State and Association

Both the State and association comprise a group of human beings. Individuals are the members of both the State and Associations. Both are created and organized for the pursuit of an interest or a group of interests. Promotion of common interests is the driving force behind all forms of associations including the State. The State and Association are related in the following aspects.

1. Same Membership

Both the State and other associations consist of a group of same human beings. So the same individuals remain members of both the state and associations.

2. Common Interests

Both are created and organized for the pursuit of an interest or a group of interests. Promotion of common interests is the moving force behind all forms of associations including the State.

3. Organization

Both are characterized by organizations and a well-knit framework for realizing their objectives. Both regulate the activities of members. Both view cooperation as the basis among the members.

4. Code of conduct

Both have a code of conduct denoting some rules and regulations. The code of conduct keeps the members together. It ensures stability to the organization.

5. Executive

Every State will have an executive agency. Such agency is none other than the government. Similarly every association will have an executive council for implementing its decisions.

Differences between State and Association

State	Association
1. Membership in a State is compulsory.	1. Membership in association is voluntary.
2. State is permanent.	2. Associations may be temporary or permanent.
3. State strives for the welfare and progress of all the people.	3. Associations are meant for realising the interests of the members only.
4. State is a geographical organization. It has definite boundaries.	4. Associations will not have specific boundaries.
5. State is a sovereign body	5. Associations lack sovereignty.
6. Citizens show obedience to one State at a time. They enjoy membership only in one State at a particular time.	6. Citizens can join in as many associations as they desire at a time.
7. The scope of State is wide.	7. The scope of associations is limited.
8. State can intervene in the affairs of the associations.	8. Associations can't interfere in the affairs of the State.

9. State is superior to the associations.	9. Associations are inferior to the State.
10. Citizens shall be obedient to the State.	10. Citizens may disagree or disobey the rules and regulations depending upon the context and necessity.
11. All States in the world shall have the same characteristics.	11. Associations differ in their composition, nature, aims and objectives.
12. State exercises its authority by coercion and through laws.	12. Associations continue their activities not by coercion but through the co-operation of the members.
13. State can use force over the people for maintaining law and order.	13. Associations carry on their functions only through mutual agreement.

Differences between State and Association

It is said that the State is an “association of associations”. Barker rightly observed, “The State, as a general and all embracing institution of life, must necessarily adjust the relations of associations to itself, to other associations and to their own members.”

State is therefore, all-persistent, all embracing and all inclusive association. It is the most powerful of all associations. It brings harmony by controlling the external behavior of these associations.

2.4.3 State and Government

In popular parlance the terms ‘State’ and ‘Government’ are very often used as synonymous. Common people use the two terms in an identical sense. Many rulers ignored the differences between the two. For instance Louis XIV of France once said. “I am the king and I am the State”. What he claimed was actually the government and the State whose authority he had possessed.

Political scientists made a clear distinction between the State and Government. Some complex issues in Political Science are solved on the basis of the distinction between State and Government.

Relationship between State and Government

The relationship between State and Government can be discussed as follows.

1. Both are established by individuals

State and Government are two important organisations established by individuals. The two came into existence for protecting the people and for regulating the relations between them. Both were established for promoting the interests of the people in various spheres.

2. Complementary

State is the government for all practical purposes. Government carries on its activities in the name of the State. Whatever Government does, it does in the name of the State. The Stuart Kings in England and Louis XIV in France viewed State and Government as complementary.

3. Will of State expressed by government

Government is an important element of State. The collective will of State is expressed and implemented through Government. Government plays a crucial role in achieving the goals of State. Therefore government is described as the 'brain of State'. Laws which reflect the will of the State are formulated and given effect only by the government.

Prof. Laski stated that 'for every act of State that we encounter is, in truth, a governmental act. The will of the State is in its laws. But it is the government which gives substance and effect to their content.'

Differences between State and Government

The following are the differences between State and Government. It will be difficult for a government to carry on its activities in the absence of the State. Similarly, State can not carry on its activities without a government. Although the government controls the State, Government changes according to the will of the people. State remains as it is no matter who runs it. State is compared to a ship, and government is like the crew who runs the ship.

State	Government
1. State has four elements, namely, population, territory, government and sovereignty.	1. Government is one of the essential elements of the State. It is the main agency of the State.
2. State is a permanent organisation. It continues in existence irrespective of the changes in the political conditions in the country. It continues forever.	2. Government is a temporary organisation. It changes frequently through periodical elections or revolutions. Political conditions will have a great impact upon the formation, continuation and survival of the government.
3. State is a comprehensive organisation. It includes all individuals—ruled and rulers. All people living in a State come under its jurisdiction.	3. Government is a limited organisation. It consists of only few members and administrative officers who make and implement laws.
4. State is a natural institution. It existed since the beginning of social life.	4. Government is man-made. The rise and fall of governments has been a part of history.
5. State is an abstract organisation. It cannot be seen.	5. Government is concrete and definite. It is a physical manifestation. It carries on several activities on behalf of the State.
6. State possesses sovereignty. Its authority is absolute and unlimited. It cannot be taken away by others.	6. Government possesses no such power. It will have only derivative powers delegated by the State through the constitution.

7. People are not entitled to revolt against the State.	7. People can remove an inefficient or dishonest government. They have the right to oppose and criticize the policies and programmes of the government.
8. State is considered as the master as it issues orders to the government.	8. Government is viewed as the servant of the State. It symbolizes the power of State. It is always subordinate and loyal to the State.
9. All States are identical in nature. Whether big or small, they have the same characteristics. They are universal in nature.	9. Governments are not identical. They differ from State to State.
10. Membership of State is compulsory. No one is exempted from its membership.	10. Membership in government is optional. There is no compulsion in having its membership.
11. The authority of State is absolute and original.	11. The powers of the government are limited and delegated.

QUESTIONS

I. Long Answer Type Questions

1. Define State and explain its essential elements.
2. In what aspects State and Government differ from each other? Explain.
3. Explain the relationship and differences between State and Society.
4. Describe the relationship and differences between State and Association.

II. Short Answer Type Questions

1. Explain any two essential elements of State.
2. What are the other elements of State?

3. What do you know about Government and Sovereignty as the two essential elements of State?
4. Describe the relationship between State and Society.
5. Point out the differences between State and Society.
6. What is the relationship between State and Association?
7. Mention the differences between State and Association.
8. In what way are State and Government related?
9. Distinguish between State and Government.

III. Very Short Answer Type Questions

1. Mention any two definitions of State.
2. How many essential elements does the State possess? What are they?
3. What do you mean by 'Government'?
4. How many other elements does the State possess? Name them.
5. What do you know about 'Society'?
6. What do you know about 'Association'?
7. Write about the qualitative aspect of the population of a State.
8. Does a State require international recognition?
9. Mention any two differences between State and Society.
10. Write about any two differences between State and Government.
11. How many organs of Government are there? Explain their functions briefly.
12. Mention any two differences between State and Association.

Nationalism

CHAPTER

3

- 3.0 Introduction
- 3.1 Nation
- 3.2 Nationality
- 3.3 Nationalism
- 3.4 National Self-Determination
- 3.5 Is India a Nation State?

3.0 INTRODUCTION

Modern states are nation states. Nationalism is a sentiment prevalent among the people on the basis of some elements such as common customs, traditions and usages, common political aspirations etc. The concepts of Nation and Nationality have become important components in the domain of International Relations and Political Science. Both inspired the people of several countries with patriotic feelings prior to the two world wars. The events that took place in the erstwhile Soviet Union, ethnic riots between Serbians and Croats in the former Yugoslavia, the unification of East and West Germany, return of normalcy in Vietnam the peace talks between Israel and Palestine Liberation Organisation (PLO) on West Asia etc reflect the serious concern of the people for realising nationality and nation states.

The theory of one Nation-one State became popular after the First World War. It was based on the principle of National self-determination. In the beginning, the meaning of the word 'nation' was not clearly understood by many. Normally a nation means a state having

nationality elements. In this regard Hayes stated thus, 'a nationality, when it acquires unity and independence, it becomes a sovereign nation'. Nation means a group of people who descend from a common racial or ethnic stock. Some philosophers used this word to denote nationality. Others preferred to identify it with the 'State'. There were some writers who treated the two terms as synonymous.

However, it may be noted that the word nation emphasises greatly the 'nation' on the homogeneity thereby ignoring statehood. It assigned importance to the cultural and spiritual elements in the composition of a nation. People having common origin, in terms of their ancestry, parentage or descent will have nationalistic feelings. Nationalism greatly influenced the history of the world. The quest for national hegemony has inspired millions of people who were under the shackles of imperialism and colonisation. Such a strong zeal prompted them to wage struggles for national liberation. In modern times, the nation-state has become a dominant form of societal organisation.

3.1 NATION

The term 'Nation' is often used as a synonym for an ethnic group as ethnicity is an important aspect of cultural or social identity of the members of most nations. However, people belonging to the same ethnic origin may reside in different nation-states. In such a case they are treated as members of separate nations. National identity is often disputed from higher to grassroots level of the individuals. Today almost all nations have been associated with some specific territorial boundaries.

There are some instances of people residing outside of their motherland. In such cases the state which explicitly identifies the homeland of a particular nation is regarded as a nation-state. Many of the modern states belong to this category. Whenever a particular territory becomes a bone of contention between nations, the claims are settled on the basis of the element of residence. Especially in the case of historical European settlements (1500-1950), the term 'First Nations' is used by groups which share an aboriginal culture and seek official recognition or autonomy.

The presence of a political system differentiates Nation from Nationality. Unless nationality develops into a political system, it cannot be called a nation. In other words, nationality is the first stage and nation is the second stage. Whenever nationality forms into a state, it becomes a nation. However, both nation and state cannot be equated. There is a scope for the existence of many nationalities in one nation state..

3.1.1 Meaning

The term 'Nation' is derived from a latin word "Natio," which means 'born'. It gives 'a racial' meaning. In this sense, nation means a people joining together in a society by the ties of blood-relationship. But in modern times, the concept has its own significance. Calvo, in his work 'International Law,' emphasised that the idea of nation is associated with the origin or birth of community of races, community of languages, etc.

3.1.2 Definitions

There are many definitions of the term 'Nation'. Some of them may are mentioned as below.

1. **Barker** : "Nation is a body of persons inhabiting a definite territory and united together by the primary fact of living together on a common land."
2. **Lord Bryce** : "Nation is a nationality which has organised itself into a political body –independent or desiring to be independent."
3. **Burgess** : "Nation is a population of ethnic unity inhabiting in a territory of a geographic unity."
4. **J.W. Garner** : "Nation is a culturally homogenous social group which is at once conscious and tenacious of its unity of psychic life and expression."
5. **Stephen Leacock** : "Nation is a body of people united by the common descent and language."

A nation is not a casual collection of people. At the same time it differs from other groups or communities found in human society. It differs from family to family which is based on face-to-face relationship with each member having direct personal knowledge of the identity and character. It also differs from tribes and clans and other kinship groups in which ties of marriage and descent link members together. It is also a fact that all people living in a state may not have common descent with their fellow countrymen. Yet nations exist with the people having respect towards others.

3.1.3 Differences between Nation and State

Nation	State
1. Nation is an independent political community or an integral part of a multi-national state.	1. State consist of the people of the same nation or many nations.
2. Nation precedes the state.	2. State follows the nation. The final form of a nation is the accomplishment of statehood.
3. Nation is a community of people who exist together for a common goal and who were united by psychological feeling of oneness.	3. State is a people organised by law in a definite territory.
4. Nation is historical and cultural in its evolution.	4. State is a political and legal structure.
5. Nation is the culmination of a long co-existence of the people.	5. State need not be evolutionary in nature. It may come into existence either by unification of the smaller independent political communities or by partition.

3.2 NATIONALITY

Political philosophers Burgess, J. W. Garner, R.G. Gettle, J.H. Rose, Zimmerin and others gave definitions on the term 'Nationality'. Their definitions are mentioned as below.

1. **Burgess** : "Nationality is a distinct socio - ethnic group ordinarily constituting a majority of the total population."
2. **J.W Garner** : "Nationality is a group or portion of population which is united by racial and other bonds."
3. **R.G. Gettle** : " Nationality is a population having the common bonds of race, language, religion, traditions and history."

4. **J.H. Rose** : “Nationality is a union of hearts once made and never unmade.”
5. **Zimmerin** : “Nationality is a form of corporate sentiment of peculiar intensity, intimacy and dignity related to a definite home country.”

Nationality emerges whenever there is unity and togetherness among human groups. Unity prevails among the people due to the common history, common language and common customs and traditions. A group of people are treated like a nation only in the wake of a desire for freedom. For instance the Jews were spread throughout the world prior to the formation of Israel. But their identity of residence in a definite area of Israel brought them recognition as a nation.

The term ‘Nation’ and ‘Nationality’ are used interchangeably. While the term ‘Nation’ connotes a political organisation, Nationality is a spiritual and psychological sentiment. A country denotes geographical territory. But the state expresses people having a legitimised administrative and decision-making institution. It may be noted that certain terms like ‘national’, ‘international’ etc are used in a technical sense applicable to the state. International law, for instance, applies to the relations between states. Sometimes it embodies relations between states on the one side and individuals or legal persons on the other. Likewise the United Nations represent the states of the world. On the other hand, nations do not get admission into the august body when they lack sovereignty.

Nationality is a term which denotes the status of a person in a state. The term is derived from the latin word ‘Natio’ which means ‘birth or descent’. Individuals who reside in a particular geographical area having a common language and common political aspirations would contribute to nationality.

3.2.1 Connotations of Nationality

On the whole –the term ‘Nationality’ is used in three different connotations. These may be explained as follows.

1. Nationality refers to the legal status of citizens in a particular state. Here it refers to one's status as a citizen of the state which he belongs to.
2. Nationality means a group of persons having their distinct identity within a particular nation. For instance, there are many nationalities as Byelorussians, Ukrainians, Uzbeks, Tadjiks etc in the erstwhile Soviet Union. So is the case with Switzerland. These two states comprise people belonging to multi-nationalities.
3. Nationality denotes a particular kind of feelings and sentiments that binds the people together. It differentiates such people from those of other nationalities.

For instance, the residents in the region of Wales and Scotland in Britain have been struggling for independent status. We can find separate national feelings in this state. People are called as nations only after they becoming politically independent. Hence, state and political independence are the factors that denote the differences between nation and nationality.

3.2.2 Essential elements of Nationality

The formation of a nationality is attributed to many essential elements. These essential elements are mentioned in the following figure.

1. Purity of Race

Race is a physical phenomenon. Racial purity helps in the formation and strengthening of the idea of nationality. It depends on certain distinctions of skull, stature, hair, complexion etc. These distinctions serve as a cementing bond among the members of a group.

Some of the most distinct nationalities which we observe today have in fact been formed by a fusion of other races. The English and the French nationalities may be cited for such instances of fusion. While race is a physical phenomenon, nationality is a complex phenomenon having several spiritual elements. In course of time racial purity became a myth due to the fusion of races and free intercourse between them. For instance, Canada and United States have transformed into single nations inspite of their racial diversities in their respective populations. Similarly, Australia and Britain are two distinct nations although they belong to one racial stock. Hence, racial unity may not be considered as an important element in the creation of nationality though indirectly it has some strength.

2. Common language

Language is a medium of communication and deliberations among the people. People having a common language can very easily form into a single nation. Common language embodies common literature. It brings together like minded persons nearer. This leads to a sort of psychological unity among the people. However, some said that language is important but not crucial.

They contended that nationalities and nations may come into existence inspite of a variety of languages. For instance, there prevailed a common sentiment of nationality in Switzerland inspite of linguistic differences among the French, German and Italian inhabitants there. The same tendency is prevalent in states like Canada and India.

3. Common Religion

In the past religion played an important role in the consolidation of the nation. Common religion prompted and promoted strong bonds of unity. It helped in the formation of nationality through the common ideas and ideals of the people.

Religion as a bond of national unity has, however, lost its significance to some extent in the present age of scientific outlook. India is said to be an excellent example of a strong

nation developing from the people having a variety of religious faiths like Christianity, Hinduism, Islam etc.

All this shows that though religious unity helps the process of national unity, it cannot be considered as a pre-requisite to national unity.

4. Geographical Unity

Geographical unity is considered to be very essential for the formation of nationality and nation. It is inherent in nature. It attempts to design a separate entity to ascertain the unity of the country. Moreover, such unity affords an opportunity to the people to live together under similar climatic conditions. A definite territory occupied by a people exerts natural influence on their body and mind. People are imbued with like-minded feelings and similar psychological ideas which, in turn, are responsible for forging strong unity among them. However, geographic unity itself is not considered as a key element. For instance, before the creation of their national home in Palestine, the Jews were scattered over many parts of the world.

5. Common History

Common history is considered as another important element of Nationality. It invokes an inspiration among the people and binds them together. Sometimes historical incidents may give a chance to the people to develop national sentiments. For instance, Indians have learnt lessons of nationalism from the British legacy.

6. Common Culture

Culture in its broad sense means a way of life. It is reflected through certain common elements like dress, customs, conventions, food habits, religious beliefs, ethical values etc. They easily develop into a single nation. These elements bind the people together and hold them together.

7. Common Political Aspirations

People living together in a territory will be imbued with common political and economic aspirations. These in turn play a dominant role in the emergence of a nation. If there is a sufficient number of people having capacity of maintaining a separate state, they might wish for an independent political organisation. Such a union, again, may tend to mould

heterogeneous elements into a common nationality. It was observed that the unification movements in Germany and Italy, the American war of independence, the Indian freedom struggle etc have communality denoting identical political aspirations of the people.

To conclude, the presence or absence of any one or some of the above factors does not necessarily imply the presence or absence of a spirit of nationality. The United States is cited as an example for a nation arising out of multinational elements. Switzerland too is an example of this type. The Jews also represent a strange example of this type of nation.

3.2.3 Importance of Nation and Nationality

The concepts of Nation and Nationality laid formidable foundations to several modern political systems. These concepts promoted the bonds of unity, fraternity and integrity among the people of a particular country. Nationality and nationalism profoundly influenced the people of a nation in building their own states and moulding their economic prosperity. They have, in fact, worked as synthetic ideas tempered with cosmetic feelings in many modern states. Love for the family and piety for the nation, fellow feeling and so on are the offshoots of these concepts. The existence of modern states is, by and large, rooted in these zealous concepts.

The two concepts have similarity in their origin. Both the concepts were derived from a latin word 'Natio' which means birth or descent. Some political writers like Lord Bryce and Hayes described that people will form into a nation when they achieve political independence. Such a nation originates when people had nationalistic sentiments. Both the concepts arise due to the organisation of people into a homogenous body on the basis of common understanding.

A state emerges due to the influence of nationality and nation. At a time when the people in Europe were under despotic rule, the feelings of nationality strongly influenced them and made them finally come out of the clutches of the emperors and declare independence. The concepts of nation and nationality transformed the people into nation-states. Again these ideas imbibed the people with love and respect for their language, religion and customs. They also made the people to preserve and maintain their culture. Hence, these great ideals strengthened understanding and unity among the people.

3.2.4 Differences between Nation and Nationality

Nation and Nationality differ in the following aspects

Nation	Nationality
1. Nation is a political concept.	1. Nationality is a psychological feeling.
2. Nation is always a politically organised state.	2. Nationality is always an unorganised and flexible feeling.
3. Nation is always independent.	3. Nationality is not independent.
4. There can't be a nation without nationality.	4. There can be nationality without a nation.
5. People who form into a nation obey the laws of the state.	5. Until the people of a nationality form into a nation, there can't be constitutional laws. But they oblige certain common rules in their best interests.

3.3 NATIONALISM

Nationalism is an effective force in modern politics. In theoretical formulations and practical political movements, the fire of national sentiment has been supported by writers and politicians. The purpose of national movement has however, remained the same everywhere. It has sought to concentrate human allegiance into a small and homogeneous unit- the nation-state.

It is traditional to distinguish nations from states. While a nation often consists of an ethnic or cultural community, a state is a political entity with a high degree of sovereignty. While many states are nations in some sense, there are many nations which are not fully sovereign states. For example, the native americans constitute a nation but not a state since they do not possess the requisite political authority over their internal or external affairs. If the members of the native american nation were to strive to form a sovereign state for preserving their identity as a people, they would be exhibiting a state-focused nationalism.

Broadly speaking the term “nationalism” is generally used to describe two phenomena. They are mentioned as follows.

1. The attitude of the members of a nation towards their national identity.
2. The action of the members of a nation towards the goal of achieving self-determination.

The strong desire of the people having nationality feelings will emerge as a nation-state and nationalism. The ideas of nationalism originated in the cultural renaissance of Europe in the sixteenth century. The war of American independence (1774) was a great leap forward in spreading nationalism among the people. The French Revolution (1789) furthered nationalism in Europe and took it to the great heights. The Vienna Congress (1815) further supported the cause of nationalism in Europe. The unification of Italy and Germany boosted up the cause of nationalism. The much publicized theory of national self-determination of Woodrow-Wilson in 1917 further generated hope among the people of the world to form nation states. The two world wars completely redrafted the European map with the formation nation-states. The freedom struggles and national aspirations of the people of Asia, Africa and Latin America fulfilled the formation of nation-states immediately after the end of second world-war. Many issues of sub- nationalism and ethnic conflicts in many counties have been solved through granting statehood and recognising their special identities.

3.3.1 Importance of Nationalism

A close perusal of Nationalism reveals that it played a prominent role in the world affairs. During the last two centuries or more, nationalism has emerged as the most inevitable political creed in shaping the history. Nationalism not only inspired but also created deep hatredness among the people. It helped in liberalising the people from oppressive rule. It became a deciding factor in the breakup of many empires and states. Nationalist struggles have contributed to the drawing and redrawing of the boundaries of many states. At present a large part of the world is divided into different nation-states although the process of re-ordering of state boundaries has not come to an end. Separatist struggles within the existing states have become common.

3.3.2 Different phases of Nationalism

Nationalism can be studied on a country by country basis and in the chronological order. Hayes described five main phases of Nationalism in this context.

1. Humanitarian
2. Jacobean
3. Traditional
4. Liberal and
5. Integral

The first four phases originated in the Eighteenth and Nineteenth centuries. The French Revolution and its aftermaths had a climax in the fifth phase. i.e., integral nationalism. The fourth phase is characterised by the policies of some totalitarian states and other policies of supposedly democratic states.

It will be really interesting to observe Prof. Snyder's chronology of nationalism. According to Snyder there are four phases of nationalism namely.

1. **Integrative Nationalism (1815-71):** During this period nationalism was a unifying force and found solid expression in the unification of Italy and Germany.
2. **Disruptive Nationalism (1871-90):** During this period, subject nationalities of Austria – Hungary and other multi-national states clamoured for independence.
3. **Aggressive Nationalism (1890-1945):** During this period, nationalism became virtually identical with aggressive imperialism. This led to the clash of opposing national interests in the form of two world wars.
4. **Contemporary Nationalism:** (After 1945) During the early years of the contemporary period nationalism manifested in the form of revolts against European masters. Communism in its Stalin – style took on the trappings of nationalism in the Soviet Union. Since then nationalism has assumed particularly virulent forms. It has shaped the international politics of the western forms. It has become a worldwide phenomenon with its tremendous impact on the newly emergent states of Asia and Africa. It has achieved a kind of linkage with international communism.

Today we are living in the age of pan-nationalism assuming different forms – ranging from communist patterns and ultra-nationalistic forms to constructive associations of national and international trends and movements. Nationalism indeed has become a slogan, a school of thought, a movement and a fight for certain political or sovereign objective.

In this age of Liberalisation, Privatisation and Globalisation (LPG), the world has been shrinking. People are living in a global village. Nations become irrelevant. However, nationalism is still relevant. One can see this when Indian team goes out to play cricket or one can discover that Indians living abroad still watch bollywood films.

3.3.3 Merits of Nationalism

The following merits are found in Nationalism.

1. Nationalism removes mutual differences, personal animosities and internal feuds. It brings integrity and solidarity among the people of a nation. It enabled them to understand the neighbour's point of view. So it promotes closer understanding among the people.
2. Nationalism enables the people to obey the orders of government.
3. It helps in achieving the progress of a nation in a short period.
4. It accelerates the pace of the development of the state. It provides a democratic base to the government and strengthens administrative system.
5. It is anti-imperialistic. So it does not allow economic exploitation.
6. It secures political stability and peaceful social atmosphere.
7. It helps in developing the culture of the people of a nation rooted in their language, literature, costumes and so on.

3.3.4 Demerits of Nationalism

Nationalism is not free from criticism. It has the following demerits.

1. Nationalism makes the people extremely proud, jealous and arrogant as was clear from the history of Germany and Italy.
2. It provokes the people to dominate the people of neighbouring states.

3. It leads to unnecessary and unhealthy competition among the nations in economic matters.
4. It is also beset with parochial and provincial outlook.

In spite of the demerits, nationalism is an indispensable feature of modern state. Modern states degenerate into sub-national groups in the absence of healthy nationalistic feelings. States like Japan, France and USA attained economic progress due to the nationalistic character of their people. Hence nationalism brings in many advantages when its evolved on sound lines.

3.4 NATIONAL SELF-DETERMINATION

Nationalism today became a world-wide phenomenon. In theoretical formulation and practical politics, national sentiments are developed by many writers as well as politicians. This principle implies that every nation should be organised as an independent political entity. It raises the question whether every nationality has the right to be a self-governing or sovereign state. We have seen that imperialistic attempts of Napoleon Bonaparte aroused the sentiments of nationalism in many countries of Europe in the past.

Nations, unlike other social groups, seek the right to govern themselves and determine their future development. They seek, in other words, the right to self-determination. In making this claim, a nation seeks recognition and acceptance by the international community of its status as a distinct political entity or state. Quite often these claims come from the people who lived together in a given land for a long period having sense of common identity. In some cases, such claims of self-determination denote the desire to form a state in which the culture of a group is protected. Claims of the latter kind were frequently made in the nineteenth century in Europe. The notion of one culture - one state began to gain acceptability at the time. Subsequently, this idea was employed while reordering state boundaries after the First World War. The Treaty of Versailles led to the formation of several small and newly independent states. However, it proved virtually impossible to satisfy all the demands for self determination which were made at that time. Besides, re-organisation of state boundaries to satisfy the demands of one culture - one state, led to a large scale migration of people across the state boundaries. Millions of people, as a consequence were displaced from their homes and expelled from the land which had been their home for generations. Many others became victims of communal violence. Humanity paid a heavy price for re-

organising boundaries in a way that culturally distinct communities could form separate nation-states. Besides, even in this respect it was not possible to ensure that the newly created states contained only one ethnic community.

3.4.1 Demand for National Self-Determination

Demand for National Self-Determination have been raised in different parts of the world. Let us look at one such case. Basque is a hilly and prosperous region in Spain. This region is recognised by the Spanish government as an 'autonomous' region within the Spanish federation. But the leaders of Basque Nationalist Movement are not satisfied with this autonomy. They want this region to become a separate country.

Many states have people belonging to many ethnic and cultural communities. These communities often felt disadvantageous. Hence the issue of accommodating minorities as equal citizens remained a challenging task. The only positive aspect of these developments was that the state granted political recognition to the various cultural groups which in turn claimed the opportunity to govern them and determine their own future. The right to national self-determination has also asserted the national liberation movements in Asia and Africa when they were struggling against colonial rule. Nationalist movements maintained that political independence would ensure dignity and recognition to the colonised people. They also helped the people by protecting their collective interests. Many nationalist movements were inspired by the goal of bringing justice and prosperity to the nation.

However, it proved almost impossible to ensure that each cultural group, which claimed to be a distinct nation, could achieve political independence and statehood. As a result, migration of people, border wars and violence have continued to plague many countries in the region. Thus we have the paradoxical situation of nation-states which themselves had achieved independence through struggle now acting against minorities within their own territories. Virtually every state in the world today faces the dilemma of how to deal with the movements of national self-determination and raised doubts about the right to national self-determination. More and more people began realising that the solution does not lie in creating new states but in making existing states more democratic and equal. That is, in ensuring that people with different cultural and ethnic identities live and co-exist as partners and equal citizens within the country. This may be essential not only for resolving problems arising out of new claims for self-determination but also for building a strong and united

state. After all, a nation-state which does not respect the rights and cultural identity of minorities within the state would find it difficult to gain the loyalty of its members.

3.5 IS INDIA A NATION STATE?

Many western and oriental writers described that India is indeed a nation state. But some western writers argued that India cannot be called as a nation state. The reason they stated is that India is an amalgam of a number of castes, creeds and communities, languages, religions etc. It is also argued that India was never ruled by a particular common ruler. Even though it was widely known as Hindustan, there prevailed no common religion in India. The uniqueness lies in the fact that India possesses multinational state features.

However, some opined that the above view is not rational. They criticised the notions of above writers as prejudicial. But there are some political writers who whole heartedly assert the unity or homogeneity of Indian nation state.

There are strong reasons to justify that India is a nation.

Indians have a common history and culture. They have demonstrated their distinct qualities of national integration on many occasions. During India's aggression by China and Pakistan, the Indians extended unequivocal support to the government.

Indians have expressed their dedication to make unparallel and supreme sacrifices for the accomplishment of independence. They fought unitedly against the foreign yoke under the leadership of Mahatma Gandhi. Those Indians who suffered under the oppressive british rule cemented the psychological feelings of the Indian masses. Their efforts helped to achieve freedom ultimately. The composite culture, customs and conventions of the Indians have strengthened the nationalist feelings among them. The inherent qualities of patriotism and devotion towards 'Mother India' enhanced their political ideals.

Since times immemorial India is known for its unity in diversity although the people belong to different provinces. They realised the basic fact that they are all first and foremost Indians. Then only, they owe indebtedness to their respective religions and languages.

Indians have stood together as a monolith when the country was caught in the crisis caused by the natural calamities or political bickerings.

Indians believe that “Mother and Motherland are supreme than heaven” (Janani Janma Bhumistcha Swargadapi Gareeyasi). The history of India inspires its people and enthuse them. Some common elements like national anthem, national heritage, culture, constitution and the government inspire the nationalist feelings and inculcate national integration among the people.

In this connection, it must be pointed out that the outbreak of terrorism, religious fanaticism and senseless casteism in many parts of the country unfortunately threatened the unity and integrity of our country in the recent past.

The governments at the centre and in the states governments have been making all efforts for curbing these parochial, narrow and conservative views in order to preserve the integrity of the nation. Whatever may be the pros and cons of India as a nation, it must be fairly said that the commonalities such as constitution, festivals, national celebrations and common goals of the Indians rejuvenate the rich Indian culture and project the Indians as a mighty nation before the world. Therefore, India is considered as a nation.

* * *

QUESTIONS

I. Long Answer Type Questions

1. Define Nationality. Explain the essential elements of Nationality.
2. Discuss the relation between Nation and Nationalism.
3. Write a short note on demand for National Self-Determination.
4. Explain briefly 'whether India is a Nation'.

II. Short Answer Type Questions

1. Briefly explain the essential elements of Nationality.
2. In what way do Nation and State differ from each other?
3. Describe the various phases of Nationalism.
4. Describe the importance of Nation and Nationality.
5. What are the differences between Nation and Nationality?
6. Write short notes on National Self - Determination.
7. Is India a Nation State? Explain.

III. Very Short Answer Type Questions

1. What is meant by Nationality?
2. Define Nation.
3. Write any two differences between Nation and State.
4. Mention any two connotations of Nationality.
5. Mention any two essential elements of Nationality.
6. What is the importance of Nationalism?
7. Write any two merits of Nationalism.
8. Mention any two demerits of Nationalism.

Law

CHAPTER

4

- 4.0 Introduction
- 4.1 Meaning of Law
- 4.2 Features of Law
- 4.3 Sources of Law
- 4.4 Classification of Law
- 4.5 Law and Morality
- 4.6 Law and Liberty
- 4.7 Rule of Law

4.0 INTRODUCTION

Law plays a prominent role in the organisation of civilised life of in modern society and state. It serves as a basis to the prosperity of society. It determines and regulates the nature of individual's activities. Law, backed by customs and traditions promotes, benevolent behaviour among individuals. Individual's life, social order, political system, economic transactions, cultural activities etc., remain paralysed in the absence of laws. It is due to the deterioration of legal system that public life, governmental organisations and state activities were affected to a great extent in some contemporary states. Afghanistan, Iraq, Nigeria, Somalia, Soviet Union, Ukraine, Yemen etc., are some examples of such states.

Law is an essential condition which regulates the external behaviour of individuals. Constitutional law, an important type of law, acts as the main basis for determining the relations between individuals, society, government and state. Especially, it has a great impact on the political system.

4.1 MEANING OF LAW

The term 'Law' is found in all types of disciplines. In physical sciences, the term is used to explain the relationship between cause and effect. In Social Sciences it is used to regulate the behaviour of men in society. Political Science treats law as the foundation of its subject matter. The term 'Law' is derived from the teutonic root (German) "Lag" which means "to lay", "to set" or something fixed. In other words, law is defined as a rule of conduct imposed by a sovereign political authority. The second dimension is that the word 'Law' had its roots in the Latin words "Jus & Jungere" which mean bond or tie. The literal meaning of law denotes that it is a bond or systematic code of conduct which regulates the external behaviour of men by the sovereign political authority. Government on behalf of the state formulates laws with a specific objective.

The word "Law" is used in a variety of senses. Scientific law is the law in which the sequence of cause and effect can be traced. For example, laws of gravitation and motion are universal and eternal. Social laws stand for the customs which guide the individual as a member of society. Moral laws deal with the matters of "intrinsic" right and wrong, good and bad. They deal with the motives of conscience. Political laws regulate the behaviour of individuals as members of the state. On the whole law denotes the external code of conduct. It is enforced by "a system of compulsion."

4.1.1 Definitions

Political scientists gave several definitions on law. Some of them are mentioned as follows:

1. **John Erskin** : "Law is the command of the sovereign containing a common rule of life for his subjects and obliging them to obedience."
2. **T. E. Holland** : "Law is a general rule of external human action enforced by the sovereign political authority."
3. **Krabbe** : "Law is the expression of the judgements of value which the human beings make by virtue of their disposition and nature."
4. **John Salmond** : "Law is the collection of principles recognised and applied by the state in the administration of justice."
5. **Woodrow Wilson** : "Law is the portion of the established thoughts and habits which have gained distinct and formal recognition in the shape of uniform rules backed by the authority and power of government."

4.2 FEATURES OF LAW

The following are some features of law.

1. Law comprises some rules and regulations which are approved by the sovereign.
2. It is enforced by the state. It is valid because it is sanctioned by the state.
3. It is definite, precise and universal.
4. It reflects the will of the people.
5. Any violation of law leads to punishment.
6. Law is compulsory and cohesive in nature.
7. Law aims at securing and promoting the individual and general welfare.
8. Law is dynamic as it goes on changing according to the needs of the people.

4.3 SOURCES OF LAW

Law is a product of history. It has passed through various stages of development. Several elements have contributed to its evolution. In legal sense, the state is the main source of law. Professor T. E. Holland mentioned six sources of law. They are: 1. Customs 2. Religion 3. Judicial Decisions 4. Scientific Commentaries 5. Equity 6. Legislation.

These may be explained as follows.

1. Customs

Customs are regarded as the earliest source of law. In ancient period disputes between individuals were settled in accordance with the prevailing social customs. These customs, rituals and traditions in course of time became a basis for social life. They have immense utility. They promoted order in society. In due course, practices became usages. These customs were generally accepted by the community because of their general utility. As long as social relations were simple, customs provided the rules for promoting common interests. Marriage laws, social and moral customs are regarded as the by-products of social system at various points of time. Britain is renowned for the customs having great legal sanctity. They believe that “breach of convention is a breach of law”. However, State cannot afford to ignore the deep rooted customs of the land. Even in the United States there prevailed some traditions which became a part of the constitutional frame work.

2. Religion

In ancient period, customs and religion were closely related to each other. The ancient city states were governed on the basis of divine laws. The early priests, kings and magicians played a key role in making laws supported by religion. These laws had the divine and spiritual sanctions. Religion served as the basis of laws in many states. The origin of the Hindu laws in India can be traced in the code of Manu. The origin of Mohammadan law can be traced in Sharieath. The proper sense of divine law is revealed to man from God. God is the ultimate source of divine law. Some states like Pakistan, Afghanistan, Iran and Arab nations have been following religious laws in their respective constitutions. Hindus and Muslims even today have their separate personal laws based on their religious beliefs and practices particularly in the matters of marriage and inheritance.

3. Equity

The term ‘Equity’ stands for the principles of fairness and justice. When the existing laws are inadequate, judges use their common sense and fair understanding to give relief to the party concerned. Equity is derived from the principle of natural justice. It is viewed as judge made law. In this regard Henry Maine stated that equity is born of rules existing by the side of the original civil law founded on distinct principles. It supersedes the civil law in

virtue of its superior sanctity. Equity denotes informal method of making new laws altering the old laws depending upon intrinsic fairness or equality of treatment. Professor Gilchrist emphasised this element as a source of law. He mentioned about the three aspects of Equity namely (a) Exclusiveness (b) Concurrence (c) Auxiliary nature. Law is exclusive when it recognizes certain rights which are not recognized by common law. Law is Concurrent when it recognizes the rights. But law does not provide adequate relief. It is Auxiliary when material evidence cannot be proved.

4. Legislation

Legislation become an important source of law in democracy. Most of the laws are passed by the legislative branch of the government. Legislation is considered as the direct source of law. Legislation became a significant element in enacting laws in modern times. While formulating laws, legislature represents the voice of the general public. The party in power and opposition in the legislature represent the legitimate demands of the people.

5. Judicial Decisions

Judicial Decisions are also considered as the most important source of law. At present social life has become more and more complex. As a result customs and religions could no longer be considered as adequate source of law. The judgements given by the tribal leaders in settling the disputes between the individuals and group in primitive society became a source of law. In a democratic state, legislature makes the laws, executive implements them and judiciary interprets them. The judges settle various disputes and review the constitutional propriety of laws. When a law is silent, judges will express their opinions to deal with such situations, with better arguments and evidences. Due to the complex social, economic and political conditions the existing laws could not give justice to the people. Therefore judicial decisions have become mandatory in delivering justice.

6. Scientific Commentaries

Scientific Commentaries are another important source of law. The views, comments and works of eminent jurists on law help in the formation of laws. Greater importance is assigned to the opinions of judges, jurists and lawyers in the formulation of laws. In the course of their commentaries the jurists points out the drawbacks in law, and suggest the solutions. These are applicable to everybody. In India Yajnavalka, the author of “Neetisaara” occupies a prominent place; Similarly Holebrooke and Blackstone in England are regarded

as eminent jurists whose comments and scientific discussions on law were universally accepted as expositions on law. Great jurists like Kent of the United States and Jeremy Bentham of England have made valuable contributions through their comments on judicial matters.

4.4 CLASSIFICATION OF LAW

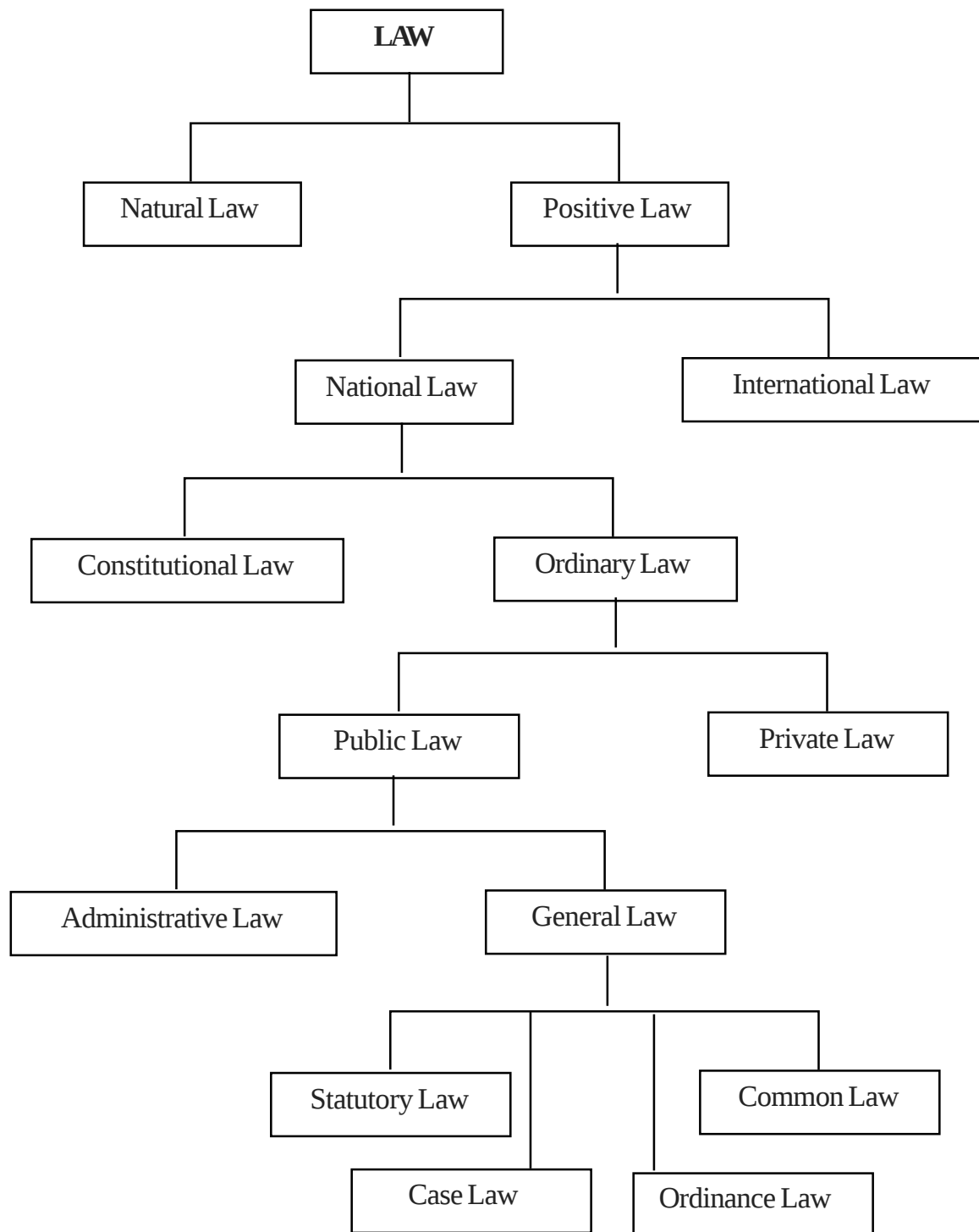
Many political philosophers gave their classifications on laws in different ways. Of them the classification given by MacIver is mention worthy.

Mac Iver classified law into two types, namely, Natural Law and Positive Law. Positive Law is further divided into National Law and International law.

- ◆ National Law is further grouped into Constitutional law and Ordinary Law.
- ◆ Ordinary Law is again classified into Public Law and Private Law.
- ◆ Public Law is further divided into Administrative Law and General Law.
- ◆ General Law is again divided into statutory Law, Case Law Ordinance and Common Law

The above types of laws may be shown in the following table.

Classification of Law



The above classification of law can be explained in the following points:

1. Natural Law

Natural law is also known as divine law. It is abstract. It is not created by any human agency. It is considered as the gift of nature based on metaphysical power. It refers to the use of reason to analyse human nature. It is written in the heart of human beings by the finger of God.

2. Positive Law

Positive law is created by the human agency. It is also known as political law. It is framed on the basis of the existing social and political conditions. It is sanctioned by the sovereign political authority. Violation of positive law leads to punishment. Positive Law is further classified into two categories - National Law and International Law. National Law is also known as Municipal Law or Law of the state. It confines to the territorial limits of the state. It, enforced by the sovereign, is applicable to all the people in a state. International Law is one which regulates the cordial relations among various states. It has no coercive power. International covenants approved by the United Nations are examples of this Law. International Law simply comprises a specific code to be observed by the member states for promoting international peace and security.

National Law is further divided into two categories - Constitutional Law and Ordinary Law.

3. Constitutional Law

Constitutional Law is basically different from Ordinary Law. It is the supreme law of a state. It determines the structure of the government. It explains the relationship among the organs of government. It determines the jurisdiction of these organs. Constitutional Law is mostly written in form. It also explains about the rights and responsibilities of the citizens of a state. It is paramount in democracy. It embodies the will of the people.

4. Ordinary Law

Ordinary law is subordinate to the constitutional law. It is formulated and enforced by the competent authority of the state. It explains the relations of the citizens with society, government and state. It is backed by customs, usages and religion. Legislatures makes amendments to this law. Ordinary law is further divided into Public and Private Laws.

5. Public Law

Public Law regulates the relations between state and individuals. It explains the basic structure and functions of the state. It covers the basic rights of the individuals against the excessive interference of the state. It must be followed by all citizens. Its violation leads to punishment.

6. Private Law

Private Law determines and regulates the relations among the individuals. It prescribes the conduct of individuals in society. It provides guarantee to each for enjoying his rights. It is sometimes termed as civil law. The various judicial organisations hear the disputes in private matters as per the private law. Public Law is further divided into Administrative Law and General Law.

7. Administrative Law

Administrative Law plays an important role in the smooth functioning of administration. It regulates the administrative relations between the authorities and people. It helps the government to bring reforms in the sphere of development and welfare programmes. Many countries achieved rapid progress due to the adoption of administrative laws. Administrative law brings discipline among the personnel in the government.

8. General Law

General Law determines the relationship between ordinary citizens and the state. It deals with the private affairs of individual in relation to the state. It covers the laws relating to marriage, divorce, contract etc. General Law is further classified into statutory law, Common law.

9. Statutory Law

Statutory law is an important part of modern law. It is enacted by the legislature of a state for the day to day administration. For instance, the Parliament in India, the Congress in United States and Parliament in Britain formulate this type of law.

10. Common Law

Common law is a customary law. It is a product of customs and traditions which are popular among the people. The courts accept common law as a part of the legal system.

4.5 LAW AND MORALITY

Law and morality are considered as the basic pillars of social institutions. The two elements play a vital role in the maintenance of peace, security and prosperity in society. They have different versions with common objective. They are interrelated and interdependent. Some political philosophers believed that law and morality are one and the same. In this context R.G. Gettle stated thus: “Law and morality were both identical. Both arise as a result of habits and experience in primitive social life when moral and social lives were not separate.” In spite of certain differences, Law and Morality are meant for common welfare.

Law and morality differ in several aspects. Law regulates the external behaviour of individuals. On the other hand, morality is concerned with the whole life of individual. It covers his inner motives as well as external acts. It controls the internal feelings of individual on the basis of good and bad. Law and Morality became distinct with the advancement of civilisation. At present, they differ in their scope, contents, sanction and precision. Both deal with individual as a moral agent of society. For instance, in ancient India the term Dharma denotes both law and morality. The Greek political philosophers identified the two as same. On the whole the differences between Law and Morality may be illustrated in the following table.

4.5.1 Differences between Law and Morality

Law	Morality
1. Law is concerned with the external behaviour of individuals.	1. Morality is concerned with the entire life of individuals.
2. Law is a concern of the state.	2. Morality is concerned with individual conscience.
3. Law is backed by the coercive power.	3. Public opinion and individual conscience lie behind morality.
4. Law is definite and precise.	4. Morality is vague and uncertain.
5. Law acts within the territory of a state.	5. Moral principles are universal in nature.

6. Law is enacted with a specific objective.	6. Moral principles are inherent in society.
7. Laws are sanctioned by the sovereign.	7. Moral principles are sanctioned by the society.
8. Law is the subject matter of Political Science.	8. Moral principles are the subject matter of ethics.
9. Violation of law leads to punishment.	9. Violation of moral principles does not involve punishment.
10. There is a definite agency to make and implement the law.	10. There is no such agency in the case of moral principles.

4.6 Law and Liberty

Law and Liberty are the two fundamental concepts in Political Science. Law serves as a basis to the functioning of Government and State. It gives a solid foundation to the society by prescribing some rules and regulations. These two concepts are interdependent. There is no unanimity of opinion among political philosophers in regard to the relation between Law and Liberty. There are two different schools which gave contradictory opinions. One school of thought believed that Law and Liberty are antagonistic or antithetical to each other. The other school of thought viewed both the concepts as interrelated to each other. Let us explain the two versions.

4.6.1 Law and Liberty are Antithetical

The champions of individual freedom believed that law always restricts the activities of human beings. Law does not allow the individuals to do whatever they like. Individualists like J.S. Mill, Herbert Spencer, David Ricardo, Adam Smith, Marshall and Anarchists like Proudhon, Bakunin and Kropotkin believed that law always infringes on individual's liberty. The state is the principal agency which destroys individual liberties. Law always restricts individual's freedom. It will not allow the citizens to take active part in the affairs of state and government. Similarly, it becomes a hurdle in performing the economic activities of the nation. The recent liberalised economic policies in many countries changed the pace of their economies. These policies enabled the people to freely participate in economic

activities. They provided scope for competition between national and global markets without any stringent economic loss. Therefore, Individualists believed that state is a necessary evil institution. They stated that that government is the best which governs the least. Law imposes restrictions over individual's activities. Individuals cannot develop their personality unless they are free from restrictions. Therefore law and liberty are antithetical to each other.

4.6.2 Law and Liberty are complimentary

The socialists and communists viewed that law and liberty are complimentary to each other. They regarded the state as a welfare agency. The state can ensure a better and just social order through its legal mechanism. Law imposes restraints essential for the social welfare. It is a fact that the capitalist class exploited the working class. The state shall eradicate the evils of exploitation by making necessary laws. Freedom is not absolute. So the state must impose necessary restrictions on the enjoyment of rights of the people. Laski says that "Law comes very close to the world of liberty that demands observance of common rules which bind the conduct of men in their civilized collective life." The Idealists believed that state is a moral agency. The state represents the general will of the community. Hence every law of the state must be observed by the people. Individuals will be free when they obey the laws of the state. The Fascists gave a practical expression of the relation between law and liberty. Mussolini gave a slogan 'Nothing against the state'. Law always protects the interests of the people. Therefore both the concepts of law and liberty are complimentary to each other.

4.6 RULE OF LAW

Rule of law is a unique feature of British Constitution. It at first originated in England. Later many states like India and the United States have adopted this feature. Rule of law is purely based on the principle of common law. It denotes that law should be general in form. It should be uniformly applicable to all the citizens living in a state. There should not be different types of law for various sections of the community. In other words the government must treat all the citizens equally as per the law. The governance and administration in a particular state should be carried on in accordance with the laws. A. V. Dicey in his "Law of the Constitutions" (1885) gave a precise explanation of the rule of law. According to him, rule of law stands for equality before the law. This implies equal subjection of all classes

including the officials or common man. Law makes no discrimination between individuals. A.V. Dicey says that “Every official from Prime Minister to the attender, all are equal before the law”. His main thrust was to protect the fundamental rights of the people against the exercise of arbitrary authority. However, rule of law was subjected to various limitations in view of several changes which have taken place in socio-economic fields.

The main objective of Rule of Law is that government should not act as a mediator. It should conduct and implement proper procedures as authorised by the legislature. Any form of violation of law should be punished in accordance with the procedures. The official status should not protect the interest of the citizens for their personal ends. For instance, in Britain there are no special constitutional provisions for guaranteeing of rights of individuals. Therefore, Rule of Law is helpful to all the citizens in protecting their rights and discharging their responsibilities in a more effective manner. The Constitution of India too recognizes Rule of Law as a basic feature of Indian Constitution. The Supreme Court of India time and again declared Rule of Law as a basic structure of Indian Constitution. Articles 14 to 21 of the Indian Constitution have incorporated the spirit of this concept. However, the scope of this concept is gradually shrinking owing to the over burdening of legislative work with enormous functions. On the whole, the cardinal virtue of Rule of Law is that “All are equal before law and no one must arbitrarily be punished” constitutes the core value of any democratic system in the world.

QUESTIONS

I. Long Answer Type Questions

1. Define Law. Explain its various sources.
2. Explain MacIver's classification of Laws.
3. What is meant by Law?
4. Explain the relationship between Law and Morality.

II. Short Answer Type Questions

1. Define Law and mention the features of law.
2. Explain different kinds of Law.
3. Write about any three sources of Law?
4. Distinguish between Law and Morality.
5. "Law and Liberty are antithetical." – Analyse this statement.
6. How are Law and Liberty complementary?
7. In what way are Law and Morality related to each other?

III. Very Short Answer Type Questions

1. Explain the origin of the term 'Law'.
2. Write any two definitions of Law.
3. What are the features of Law?
4. Define the term "Rule of Law".
5. What is Natural Law?
6. What do you mean by Administrative Law?
7. Write any three sources of Law.
8. What is Constitutional Law?
9. Define Public Law.
10. Define the term Equity.
11. What do you mean by Scientific Commentaries?
12. What is the role of Legislature in making Laws?
13. What is meant by statutory Law?

Liberty and Equality

CHAPTER

5

- 5.0 Introduction
- 5.1 Meaning of Liberty
- 5.2 Definitions of Liberty
- 5.3 Aspects of Liberty
- 5.4 Characteristics of Liberty
- 5.5 Types of Liberty
- 5.6 Safeguards of Liberty
- 5.7 Threatening elements of individual Liberty
- 5.8 Introduction to Equality
- 5.9 Meaning of Equality
- 5.10 Aspects of Equality
- 5.11 Essential features of Equality
- 5.12 Types of Equality
- 5.13 Various obstacles to Equality
- 5.14 Relationship between Liberty and Equality

5.0 INTRODUCTION

The success of a political system depends on the enjoyment of liberty and equality by the individuals. These two elements have great significance in the study of Political Science. Individuals desire liberty for the overall development of their personality. Several wars and revolutions have taken place for securing liberty. Liberty enables the individual to exhibit his talents for improving the social standards. J.S. Mill, Herbert Spencer, Montesquieu, Herald J. Laski and Seeley have made a significant contribution for promoting liberty. The recent crises in Egypt and Syria are the outstanding examples of movements for liberty. J.S. Mill opined that liberty is a constitutional freedom given to the individual to express his opinions frankly.

5.1 MEANING OF LIBERTY

Liberty is an essential condition without which man cannot develop his personality. It is very difficult to give the exact meaning of liberty. It is widely used by various sections in different connotations.

The term Liberty is derived from the Latin word 'LIBER', which means 'free from restrictions'. Ancient greek political philosophers viewed liberty as a means of the rights and obligations of individuals to participate in political decision making process. The dictionary meaning of the term 'Liberty' shows varied uses to which the term is put. In the Encyclopedia of Columbia, this term is used to describe various types of individual freedoms such as freedom of speech, right of self defence etc. Liberty denotes freedom to do something. As a matter of fact, liberty does not permit anyone to do whatever he likes. Liberty has to be enjoyed by individuals subject to certain social and moral restrictions imposed by the society for leading dignified life. In this context the true sense of liberty is the behaviour of a person which is harmless to others.

5.2 DEFINITIONS OF LIBERTY

Liberty is defined in many ways by different political thinkers. Some of them are cited below.

1. **Mahatma Gandhi** : "Liberty does not mean absence of restraints but it lies in the development of one's personality".
2. **R.G. Gettle** : "Liberty is the positive power of doing and enjoying those things which are worthy of enjoyment and work".
3. **R.N. Gilchrist** : "Liberty is freedom from constraint, captivity or tyranny and freedom to do as one pleases for the unrestrained enjoyment of natural right".
4. **T. H. Green** : "Liberty is not mere absence of restraints. It is the positive power of doing or enjoying things worth doing and enjoya in common with others".
5. **F.A. Hayek** : "Liberty means absence of coercion".

6. **H. J. Laski** : “Liberty is the eager maintenance of that atmosphere in which men have the opportunities to be their best selves”.
7. **Montesquieu** : “Liberty means the power of doing what individuals ought to will”.
8. **J.R. Seeley** : “Liberty is the opposite of over government”.

In modern times, political scientists have devoted much time to the study of the concept of liberty. As a result, this concept has remained dynamic. Patrick Henry, a revolutionary leader in American colonies raised his voice against Britain by saying thus “Give me liberty or give me death”. The french revolutionaries shed their blood for the sake of the magic words “Liberty, Equality and Fraternity”. Their declaration of the “Rights of Man” (1789) stated that “Liberty consists in the power to do everything that does not injure others”.

5.3 ASPECTS OF LIBERTY

Liberty has two aspects – Negative and Positive

1. **Negative Aspect:** Liberty, in its negative aspect, implies absence of restrictions. Individuals can enjoy freedom only when there are no restraints on their freedoms. However, some considered this aspect as not realistic. They asserted that unrestrained liberty was possible in a pre-social state. It is neither feasible nor practicable in modern times.
2. **Positive Aspect:** Liberty in its positive aspects denotes a situation in which individual is free to do according to his wishes and allowing others the same in his case. To say in other words-liberty is the power which should not cause harm to others. T.H. Green, an idealist philosopher, propounded this aspect of liberty. He stated thus “Liberty is the positive power of doing or enjoying something that is worth doing or worth enjoying in common with others”.

5.4 CHARACTERISTICS OF LIBERTY

The following are the important characteristics of Liberty.

1. Liberty is a dynamic concept. Its interpretation varies according to time, place and popular wishes.

2. Liberty always opposes political , imprisonment and slavery and subjugation.
3. It always aims at realizing the aspirations of individuals.
4. Liberty always means absence of irrational restraints and presence of favourable conditions.
5. It is the product of rights.
6. It is essential for the realization of human personalities.
7. It is found only in democratic states.
8. It is manifest in the form of rights.
9. It does not mean license to do whatever a person wants. It is always subject to some limitations.

5.5 TYPES OF LIBERTY

Liberty is of different types. Some of them may be described in the following paras.

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1. Natural Liberty 2. Civil Liberty 3.Economic Liberty 4.Political Liberty and 5. National Liberty

1. Natural Liberty

Natural Liberty denotes unrestrained freedom to do whatever one pleases. It gives no scope for interference or restraint of any type. It prevails when individuals are allowed to

do what they wish. However, unrestrained liberty negates liberties of individuals. Natural liberty is not found in the present day society. It is synonymous with injustice and anarchy. There can be no true liberty when there is natural liberty. At first the roman political philosophers advocated this concept. Some stated that people in the state of nature were absolutely free and enjoyed unlimited freedom. Such liberty existed prior to the origin of state and society. The social contractualists of Europe advocated this concept during the sixteenth and seventeenth centuries. But, on the whole, natural liberty became a thing of the past.

2. Civil Liberty

Civil Liberty is also known as personal liberty. It relates to the individual's freedom in his life as a member of civil society. Barker pointed out that civil liberty is embodied in three things, namely, (i) physical freedom denoting freedom of movement. (ii) intellectual freedom comprising freedom of thought, expression and belief and (iii) practical freedom embodying freedom of choice in daily life. Civil liberty serves as the main basis to other types of liberty. It is the opposite of natural liberty. It is enjoyed by the individuals in the society. It is not necessary for individuals when they are in isolation. Civil liberty becomes real when everyone is allowed to possess and enjoy the worldly things in common with others. Of course, individuals while utilizing this liberty must keep in mind the common good. Civil liberty is the essential pre-requisite to the existence and survival of human beings. It enables them to lead happy, honourable and civilised life in the state. So it is a must to everyone. State recognises the various freedoms of individuals. In this regard Gettle said thus "Civil Liberty is the group of rights recognized and implemented by the state". The constitutions of the United States and India have incorporated civil liberty in the form of Fundamental Rights. Civil liberty allows everyone to maintain cordial relations with his neighbours in the society. It prevails in a state on the basis of law and constitution. Individuals wish to enjoy complete freedoms like freedom to think, speak, move, act and live without any coercion from others in society. Hence civil liberty carries immense value to the individuals.

Civil Liberty is manifested in several rights. These include;

a) Right to Life b) Right to Work c) Right to Property d) Right to Religion e) Right to Speech, expression, assembly, movement and residence etc.

These rights are given to the individuals without any discrimination. State guarantees the liberties of individuals. Besides the Constitution, Fundamental Rights, Democracy, Rule of Law and Independent Judiciary act as safeguards of civil liberty.

3. Economic Liberty

Economic liberty means the right of everyone to earn his livelihood. Laski described this liberty as the security and opportunity to find reasonable significance in earning one's daily bread. Economic liberty ensures everyone freedom from want and fear, hunger and starvation, unemployment and insufficiency. It denotes freedom from want or insecurity of economic nature. Democracy in the absence of economic liberty is meaningless. Economic liberty is also realised by adopting the following measures.

1. Provision of minimum wages.
2. Guarantee of the right to work.
3. Protecting the workers from unemployment, sickness and other types of insecurity.
4. Providing adequate leisure.
5. Giving representation to the workers in the management of industries.

In a broad sense economic liberty implies freedom of contract and association in economic matters. It is a requisite for the development of individuals. It makes political liberty meaningful and real. The reason is that only those individuals who are economically self sufficient, will be able to exercise their political rights properly. Poor and hungry persons can't act genuinely in times of elections.

4. Political Liberty

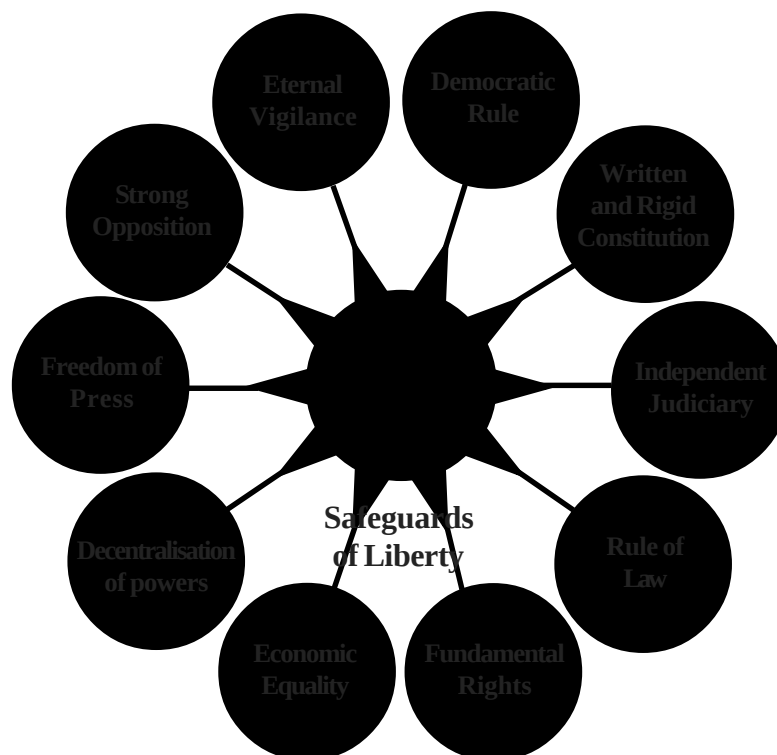
Political liberty facilitates the citizens to take part in the political affairs of the state. Laski regarded political liberty as the power to be active in the affairs of the state. Gilchrist considered that political liberty is synonymous with democracy. Leacock described political liberty as constitutional liberty or liberty to choose one's own government. Political liberty is confined to the citizens alone. It is positive in nature. Political liberty provides several rights in political matters. These include (i) right to vote, (ii) right to contest as candidates in elections, (iii) right to hold public office, (iv) right to criticise the government etc. Laski emphasised that political liberty becomes real when there prevails (i) education (ii) honesty and (iii) impartial press etc. Political liberty will be realized only in a democratic system.

5. National Liberty

National liberty implies the freedom and independence of the state. It also denotes sovereignty of the state. Every state enjoys this liberty and remains free from political domination of other states. This type of liberty is essential for the progress of nation in all spheres. It was manifested in several countries since ancient period. Many countries made efforts for securing this type of liberty. The greeks fought a war of independence against the Turks. Similarly the Indian masses under the leadership of Mahatma Gandhi waged a non-violent struggle to secure national freedom from the british rule. National liberty is very valuable. Great leaders like Thomas Jefferson emphasised the significance of national liberty.

5.6 SAFEGUARDS OF LIBERTY

Liberty is the most cherished ideal of human beings. So it must be safeguarded in the larger interest of society and state. In this context, the following safeguards of liberty are worth mentioning.



1. Democratic Rule

Democratic rule is considered as a heaven to liberty. Liberty flourishes only in a democratic state as the latter extends protection to individual's liberties through various laws.

It creates a conducive atmosphere to enjoy their liberties freely and impartially. It makes the people to participate in the political process directly or indirectly. It makes the government answerable to the people. It allows the people the right to change a bad and corrupt government through public opinion or ballot. It gives scope for the precedence of popular will in governments affairs.

2. Written and Rigid Constitution

A written and rigid constitution is considered as the most important safeguard of individual liberty. Such a constitution incorporates the various freedoms of individuals in several provisions. It acts as a custodian of people's rights and liberties. It demarcates the spheres of governmental activity. It mentions about the various measures to be taken in case people's freedoms are infringed or confiscated by others including governmental authorities. It also imposes restraints on the political parties by not allowing them to amend the constitutional provisions for furthering their partisan interests.

3. Independent Judiciary

An independent and impartial judiciary is another safeguard of individual liberty. Judiciary will uphold the constitution and keeps the government accountable to the people. It prescribes various safeguards for protecting the fundamental rights of citizens. Judges in higher courts will deliver justice on fair, free and impartial manner. In this context Prof. Laski stated that good governance depends upon the effective functioning of judiciary.

4 Rule of Law

Rule of Law is another safeguard of liberty. It is prevalent in many states like Britain, India, United States etc. Rule of law protects individual liberties in three ways. Firstly, it treats all individuals alike. Secondly, it makes arrangements for the application and enforcement of uniform laws throughout the state. Thirdly, it exercises restraints on the executive against the exercise of arbitrary powers.

5. Fundamental Rights

Provision of fundamental rights will safeguard individuals liberties great extent. Citizens enjoy their liberties without restraints when these rights are enshrined in the constitution. Fundamental rights enable the citizens to develop their talents and realise their personality in various spheres.

6. Economic Equality

Economic equality too acts as an important safeguard of individual liberties. It implies provision of adequate opportunities for the people to come out of the evil effects of hunger, poverty, unemployment etc. Liberty becomes real when there exists economic equality. Economic equality presupposes economic justice. It is guaranteed by the state.

7. Decentralization of Powers

Liberty will be better safeguarded through decentralisation of powers. Individuals will enjoy their liberties when there is decentralization of governmental powers and authority. When the powers of government are allocated among the union, state and local governments, there arises no scope for despotism and infringement of individual liberties. Otherwise people will feel difficulty in enjoying their liberties as enshrined in the constitution.

8. Freedom of Press

Some regarded freedom of press as a safeguard of individual liberty. Individuals could enjoy their liberties when the various agencies of press and other media have autonomy in their functioning. The press will be able to serve as an important agent for creating, consolidating and expressing public opinion. It, through its impartial editorials and honest presentation of news and views, will be able to safeguard individual liberties.

9. Strong Opposition

A strong opposition is a necessary condition for promoting individual liberty. It acts as a watchdog of individual liberty. Whenever the party in power or persons at higher levels of government try to subvert or circumscribe the freedoms of individuals by their oppressive and despotic acts and activities through legislation and execution, the opposition will strongly resist such attempts. It, by moving a no-confidence motion in the last resort, will uphold the liberties of the individuals.

10. Eternal Vigilance

Eternal vigilance is the most essential condition for safeguarding liberty. Vigilant persons (some called them as whistle blowers) will effectively ventilate public grievances and check the authority of the government. They ensure individual liberty on one hand and make the governmental authorities accountable to the people on the other. Plato long back suggested this element to the people of his time. Eternal vigilance could be demonstrated by the people by taking active part in public affairs.

5.7 ELEMENTS THREATENING INDIVIDUAL LIBERTY

The following are some elements which threaten liberty of individuals in modern times.

1. Enhancement of state authority

Modern democratic state in the pretext of welfarism has assumed undefinable powers. As a result, it has been intruding into every activity of the people. Even its interference in family affairs in the name of population correctives became common. So is the case in the sphere of economy, culture, arts, science etc. All this will lead to the encroachment of state into the public domain. This negated individual liberty to a great extent.

2. Too many laws

In modern times people felt the government should come to their rescue for providing various amenities. This prompted the government to intrude into the sphere of individuals. In the process, too many laws have become the order of the day. Extension of laws gradually led to the curtailment of individual liberties.

3. Negative attitude

In democracy, government informs the people about its policies and responds to the public opinion. In the process there is every possibility of distorting public opinion by the concerned persons in the government. We could notice this tendency in several states of the world including India.

4. Tyranny of majority

Individual liberty is restricted by the tyranny of majority. The party in power, through its majority members support in the legislature, makes laws without considering the wishes and aspirations of the people. Such a situation will be dangerous to individual liberties. Citizens must not vote to such a party in power or the opposition.

EQUALITY

5.8 INTRODUCTION OF EQUALITY

The concept of equality, like liberty, is a significant one in the study of Political Science. It originated at first in Europe as a protest against Feudalism. The cruel rule of feudal lords forced the common men to think of equality. The French and American people did not enjoy equality during 17th and 18th centuries. As a result, they waged freedom struggles leading to the adoption of democratic and republican constitutions. For instance, the French National Assembly advanced a scientific meaning to the term 'equality' by approving the famous 'Declaration on Human Rights' in 1789. Earlier, the American declaration of independence in 1776 expressed similar views on equality. During the early part of twentieth century, Russians under the dynamic leadership of Lenin revolted against the despotic Czar rulers for achieving equalitarian society. In course of time several countries have launched freedom movements craving for equality. The constitution of India (1950) too recognized equality as a noble ideal to be realised in practice for the people of India. The preamble of Indian Constitution enshrined this cherished goal 'Equality' along with notions of Liberty, Justice and Fraternity to be assured to the Indians in several spheres.

Some considered equality as the main indicator of democratic polity. They profoundly believed that equality and liberty are two important concepts. They treated the two concepts as the two sides of a same coin.

5.9 MEANING OF EQUALITY

The term 'Equality' implies absolute equality of treatment. But in actual practice it is not possible to have such equality. Many thinkers have opined that Nature created inequality among the living beings in terms of efficiency, appearance and aptitude. In Political science, the term 'Equality' refers to a state which grants its citizens equality before law and equal opportunities to develop their personality. But it may be noted that individuals are not equal in many respects. While some of them are strong, some others may be weak. Similarly some are more intelligent than others. In this way, men differ in many respects. Hence equality of treatment is not possible. In other words, it implies that state should grant to its citizens equality before law and equal protection by law.

Equality has many connotations. They may be explained as below.

Some understood that equality stands for political equality only. While others felt that it is nothing more than equality before law. There are still some others who believed that equality is a comprehensive concept denoting various conditions of individuals in society. In modern times the concept has several implications. People insisted that state must treat all persons equally without making any discrimination.

According to Barker, equality implies “equal rights for all and abolition of special rights and privileges”

Equality fundamentally implies a living process.

Implications of Equality

The following are the implications of equality.

- a) There should not be any special privileges to any individual or group of individuals.
- b) People must be provided with adequate opportunities to develop their personalities.
- c) There should not be any discrimination among the people on the grounds of religion, caste, creed, colour, place of birth etc. However, some discrimination may be made on the basis of reasonable grounds i.e. protective discrimination.

Equality, as Justice Pathanjali Shastri informed, does not mean identical treatment. It means equal treatment under equal conditions. Laski described equality as the most important ideal where “no man shall be so placed in society that he can overreach his neighbour to the extent which constitutes a denial of latter’s citizenship.”

5.10 ASPECTS OF EQUALITY

Equality has mainly two aspects- Positive and Negative. Equality, in its positive aspect, means provision of adequate opportunities for all. However, it does not mean simply identical treatment for all. Since individuals differ in their needs and capacities, they require different opportunities for their personality development. Individuals should be given such opportunities which will develop their overall personality. If the state provides adequate opportunities to all for developing the capacities, their concept of equality could be realised in practice.

Equality in its negative aspect, means no discrimination on some artificial grounds based on caste, colour, creed, descent, domicile, religion, etc. Everyone should get his due share. He should be in a position to realize his best self. Laski says that “whatever rights herein in another by virtue of his being a citizen must be herein, and to the same extent in me also”. Everyone should have an equal access to the avenues of their liberties.

5.11 ESSENTIAL FEATURES OF EQUALITY

The following are some essential features of equality.

1. Equality not given by Nature

Equality is not given by nature. Absolute equality is found nowhere. All individuals are born in the same circumstances. Human beings are not like standard commodities which are coming out of a factory. Every individual has his own point of strength and weakness peculiar to his personality. So no two individuals remain exactly like each other. Practically, individuals are not equal.

2. Equality not Absolute

Equality is not absolute. Absolute equality is neither possible nor desirable. In no movement in the history of the world did individuals claim to have absolute equality. So equality does not mean uniformity and differences does not mean inequality.

3. Essential for Social Justice

Equality is essential for social justice. All over the world, there have been movements aiming at social justice. These movements have laid special attention to the achievement of equality.

4. Connected with Liberty

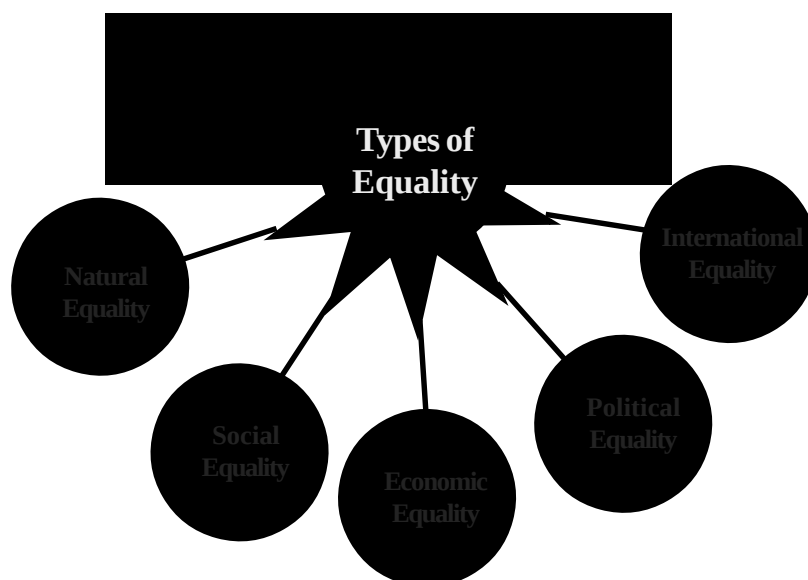
Equality is closely connected with liberty. This is due to the fact that without liberty people cannot have equality. Liberty remains insignificant in the absence of equality.

5. A Condition of Good Life

Equality is a condition of good life. An individual will have good opportunities for developing his personality. He will reap the fruits of a higher life when there is no gap between those who are at the top and those who are at the bottom. Equality seeks to maintain sound relations in the matters of political and economic spheres.

5.12 TYPES OF EQUALITY

There are many types of equality. They may be analysed in the following paras.



1. Natural Equality

Natural equality implies freedom from all restraints and social customs. It means absence of restraints of any type in individual sphere. Natural equality was mentioned in the social contract theory as propounded by Thomas Hobbes. He stated that men led their life in the state of nature prior to the civil society. Civilization led to the occurrence of inequalities and bondage. Earlier this concept was found in the writings of greek and roman political thinkers. These philosophers held that all men were equal according to the law of nature. Later on during the 17th century, natural equality became the bone of contention of many writers. They stated that all men have equal and inalienable rights. In fact nature has made men unequal. It has not bestowed same capabilities on all. However, the present day emphasis is made on the egalitarian principle. This principle held that law treats all in the same way irrespective of natural elements.

2. Social Equality

Social equality denotes presence of equality of status and absence of class distinctions and discrimination. It exists when no individual is made to suffer on account of his caste, religion, class, colour, creed, race etc. For instance, the Constitution of India does not

recognize caste or class distinctions. In fact it has opposed the practice of untouchability. When all citizens enjoy social equality, there will be no discrimination against anyone on the grounds of caste, class, colour, creed, race and place of birth.

Social equality implies presence of harmonious conditions among the people who live in a society. It considers the citizens as equal tangible units of society and no one is entitled to have special provisions. All must enjoy equal social, political, economic and legal rights. Social equality cannot be achieved only through laws. There must prevail a sentiment of equality among individuals. In this context, the following elements help in achieving and maintaining social equality.

1. Special privileges should not be allowed by the state to any citizen.
2. Government shall adopt and implement a uniform policy in the fields of education, employment, administration and legislation.
3. People must have a broad outlook with the qualities of tolerance, sacrifice, honesty etc. in social and religious affairs.
4. Citizens should maintain harmonious relations with their fellow citizens.
5. People should not use name of their caste, sect or religion at the time of forwarding petitions.
6. Inter caste marriages should be encouraged by the government.

3. Economic Equality

Economic equality is considered as the basis of social and political equalities. It serves as the main driving force behind all activities in the modern state. Economic equality means elimination of vast inequalities in income, property and wealth. Earnest Barker viewed that “economic equality is purely a matter of status and partially a matter of property and income”. Lord Bryce viewed “economic equality” as “the attempt to expunge all differences in wealth, allotting every man and woman an equal share in the worldly goods”. Prof. Laski held thus: “Economic equality implies the abolition of unfettered and irresponsible will in the industrial world”. At the same time, economic equality does not mean equal treatment and reward. It

stands for opportunity to work and earn their livelihood to improve their economic status. This can be achieved only through individuals and government. Many socialist states have tried and partially succeeded in achieving economic equality.

4. Political Equality

Political equality implies provision of adequate conditions for the people in the political affairs of the state. It could be achieved by granting various political rights to the citizens. It may be noted that political equality is enjoyed by the citizens only. It is not given to aliens and foreign nationals living in a state. Political equality is indispensable to the citizens to make democracy successful. Citizens enjoy political equality when they are given several political rights. That means political equality is synonymous with political liberties. Political equality is said to be in vogue when all the citizens utilize their political rights. Citizens must utilize their political rights for choosing and electing good and ideal candidates with broad vision, sincerity, and honesty. They should not accept the offers or attractions of any type from others while casting their vote. They should support those candidates who strive for the progress of the nation. They should have minimum education, literacy, economic self sufficiency and political awareness. They should not hesitate to criticize the policies of the administrators, executive authorities and legislators who act against their wishes. Such criticism must be within the limits of the constitutional provisions. They should bring their grievances to the notice of the authorities through peaceful means. Whenever they get a chance of assuming any office in government, they shall exercise powers with great reason, responsibility and reliability. Then only political equality is said to exist in the state.

Political equality prevails only in democratic states. It is not found in other forms of government like monarchy and aristocracy as the latter does not allow equal opportunities to their subjects in political affairs.

5. International Equality

International Equality means that all the states are treated equally irrespective of their geographical, economic or military composition. According to this element all nations of the world are equal whether they are large or small. For instance, the United Nations have extended equal dignity and status to all the nations in its Charter. International Equality

reflects the traits of humanism. It emphasizes peaceful settlement of disputes between the nations. Some cautioned about the occurrence of third world war in the absence of respect to international law. They expressed such apprehensions thinking that human beings will go back to the ancient stone age.

5.13 OBSTACLES TO EQUALITY

The concept of equality resounds noble thoughts and establishment of an ideal society which is quite different from the present society. However, it is difficult to establish a society based on equality. This is due to the fact that this concept has remained inoperative owing to the following obstacles.

1. Gap between law and practice

In modern times, the concept of equality has been widely accepted all over the world. Law upholds the principle of equality in democratic states. Equality is said to be prevalent when there is no gap between the theory and practical application. In South Africa and the United States, Negroes are treated badly. Inequalities have been prevalent in states like South Africa, United States and India.

2. Equality an ideal

Equality is more manifest in legal sphere. However, it was not found in the social and economic spheres. Many evil practices like untouchability, bonded labour, caste discrimination etc., act as some obstacles against the realization of equality.

3. Social obstacles

Equality is not found in social sphere in almost all countries of the world. This is due to the narrow outlook, selfish attitude, superstitions etc.

4. Monopolization of political power

A few persons will monopolize political power in democratic countries. They will act as an obstacle for bringing out equalitarian society. Political power is vested in a few hands through party system. They try to occupy the offices in political sphere by dint of their vast

network. They have been able to influence the cabinet deliberations and decisions at the national levels. So unless their dominance is contained, equality is difficult to be achieved.

5. Economic elements

Economic elements also constitute a great obstacle to equality. As many states in the world are facing several economic inequalities, equality remained a mirage in these countries. Moreover poverty, squalor, hunger, private entrepreneurs, domination, multinational companies' entry liberalization etc have led to inequalities in many states.

5.14 RELATIONSHIP BETWEEN LIBERTY AND EQUALITY

Political philosophers expressed two different opinions in regard to the relationship between Liberty and Equality. They agreed that Liberty and Equality are two important concepts in Political Science. While some of them advanced the notion of affinity between the two, Others considered that the two are incompatible to each other.

The first school of thought includes political philosophers like Rousseau, Tawney, Laski and G.D.H. Cole. The second school of thought includes Lord Mathew Arnold, Lord Acton, DeTocquaville and others. Let us analyze the argument of the two in the following paras.

Liberty and Equality are opposite

The propounders of this school held that liberty and equality are opposite in nature. Lord Acton said that the desire to have equality destroyed the possibility of full liberty. Whenever the government passes a law to bring equality, liberties of some persons are restricted. Similarly, when all individuals are allowed freedom to acquire wealth, only a few talented persons will be able to receive the advantages. This leads to inequalities of wealth. When equality is maintained, liberties of some efficient persons will be curtailed. Industrial revolution (1760-1840) symbolized this type of exploitation in society. It led to capitalism which is characterized by free and cutthroat competition. On the other hand, socialist countries forced the people to practice the principles of duty, discipline and devotion towards the state. Such a policy destroyed the initiative and incentive of the people. The supporters of this view argued that the concepts will not go together. Unrestrained liberty will destroy

equality. Nations can achieve the goal of either liberty or equality at a time. Both cannot be realized simultaneously. For instance, in socialist states people enjoy equality but they were deprived of liberty.

Liberty and Equality are complementary

It is said that liberty and equality are complementary to each other. The proponents of this school argued that liberty can be enjoyed by the people only with some degree of equality. A large measure of equality is essential for the enjoyment of liberty. Tawney, a supporter of this school, pointed out that a large measure of equality is essential for the enjoyment of equality. Polard, another supporter, hinted out that there is only one solution to the issue of liberty; it lies in equality. Indeed both the concepts have a common end, namely, promotion of human personality and spontaneous development of one's capacities to the greatest heights.

It may be noted that the above two arguments are not completely real. The fact lies in between the two. Liberty and Equality are neither completely complementary nor anti – thetical in nature. In this context the real relationship between the two concepts may be explained as below.

Liberty is essential for Equality

- a) Liberty does not mean absolute freedom. It has some limitations. It is available to all for achieving social welfare under certain conditions.
- b) Liberty cannot be treated as the monopoly of a person or group of persons.
- c) Enjoyment of liberty by a person does not affect the same of others. If one recognizes this principle, he has to respect the principle of equality. It means that the fruits of liberty are found in the branches of the tree of equality. So liberty and equality are complementary to each other. When liberty is extended to all the people on the principles of equality, the goal of liberty could be fulfilled in the true sense.

Equality is essential for Liberty

Equality does not mean identical treatment of all persons in a civil society. It means equality under similar conditions. In a civil society, some persons may not have equal status with others. But it is necessary to provide some conditions and opportunities for the people to develop their status and personality. It may be said that when all people are equal, the fruits of liberty are available to all.

In this way liberty and equality are complementary to each other. These two concepts are so interrelated that they have a common objective. If liberty disregards equality, it would lead to anarchy and dictatorship. In the same way, if equality keeps itself away from liberty, it would lead to slavery. Both the ideals are essential for the betterment of the individual and the society.

QUESTIONS

I. Long Answer Type Question

1. Define Liberty and describe various types of Liberty.
2. What do you mean by Liberty? What are the safeguards of Liberty?
3. What do you mean by Equality? What are its types?
4. Explain the relationship between Liberty and Equality.
5. Define the term Equality. Write about Social and Economic Equalities.

II. Short Answer type Questions

1. Define Liberty and describe any three types of Liberty.
2. Explain about any three safeguards of Liberty.
3. What are the characteristics of Liberty?
4. Describe the different aspects of Liberty.
5. What do you mean by Civil Liberty?
6. Point out two elements that threaten individual's liberties.
7. What is meant by Equality?
8. Describe any three aspects of Equality.
9. What is Equality? Explain any three types of Equality.
10. Write about Political Equality.
11. Discuss the importance of Economic Equality.

III. Very short type questions

1. Give any two definitions of Liberty.
2. What do you know about positive aspect of Liberty?
3. List out any four characteristics of Liberty.
4. Mention the names of four types of Liberty.
5. What is Civil Liberty?

6. Write about Political Liberty.
7. Is it possible to achieve complete Economic Equality?
8. What is Economic Liberty?
9. What do you know about National Liberty?
10. Mention any four safeguards of Liberty.
11. Write about independent Judiciary as a safeguard of Liberty.
12. What is Equality?
13. Mention the different implications of Equality.
14. What are the aspects of Equality?
15. Write about any two features of Equality.
16. Mention the different forms of Equality.
17. Explain Natural Equality.
18. What do you mean by Social Equality?
19. What is meant by Political Equality?
20. Mention the measures adopted for achieving Economic Equality.

Rights and Responsibilities

CHAPTER

6

- 6.0 Introduction
- 6.1 Meaning of Rights
- 6.2 Definition of Rights
- 6.3 Features of Rights
- 6.4 Classification of Rights
- 6.5 Important Civil Rights
- 6.6 Important Political Rights
- 6.7 Important Economic Rights
- 6.8 Fundamental Rights
- 6.9 Safeguards of Rights
- 6.10 Human Rights
- 6.11.0 Responsibilities
- 6.11.1 Types of Responsibilities
- 6.11.2 Important Responsibilities of a Citizen
- 6.12 Relationship between Rights and Responsibilities

6.0 INTRODUCTION

The concept of rights occupies an important place in the study of Political Science. Rights are the essential conditions of social life. They are considered as instruments of social welfare. Citizens can realise their best selves only with the provision and utilization of rights. They require rights for their overall development in society and state. H.J. Laski pointed out that every state is known by the rights it maintains. Normally every state confers a list of rights to the citizens in several spheres.

Rights are the basic conditions and opportunities which are recognised by the society and state. They are safeguarded by the various laws of the state. Modern states have made several arrangements for providing opportunities to the citizens through the constitution and laws. Rights and responsibilities are indispensable for the comprehensive development

of the individuals. Hence, every individual is expected to recognise and respect the rights of the fellow individuals. The theory of Natural Rights stated that rights are natural. It advocated that everyone enjoys rights in order to live and lead life in a respectable way. Rights are inherent in human nature. They are the products of human groups. Social Contractualists like Thomas Hobbes, John Locke and Jean Jacques Rousseau stated that people have natural rights even prior to the origin of society and state. For instance, John Locke pointed out that Nature has made all men free and rational. It gave men certain rights like right to life and liberty. Herbert Spencer viewed that men have the right to freedom to do what they like. He felt that such a right descended from Nature itself. State and other human agencies were not considered as the source of right. The above theory led to the proposition of the legal rights theory. The advocates of this theory stated that rights are created and maintained by the state. This theory got prominence and acceptance in modern times.

6.1 MEANING OF RIGHTS

Rights are the essential conditions for the development of the personality of individuals. They are upheld by the laws of the state. They are regarded as a power or privilege which the law invests in a person. They are treated as the sum total of the opportunities meant for enhancing one's personality. Individuals can not achieve progress in the absence of the rights.

6.2 Definitions of Rights

Political scientists have defined the term 'Right' in several ways. Some of their definitions are explained below:

1. **Earnest Barker:** "Rights are the external conditions necessary for the development of the capacities of the personality of the individual."
2. **Beni Prasad:** "Rights are nothing more and nothing less than those social conditions which are necessary for the development of personality of individuals."
3. **Bosanquet:** "Right is a claim recognised by the society and enforced by the state."
4. **T.H. Green:** "Rights are those powers claimed and recognized as contributory to the common good."
5. **H.J. Laski:** "Rights are those conditions of social life without which no man can seek in general to be himself at his best."

6.3 FEATURES OF RIGHTS

Rights have the following features.

1. Possible only in society

Rights originate in society. They denote human social behaviour. They do not exist outside of the society.

2. Social in nature

Rights are the claims of individuals. These claims can be established only when society or state recognises and maintains them. So they are social in nature.

3. Inherent in nature

Rights are inherent in the social nature of men. Social contractualists stated that rights are inherent in nature. Their views are accepted to some extent in modern times.

4. Enforced and protected by the state

Rights are enforced and protected by the state. The various judicial organisations act as the custodians of the rights of individuals. In other words, rights are protected by the courts of law. Individuals enjoy several rights fully only in a democratic state.

5. Not absolute

Rights are not absolute. Society and state impose some restrictions on the enjoyment of rights by the individuals. These restrictions are meant for maintaining peace and order in society. Further rights are meant for contributing social welfare and security.

6. Every Right having a corresponding responsibility

Rights and responsibilities are interdependent. Every right has a corresponding responsibility. It is the responsibility of every individual to see that his neighbours enjoy the same rights. Rights without responsibilities or responsibilities without rights cannot exist. Both are essential to individuals for leading a peaceful social life.

7. Universal

Rights are universal in nature. They are applicable to all in the state. They are given to all without any discrimination.

8. Vary

Rights vary from time to time according to the needs of the people. They also grow with the changes in time and conditions. Some rights which were not found in the past may exist now. The socio economic, political and cultural conditions will have an influence over the rights.

9. Precede the state

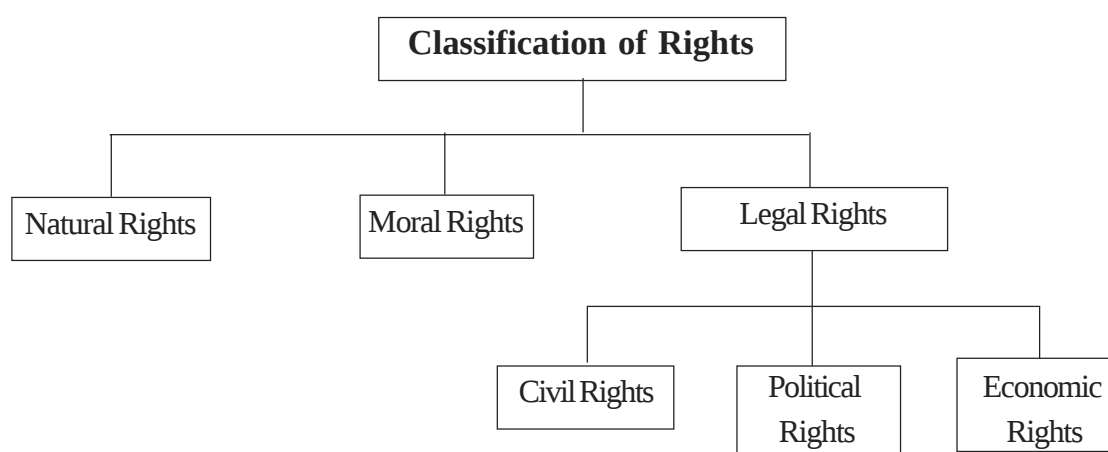
Rights are the products of history. Rights originated in course of time. They were prevalent even before the origin of the state. However, they were guaranteed only after the origin of state.

10. Common good

Rights always exist and flourish as long as they are meant for common good. Only those rights which promote common good of the people are recognised by society and state. They are essential for leading a prosperous life by the individuals.

6.4 CLASSIFICATION OF RIGHTS

Rights are broadly classified into three categories namely, (i) Natural Rights (ii) Moral Rights and (iii) Legal Rights.



(i) Natural Rights

Natural rights are those rights which are enjoyed by men by birth. Men enjoyed these rights even before the origin of civilised society. Society and state recognized and respected these rights. John Locke, who propounded the theory of natural rights, claimed that rights are pre- social and pre-political in nature. He cited the right to life, right to liberty and right to property as the basic natural rights. The state cannot deprive men of these rights.

(ii) Moral Rights

Moral rights denote claims based on the 'moral' code of the community. These rights are morally prescribed to men in society. Ethical or moral principles act as the basis of moral rights. Customs, traditions and usages are regarded as the basic source of these rights. Men enjoy these rights in a civil society. These rights are based on the moral conscience of the people. They don't have legal support. However, they are backed by society. So violation of these rights is not considered as a crime. Individuals could not be punished for their violation. Moral rights are indefinite and vague. But they are popular in nature. State cannot ignore these rights for a long time.

(iii) Legal Rights

Legal rights are recognized by State and protected by law. The various judicial organizations extend protection to these rights. They do so on the request of the aggrieved persons. These rights are backed by the coercive power of the state. They are applicable to all sections of society without any discrimination on the basis of the caste, religion, race etc. Legal rights are classified under three sub-categories, namely, a) Civil Rights b) Political Rights and c) Economic Rights. These may be explained as below.

a) Civil Rights

Civil rights aim at providing basic conditions for individuals to lead a happy and dignified social life. These rights are considered vital for a civilized society. Social life becomes impossible in their absence. The constitution of a state grants and guarantees these rights to the citizens. Aliens too enjoy some of these rights. It may be noted that civil rights are not absolute. They are enjoyed by the individuals subject to some reasonable restrictions. Judiciary protects these rights against the encroachment by other individuals, institutions or government. These rights aim at preserving and promoting the life, liberty and property of individuals. It may be

pointed out that all states do not provide identical civil rights to their citizens. It all depends upon the structure and nature of organisation of state and government, policy of the party in power, economic and political philosophy of the government etc. Civil rights are described as the gift of democracy. Democracy flourishes when citizens are provided these rights. Right to life, Right to liberty, Right to religion, Right to property, Right to education, Right to equality, Right to family etc are some examples of civil rights.

b) Political Rights

Political rights enable the the citizens to participate in the political affairs of the state. They help the citizens to manage the political affairs including the organization of the government. They empower the citizens in the political affairs of the state. Citizens can freely participate in the administration of the country. A unique feature of these rights is that they are enjoyed by the citizens only. Aliens do not possess these rights.

Political rights are considered as an essential condition of democracy. In fact the working and success of democracy depends to a great extent upon the proper exercise of rights. These rights play a vital role the formation and progress of the political society as they provide several opportunities to the citizens in the affairs of the government. These rights are enjoyed to their full extent by the citizens of democratic states only. Right to vote, Right to contest as candidates in elections, Right to hold public offices, Right to petition, Right to criticize the government etc., are some examples of political rights.

c) Economic Rights

Economic rights relate to the engagement of individuals in economic activities. These rights enable them to have a reasonable and legal source of livelihood. They enable the individuals to overcome their daily issues of food, clothing, shelter etc. They provide economic security to the individuals. They got prominence in the 21st century all over the world. Right to adequate wage, right to work, right to leisure, right to basic amenities in working places, right to trade unions, right to relief etc are some examples of economic rights.

6.5 IMPORTANT CIVIL RIGHTS

Individuals in a civilized society enjoy the following civil rights. These are mentioned as below.

1. Right to life

T.H. Green considered this right as the most fundamental civil right. This right provides security to the individual's life. Individuals can not lead their lives in the absence of this right. This right is based on the premise that life of an individual is valuable not only to himself, but also to the society and the state as a whole. Hence it prescribes the state to extend protection to the life of individuals. However, it empowers the state to impose some reasonable restrictions upon individuals. State can insist any person to sacrifice his life for the sake of the nation. This right also includes the right of self-defence.

2. Right to Liberty

This right enables individuals to have freedom in various walks of life. It makes their life worth living. It enables them to develop their personality in various spheres. It includes various freedoms such as freedom of movement, speech, expression, thought, residence etc.

3. Right to Equality

This right implies that individuals are equal before law. It forbids discrimination on the basis of one's caste, colour, creed, education, region, race, religion, wealth etc. It enables equal treatment of all persons. It provides scope for uniform application of laws. It provides equal opportunities to all persons in social, economic and political fields.

4. Right to Property

This right enables every individual to acquire, enjoy, donate or inherit the property. It is essential to the individual for securing higher standards of living. It is crucial for the growth of individual's personality.

5. Right to Family

Family is a fundamental social institution. This right enables individuals to maintain family relations in society. Consequently, individuals will have freedom to marry persons of their choice. They will have choice to procreate children and rear their offspring. However, the state can impose certain restrictions upon this right keeping in view the national interests. For example, until recent times China imposed several restrictions against their citizens in the size of their families. Recently it has made some amendments in this regard.

6. Right to Religion

This right allows individuals to have freedom to practice, propagate and profess any religion of their choice. Every individual is at liberty to preach or practice the religious doctrines as he like. Secular states provide religious freedoms to their citizens.

7. Right to Contract

This right provides freedom to every individual to enter into contract or legal arrangements with others regarding his life, property and work. It regulates the two parties in carrying their contracts in letter and spirit. In this regard state recognizes only those contracts which are helpful to the common well-being of the people.

8. Right to Education

In the modern era education is regarded as vital to every individual. Uneducated and innocent individuals cannot play an active role in public affairs. Similarly, illiterate persons cannot fully make use of their abilities. So education and literacy enable the people to understand the problems of the society and policies of the government. This right guarantees a minimum level of education to every citizen in democratic states.

9. Right to form Associations and Unions

This right enables individuals to form associations and unions for realising some specific objectives. Individuals may join, continue or keep away from the membership of associations according to their will and pleasure. The State is empowered to impose restrictions against those associations which ignore the welfare of the nation.

10. Right to constitutional remedies

Civil rights are meaningless in the absence of this right. This right is essential to every individual for safeguarding his rights. This right empowers a person (who is deprived of his liberty due to the intervention or manhandling by others including the government) to seek justice and relief from the concerned judicial organizations. The affected persons are authorised to approach an appropriate court for correcting such imbalance. In this regard higher judicial organizations issue several writs and effectively check such tendencies. These writs are in the form of Habeas Corpus, Mandamus, Prohibition, Quo-warranto and Certiorari etc.

6.6 IMPORTANT POLITICAL RIGHTS

a) Right to Vote

Right to vote is the most important political right enjoyed by the citizens will have several political both of them the family are important citizens in modern democratic states. It serves as a powerful weapon for adult citizens in choosing their representatives to various legislative bodies. It makes them real sovereign. All adult citizens are entitled to this right without any discrimination based on caste, creed, colour, language, race, region, religion, sex etc. However, persons such as aliens and minors are deprived of this right.

b) Right to Contest as candidate in Elections

This right empowers the citizens to contest as candidates to various legislative bodies in the state. Especially it enables our political sagacity, enthusiastic and dynamic citizens, to actively participate in the political affairs of the state. As a result, it increases political awareness among them. It is considered as a main base of democratic polity.

c) Right to hold Public Offices

This right provides opportunities to the citizens to hold various public offices for a definite period. It gives no scope for exclusion of citizens or conferring special privileges to some at the cost of others. It helps them to exercise authority in a dignified manner.

d) Right to Petition

This right enables citizens to forward petitions to the government denoting their requirements or grievances. It is considered as a vital political right in the modern state. Citizens could be able to find solutions to their immediate or long pending issues by bringing them to the notice of the government through this right. It also helps public authorities to know the grievances of the people and attend to them properly and promptly.

e) Right to Criticism

This right gives opportunity to the citizens to criticize the various public policies and programmes. It enables them to highlight the omissions and commissions of the leaders and administrative personnel at various levels. It also gives scope to render positive and constructive criticism about the on goings in the government. Ultimately, it keeps the administrative authorities and policy makers to be vigilant in discharging their obligations.

6.7 IMPORTANT ECONOMIC RIGHTS

Citizens in modern states enjoy several economic rights. These rights are meant for satisfying their basic needs. They help the citizens to lead a smooth and happy life. They enable to overcome economic problems like poverty, hunger, unemployment etc. In this context many states have conferred on their citizens some economic rights. They may be explained as below.

a) Right to Work

Right to work enables individuals to earn their livelihood. It is the utmost obligation of the state to provide some sort of work to all the citizens. The state provides various opportunities to them to utilise their physical and mental calibres for earning adequate livelihood. In this regard some prominent socialist and communist states legally conferred this right to their citizens.

b) Right to Adequate Wages

This right is a corollary to the right to work. People must be provided with this right for securing reasonable wages. This right is based on the notion of “equal pay for

equal work.” It means that the state should not make discrimination between men and women in determining their salaries and emoluments.

c) Right to Reasonable Hours of Work

This right aims at determining rules and regulations in regard to the working hours, adequate leisure, recreational facilities etc. It is an essential economic right to be possessed by the workers in a state. It enhances the efficiency of the workers.

d) Right to Compensation

This right provides economic security to the employees working in various fields. According to this right whenever an employee falls sick or dies in an accident during the service, his immediate dependents will be given employment on compassionate grounds.

e) Right to Self-government in Industry

This right implies workers participation in the management of the industries. It makes the workers responsible, active and committed in their work. It injects initiative among the workers in a factory thereby increasing the productivity and output.

6.8 FUNDAMENTAL RIGHTS

Fundamental rights are essential for developing of the personality of individuals. They are by and large incorporated in the constitution. Several factors like (i) democracy (ii) individual freedoms (iii) minority interests (iv) greater emphasis on human life, liberty and properties, are responsible for incorporating fundamental rights in the constitution.

Characteristics of Fundamental Rights

Fundamental rights have the following characteristics.

- (i) Fundamental rights are clear definite and specific.
- (ii) They are constitutional and legal in nature.
- (iii) They are coercive in nature.
- (iv) They are given to the citizens only.

- (v) They vary from state to state.
- (vi) They are not absolute.
- (vi) They can be amended under certain conditions.

6.9 SAFEGUARDS OF RIGHTS

Individuals enjoy their rights only when they were fully protected or safeguarded by the state. In this regard, the following elements act as the safeguards of the rights of individuals.

1. Democratic Rule

Democratic rule safeguards the rights of the people to a great extent. People can enjoy their rights perfectly in democratic states only. This system formulates constitutional and legal provisions for safeguarding the right of the people.

2. Written and Rigid Constitution

A written constitution clearly defines the powers and functions of the government. It also explains about the various limitations of governmental authority. Besides, it will guarantee the rights of the people by making it difficult for the rulers and legislators to make amendments on flimsy grounds.

3. Incorporation of Fundamental Rights

Incorporation of fundamental rights in the constitution will prevent the encroachment of individual rights by the government. Such an arrangement protects the rights of individuals to a great extent.

4. Separation of Powers

The powers of government should be separated among the three organs of the government. Such a measure would act as a check against other organ. Ultimately, it serves as a safeguard of individual liberty.

5. Decentralisation of powers

Individuals enjoy their rights when powers are decentralised among the governmental institutions. This involves allocation of powers at various levels – national, provincial and local-either on functional or territorial basis.

6. Rule of Law

Rule of law implies equality before law. It also denotes equal application of laws to the citizens. It gives no scope for discrimination between citizens on the grounds of region, religion, caste, colour, community etc.

7. Independent and Impartial Judiciary

Independent and impartial judiciary is another safeguard of rights. Judges in higher judicial organisations will deliver judgment with impartial and independent outlook. In the process of delivering justice, they issue certain writs for immediate protection of the rights.

8. Independent Press

Independent press is another essential safeguard of rights of individuals. Such an agency will be able to disseminate news and views impartially and without fear or favour to any body. In this regard the state should not try to threaten and silence the press. Then only individuals enjoy their rights to the maximum extent.

9. Social and Economic Equalities

Social and economic equalities are essential for enjoying one's rights. People will be able to utilize their rights properly and positively when there are social and economic equalities in the state. These equalities include absence of casteism, communalism, linguism, wide spread economic inequalities, exploitation etc.

10. Eternal Vigilance

Eternal vigilance is said to be the most important safeguard of rights of individuals. Individuals must be vigilant and cautious about the policies of the government. They should oppose the despotic tendencies of the government through democratic and constitutional methods. Under no circumstances they should allow the selfish politicians to acquire power. Besides several other elements like judicial review, recall, strong opposition etc are considered as the safeguards of rights.

6.10. HUMAN RIGHTS

Human Rights are the amenities required for the basic existence of human beings. They are available to all persons irrespective of caste, creed, community, religion, region, language etc. The constitutional and ordinary laws in democratic states recognize these rights. The various governments in democratic states will take appropriate steps for providing human rights to their people.

Ronald Darwin felt that human rights serve as the protective shield to the individuals whenever the state attempts to interfere with the civil liberties of individuals. John Dowski described human rights as the new standards of civilization.

6.10.1 Origin of Human Rights

At one time in ancient and medieval societies only a few sections enjoyed human rights. As a result, the majority people who were denied these rights, had to make relentless attempts for securing these human rights.

The credit for showing interest on human rights and their application to human beings goes to greek rulers. They recognized the need and importance of health and strength in the development of human personality. They also identified the fact that human rights will play a crucial role in the development of nation. But unfortunately religious fundamentalism began to spread its influence on people due to the selfish attitude and oppressive policy of some rulers. This led to the disappearance of human rights in reality.

Historians felt that Magna Carta (1215 AD) in England is the first step towards the realisation of human rights. Magna Carta gave life to the freedoms and independence of the people. They described it as the Bible of the English Constitution. The cultural renaissance which shook various countries in Europe gave strength and succor to the civil rights movements. Later John Locke popularized the doctrine of Natural Rights as a part of his proposal for the spread of human rights. Rousseau mentioned several times about the importance of human rights in his concept of Social Contract. He declared that 'Man is born free but every where he is in chains'. John Stuart Mill, a prominent british political philosopher, propounded Individualism. He stated that every individual is sovereign over himself, his body and mind and all organizations including the state shall not interfere in the

affairs of individuals. Jeremy Bentham, a doyen on Utilitarianism, emphasized the concept of human rights. The writings of above philosophers profoundly influenced the people in American colonies and France. Several freedom movements have been organized in these countries. Magna Carta (1215 AD), Bloodless Revolution (1688), American Declaration of Independence (1776), French Revolution (1789) etc led to the creation of favourable atmosphere for enjoying human rights. These movements also enabled the people of the world to think about realising certain basic ideals like liberty, equality, fraternity and justice. The Soviet Revolution of October 1917 gave impetus to the economic and social aspects of human rights. However, the spirit of human rights did not last for a long time.

Human rights were affected during the second world war due to the imperialist and aggressive attitude of despots like Hitler and Mussolini. Again they got prominence after the establishment of the United Nations in 1945. The Charter of the United Nations assigned priority and significance to the dignity, values and rights of human beings. The Universal Declaration of Human Rights came into force on December 10, 1948. Since then, that day is celebrated as the Universal Human Rights Day. The U.N. Declaration is considered as the most prominent human rights document of the 20th century. It became the corner stone of international human rights law emerging in subsequent years. It included several political and civil rights for addversing various economic, social and cultural issues. It provided moral and intellectual base for subsequent international covenants and conventions on civil and political rights. The United Nations reaffirmed that the people and governments of every state must strive for respecting individual freedoms and human rights. The concerned authorities and agencies of the United Nations held several international conferences and invited internationally acclaimed intellectuals, jurists and heads of states for eliciting their valuable opinions on extending human rights to every section of human communities throughout the world.

As a result, several covenants like international economic, social and cultural rights, civil and political rights (1966) came into being. The above covenants made obligatory for the international community to provide favourable conditions for enjoying the various human rights by the people of the world. All the member states of the United Nations gave assurance to have full faith in human rights. They assured their cooperation for observing and promoting human rights.

6.10.2 Objectives of Human Rights

The following are the various objectives of human rights.

1. Provision of independence to the people against discrimination
2. Freedom from poverty
3. Freedom for availing the latent abilities of individuals
4. Freedom from fear
5. Freedom of protection
6. Freedom from injustice
7. Freedom of speech and expression
8. Freedom of association
9. Freedom for carrying one's activities on dignified lines
10. Freedom against exploitation

The United Nations General Assembly declared 1995-2005 as the international decade of human rights. The ultimate objective of human rights relates to the provision of human rights to all people of the world.

6.10.3 Features of Human Rights

There are some common features of human rights. They may be mentioned as follows.

- (i) Human rights are enjoyed by all the people without discrimination.
- (ii) These rights are universal.
- (iii) They treat all people alike.
- (iv) They regard individuals basically as human beings.
- (v) They encompass some fundamental principles of humanity.
- (vi) They have no geographical limitations

Almost all members of the United Nations have affirmed to follow the human rights in theory.

6.10.4 Classification of Human Rights

Human rights are broadly classified into two categories (i) civil and political rights (ii) economic, social and cultural rights. In the first category, civil rights occupy a prominent position. Civil rights include right to life, liberty and security of individuals, freedom from slavery and torture, equality before law, protection against arbitrary custody etc. They assure the individual for a right to fair trial, right to own property, right to marriage etc. Besides they comprise several freedoms like freedom of speech, expression, association, assembly, movement, residence etc. Political rights include right to vote, right to contest as candidates in elections to various offices, right to assume power, right to criticism, right to petition etc.

The second category of human rights include several economic, social and cultural rights. Economic rights include right to work, right to equal payment of salaries to equal work, right to form and join in trade unions, right to adequate standard of living etc. Social rights include right to education, right to health, right to entertainment etc. Respecting the civilization, arts, culture etc., are included in the category of cultural rights.

6.10.5 Human Rights in India

India, being the largest democratic state in the world, is renowned for the provision of human rights to its people. Unfortunately there has been severe criticism in recent years against the various state and union governments in regard to the violation of human rights. Human rights activists and human rights associations attributed that public authorities, in the name of implementing welfare schemes and promoting the well being of common men, have curtailed the freedom of people in many aspects. Lack of commitment and responsibility among some authorities also led to the spread of the above allegations. In order to avoid the attempts of violating human rights and to create awareness among the people on human rights, some efforts have been made in making legal provisions. Indian Parliament approved Human Rights Preservation Act in 1993. The said Act was modified in 2006 with some changes in its provisions. It provided for setting up of the National Human Rights Commission (NHRC).

6.10.6 Indian Constitution and Human Rights

The Constitution of India incorporated many of the human rights mentioned in the U.N. Declaration of Human Rights. Especially Articles 19 to 28 of Chapter III on Fundamental

Rights are in consonance with the human rights of individuals. They relate to the life, liberty, equality and dignity of individuals. Article 19 of Indian Constitution guaranteed freedoms of speech, expression, association and assembly. It also conferred freedoms of occupation, settlement, movement etc. Article 20 provided protection to the personal life of individuals. Article 21 declared that no one could create obstacle to the personal life of individuals against the due process of law.

Article 22 guarantees individuals against arbitrary arrest and custody.

Article 23 prohibits bonded labour and human trafficking.

Article 24 banned the employment of children below fourteen years of age in dangerous activities. Articles 25 to 28 sanctioned religious freedom to the Indian citizens.

6.10.7 National Human Rights Commission (NHRC)

National Human Right Commission is a multi –member body. It comprises a chairman four other members. It is headed by the former Chief Justice of the Supreme Court. There will be a Supreme Court judge (or Former Judge), a High Court judge (or Former high court Chief Justice) and two other members who actively participated in the human rights activities. The Chairman as well as members of the Commission are appointed by the President of India. In this regard, the President is bound to consult the Minister for Union Home Affairs, Lok Sabha Speaker, Rajya Sabha Chairman and opposition party leaders in Parliament. The chairman and members shall hold their office for five years or until the super annuation age of 70 years whichever is earlier. The Chairmen of Scheduled Castes, Scheduled Tribes, Minorities Commission, Chairperson of National Women Commission act as the ex-officio members of the Commission. There will be a General Secretary having the status of Secretary General in the Commission.

The following are some of the important functions of National Human Rights Commission.

1. The National Human Rights Commission makes enquiry into the cases of violation of human rights by the public authorities.
2. It enquires into the cases of human rights violation as permitted by the judicial organizations.

3. It reviews the various legislative measures in regard to the implementation of human rights.
4. It makes suggestions for averting terrorist operations affecting human rights.
5. It makes research into the matter of human rights.
6. It takes steps for creating awareness of human rights among the people.
7. It gives encouragement to voluntary organizations in the matters of preserving human rights.

6.11.0 RESPONSIBILITIES

Responsibility is an obligation of an individual towards other individuals residing in the society. It is regarded as an obligation or duty towards others. The term 'Responsibility' denotes what one is bound to do. Every individual must abide by certain rules of behaviour in society for his own good and for the good of others. These include some do's and don'ts. Responsibilities are both positive and negative in nature. Everyone in society must perform these responsibilities in the larger interests of society and state. Everyone must behave in such a way that promotes common good and social welfare. Responsibilities in turn contribute to the public good. They establish peace and order in society. Responsibilities always precede rights.

6.11.1 TYPES OF RESPONSIBILITIES

Responsibilities are broadly of two types: moral and legal.

i. Moral Responsibilities

Moral responsibilities are those which bound the individuals together on moral grounds. They may not be upheld and supported by the laws of State. They are based on the moral beliefs of the people. They are sanctioned by the community basing on some customs, traditions and usages. Any violation of moral responsibilities does not lead to punishment. Helping the needy and the sick is regarded as an example of moral responsibilities.

ii. Legal Responsibilities

Legal responsibilities are implemented through the courts and with the support of the statutory laws. They carry statutory significance. They are very clear and precise. They are compulsory and coercive in nature. So those who violate these responsibilities will be punished. Obeying laws, paying taxes, assisting the administrators in the maintenance of law and order etc., are some important legal responsibilities of a citizen.

Legal Responsibilities are further classified into positive and negative.

1. Positive Responsibilities

When a citizen fulfills his responsibilities to strengthen the social progress and welfare, they are known as positive responsibilities. Obedience to the laws of state, defending the country, paying taxes etc are some examples for positive aspects of legal responsibilities. These responsibilities aim at extending co-operation to the government in realizing the objectives of state.

2. Negative Responsibilities

When a citizen abstains from doing an activity as prohibited by the laws, it is said to be an example of negative responsibility. Negative responsibilities keep the people from not doing certain activities. The government, on behalf of the state, makes several regulations in this regard.

6.11.2 IMPORTANT RESPONSIBILITIES OF A CITIZEN

The following are the most important responsibilities of a citizen.

1. Loyalty to State

Every citizen owes allegiance to the state to which he belongs. So it is his responsibility to defend the state on all occasions and especially in times of threatenings to its independence, sovereignty and security. Citizens must unequivocally show loyalty to the state in this regard. In other words, every citizen should be ready to lay down his life in defending the state. For instance, the constitution of erstwhile Soviet Union prescribed compulsory military service as an honourable responsibility of its citizens.

2. Obedience to Laws

It is the basic responsibility of the citizens to obey the laws of State. Citizens must also respect its institutions. They must obey the orders and directives of the state. Every citizen must follow the provisions of the constitution. They must oblige the orders of the government. Under no circumstances they should not violate the rules and regulations of the constitutional bodies. Such activities promote obedience among citizens towards the law and social welfare.

3. Payment of Taxes

Money plays a vital role in the matters of the society, government and state. The State undertakes several activities which require huge financial resources. It can not implement its programmes in the absence of financial resources. In this regard, it is the responsibility of every citizen to pay taxes promptly and properly.

4. Honest exercise of Franchise and holding Public Office

In a democratic state, all adult citizens, subject to certain qualifications, enjoy franchise for choosing their representatives. Performing such an act is considered as a fundamental responsibility of citizens. Citizens must realize that their presence and exercise of franchise during the election day will create a strong base for the formation and success of the government. In this context, they must avail their franchise with discretion, sincerity and wisdom. Only those who wish to serve the people will hold various public offices. They must act according to the popular wishes.

5. Cooperation in Law and Order Matters

It is the primary responsibility of the citizens to render cooperation to the administrative authorities in the maintenance of law and order. Such an attitude enables the government to function in a smooth and effective manner. Especially, citizens must be ready to assist the authorities in times of emergency.

6. Other responsibilities

Citizens should be responsible and responsive in several other matters. They should assign priority to the common good. They should also act as whistle blowers against those who misuse the power. They should be active for rendering their services as members of public committees, organizations, local bodies etc.

6.12 RELATIONSHIP BETWEEN RIGHTS AND RESPONSIBILITIES

There is a close relationship between rights and responsibilities. The two are considered as the two sides of a same coin. Rights are incomplete in the absence of responsibilities. Rights imply responsibilities and responsibilities are entitled to rights. The two are inseparable. They are compared to the life and breath of living beings.

Essential conditions of social life

Many political writers described that rights and responsibilities are the two essential conditions of social life. They are like the shield and soul of the people in the state. Every right will have a corresponding responsibility. Similarly, every responsibility has a corresponding right. The two propositions when put together will help to a great extent the individuals to lead a happy, honourable, harmonious and prosperous life in society. For instance, the right to religion allows every individual to embrace a religion of his choice. It also enables him to preach, profess and propagate his religious beliefs in society. At the same time that person has a corresponding responsibility in religious matters. He has to avail this right to religion in consonance with the religious beliefs of his fellow citizens. He has the responsibility of not interfering in the religious matters of others under any circumstances. He must refrain himself from such activities which others expect from him in religious matters. He should not act in such a way causing harm or injury to the religious feelings of others in society. In other words, every person must understand that he receives respect from others only when he gives respect to others. Hence rights and responsibilities are inter-twined. One cannot expect rights, without performing some corresponding responsibilities.

Social Progress

It is imperative that everyone should enjoy his rights in such a way that his activities contribute to social progress. He should be aware of his rights and perform his responsibilities in a judicious manner. His actions should always be carried on with the ultimate aim of promoting social progress.

Another postulate regarding the affinity between rights and responsibilities relates to the order in the state. One should utilize his rights in such a way that his actions should in no way disrupt the peaceful atmosphere in society. Similarly, he should abide by rules and regulations imposed and implemented by the government authorities from time to time. He

should always carry on his activities in various spheres of life without affecting the rights of others in society. It implies that he must oblige and respect others in the enjoying their rights. He should not interfere in others affairs under any circumstances.

Rights and Responsibilities do not have separate or distinct goals. They are always present together like shadow and man.

One's right automatically becomes other's responsibility and vice versa. The two - rights and responsibilities - together make a person a good citizen.

Responsibilities lack meaning in the absence of rights. The reason is that there will be no responsibilities without rights. Similarly, there will be no rights without responsibilities. Unrestrained rights make individuals arrogant, disobedient, undisciplined and violent in many aspects in relation with others in society. Unlimited responsibilities without rights make the people slaves and subject them to exploitation. Hence, rights and responsibilities go hand in hand. Together the two concepts enable the peace, progress and harmony in human society. They bring discipline in human behaviour and afford a respectable position in society.

QUESTIONS

I. Long Answer Type Questions

1. Define Rights. Describe various Civil and Political Rights.
2. Identify the safeguards of Rights.
3. Write an essay on Human Rights.
4. "Rights and Responsibilities are inter related". Analyse.
5. Write an essay on National Commission on Human Rights.

II. Short Answer Types Questions

1. What are the features of Rights?
2. Explain Political Rights.
3. What are the features of Human Rights?

4. Write the objectives and classification of Human Rights.
5. Discuss the various types of Responsibilities.
6. What are the features of Fundamental rights?

III. Very Short Answer Type Questions

1. Define Rights.
2. Classify Rights.
3. What are Civil Rights?
4. Natural Rights.
5. Moral Rights.
6. What are Political Rights?
7. What are the objectives of Human Rights?
8. How many types of Human Rights are there? Name them.
9. Significance of Human Rights.
10. Classification of Responsibilities.
11. Moral Responsibilities.
12. Give two examples of Responsibilities.

Justice

CHAPTER

7

- 7.0 Introduction
- 7.1 Definitions
- 7.2 Major concepts of Justice
- 7.3 Connotations of Justice
- 7.4 Aspects of Justice
- 7.5 Evolution of Justice
- 7.6 Sources of Justice
- 7.7 Types of Justice
- 7.8 Social Justice
- 7.9 Achievement of Social Justice

7.0 INTRODUCTION

Justice is a dynamic concept in the contemporary society. It has received the attention of several political philosophers, social reformers, economic thinkers and psychological experts. They have considered the basic instinct of individuals belonging to the various sections residing in several parts of the world. Besides, almost all states irrespective of their political and economic doctrines have been striving to achieve justice and to establish a society based on justice.

The word 'Justice' is derived from a Latin word 'Justitia' which means 'to bind'. It refers to the formulation and implementation of rules and regulations endorsed by the Constitution and the judicial organisations in a state. It also stands for just conduct, fairness or exercise of state authority for maintaining of individuals rights.

7.1 DEFINITIONS

We may advance some of the definitions of Justice in the following lines.

1. **Plato:** “Justice is giving to everyman his due. It is a combination of reason, courage, appetite and will in terms of the state”.
2. **Aristotle:** “Justice is no other than each and every individual in society discharging his moral duties.”
3. **Caphalous:** “Justice means speaking truth and paying one’s debts”.
4. **Polymarchus:** “Justice means to help friends and harm enemies”.
5. **Barker:** “Justice means a combination and coordination of political values.”

The concept of justice is as old as the political theory itself. Different interpretations have been offered on this concept from time to time. While some writers regarded justice as ‘virtue’, others understood it as ‘equality’. Many others considered it as ‘the rule of law’. Justice is an integral part of political science, ethics, law and philosophy. Justice like love, is difficult to define. It has intrinsic value. Both justice and love evoke passionate and strong responses from the advocates. Nobody hates justice. Everyone desires justice for themselves. Unlike love, it is innate in our relationship with only a few persons of close affinity. Justice concerned with our way of living in society. It symbolizes public life. It serves as the basis to the principles meant for allocating social obligations.

7.2 MAJOR CONCEPTS OF JUSTICE

There are two major concepts of justice. They are

1. Numerical concept

Numerical concept of justice regards that everyone has equal share. The ancient greek city states adopted this concept in public matters. The rulers of city states filled up various offices with as many persons as maximum possible to demonstrate equality. They have not considered special knowledge, qualifications etc., for holding public offices. Jeremy Bentham, a famous british political philosopher, advocated this concept in modern times. He stated thus: “Everyone is count for one, nobody for more than one.” Many modern liberal democratic states have been functioning on the basis of this concept.

2. Geometrical concept

Geometrical concept is based on the notion of proportionate equality. It advocates equal share to equals and unequal share to unequals. It means that distribution of power and patronage in public offices should be allocated in proportion to the worth or contribution of the individuals. Plato and Aristotle favoured this concept. Aristotle stated this concept in the following words: “If flutes are to be distributed, they should be distributed only among those who have the capacity of flute playing.” Efforts were made for allocating benefits and responsibilities on equal basis keeping in view the worth of recipients.

7.3 CONNOTATIONS OF JUSTICE

The concept of Justice has different connotations. Normally it implies virtue or righteousness. It is equated with truthfulness and morality. Hence its regarded as a norm to assess the good and bad in the conduct of men. It denotes rules of society and various social institutions. It aims at synthesising various values. It also provides for a just system of human relations, being the products of liberty, equality and fraternity.

Justice implies establishment of statusquo. It seeks to protect one’s life, liberty and property. This is known as Conservative Justice. Justice also implies keeping the general order of society as a whole. Further it protects the interests of the individuals. It is concerned with the relationship between individuals and various groups.

7.4 ASPECTS OF JUSTICE

Aristotle mentioned two aspects of justice. They may be explained as below.

1. Distributive Justice

Distributive justice implies distribution of goods and wealth of citizens by the state on merit basis. Aristotle stated that justice is a sort of distribution. He regarded it as the most powerful instrument against revolutions. But modern writers like John Rawls denied Aristotle’s view. He pointed out that inequalities are inherent in society. He remarked that inequalities must be balanced by some restrictive arrangements in the political system.

2. Corrective Justice

Corrective justice comprises restoring each person the lost rights due to the infringement of his rights by others. Aristotle viewed this justice as essentially negative which is concerned

with voluntary commercial transactions like hire, sale and furnishing of property. In brief, corrective justice embodies moral excellence of individuals.

7.5 EVOLUTION OF JUSTICE

In ancient India, Justice, being associated with dharma as enunciated in Hindu scriptures, was considered to be the duty of the king. The king used to maintain a just social order based on dharma. Confucius, the famous Chinese philosopher, argued that it was the primary duty of the king to maintain justice by punishing wrong doers and rewarding virtuous persons.

Justice normally means giving each person his due. However, its understanding differs from person to person. Justice is viewed from the human aspect of every individual. Immanuel Kant, a German philosopher, stated that human beings possess dignity. When all persons are endowed with dignity, they will be entitled to adequate opportunities for developing their talents and for pursuing their goals. Thus, Justice demands that each individual should be given equal consideration.

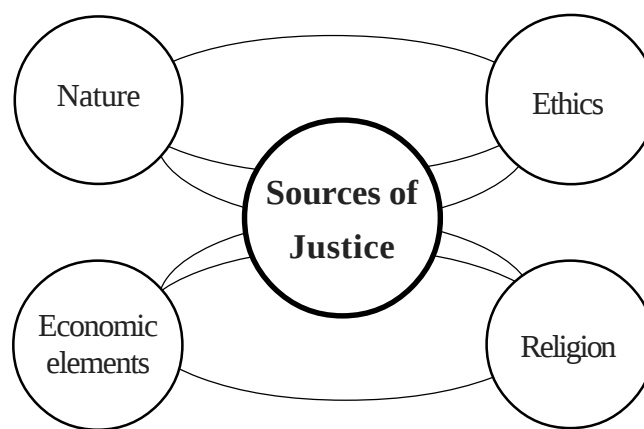
In Medieval age St. Augustine derived the concept of Justice from Plato. He emphasized on the proper relations between individuals for the harmonious working of society. Thomas Aquinas was considered as the first political philosopher who separated Justice from religion. By 16th century, this concept got completely secularized. The social contract theorists like Thomas, Hobbes identified Justice with the orders of the sovereign. His successors John Locke, Rousseau, Emmanuel Kant and others regarded Justice as a synthesis of liberty and equality. The advocates of natural law developed the idea of individual justice. The socialists conceived justice from economic point of view. While the conventionalists explained the concept of justice from individual perspective, the modernists viewed it from social perspective.

There is no single precise definition to the concept of justice. It was defined, and discussed by various writers in different ways basing on the place, time, context, culture etc. It is considered as the sum total of the principles and beliefs advanced for the survival of the society. These principles and beliefs in turn led to the making of rights, freedoms and laws.

7.6 SOURCES OF JUSTICE

Ernest Barker gave four sources of Justice. They are mentioned as below.

1. Nature
2. Ethics
3. Religion
4. Economic elements



These may be explained as follows.

1. Nature

The greek stoics perceived nature to be a source of justice. Their perception of nature was a combination of moral philosophy and religious beliefs. For them nature, God and reason were inseparable entities. They pointed out that men who lived according to nature shared similar views of reason and God. They viewed that nature embodies three things. They are

1. Man should be free, 2. Man should be treated equally, 3. Man should be associated with his fellow beings by the common element of reason. These three things in turn have remained as a basis for liberty, equality and fraternity in society in course of time.

2. Ethics

Idealist thinkers like Plato, Emanuel Kant, Thomas Hilly Green, Ernest Barker and others propounded that justice originated from ethical practices. They pointed out that values

accepted by the society over a period of time have in turn become the impersonal source of positive Justice. State enforced this positive justice in course of time.

3. Religion

Religion is regarded as another source of Justice. This source has been in force since medieval age. The church authorities held the notion that it was God who propounded the notions of justice, right and wrong. God, through church, initiated the concept of justice as the rule of the theory of might. Thomas Aquinas, a philosopher turned saint, believed that the Church is the manifestation of religion. According to him, human life based on laws is the best one. The king must lead the people in right directions. He must exercise his authority in compliance to the church authority.

4. Economic elements

Economic elements are also treated as a source of justice. These elements attained significance with the advent of industrial revolution which led to glaring economic disparities between different sections of society. Industrial revolution, in spite of its tremendous achievements, led to the growth of miseries, poverty and immorality in society. It forced the people to have a strong zeal of enterprise. Adam Smith, David Ricardo, Thomas Robert Malthus and other classical economists analysed justice in terms of economic factors. Later, revolutionary thinkers like Karl Marx and Frederick Engels strongly advocated the role of economic elements as a basis to the justice. These thinkers began to prove the deficiencies in capitalist society. They argued that justice prevails only when economic equality is achieved through a classless society. But their views are condemned by the modern political philosophers by advancing the notion that economic elements do not comprise the source of justice. Thus the interpretation of justice on economic grounds has a long historical background.

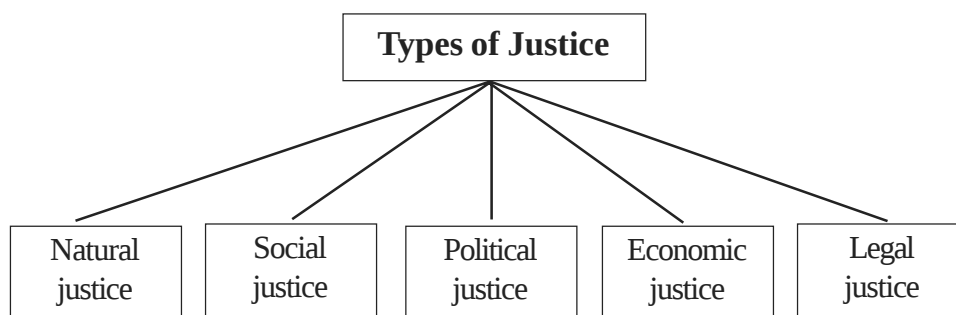
7.7 TYPES OF JUSTICE

There are different types of Justice. They relate to natural, social, political and legal spheres. These may be given in the following chart.

1. Natural Justice

Natural Justice is based on the notion that every person in the world possesses some rights for availing the natural resources. Natural resources provide support to the life of

each and every creature on earth. As the human beings are the only rational creatures, it is their responsibility to see that natural resources have to be judiciously exploited. Human beings must keep in mind the requirements of future generations in this regard.



2. Social Justice

Social Justice envisages a balance between rights of individuals and social control. It facilitates the fulfillment of the legitimate expectations of individuals under the existing laws. It ensures several benefits and extends protection to the individuals against the interference or encroachment from others in society. It is consistent with the unity and the integrity of the nation. It fulfills the needs of the society.

Social justice enforces the principle of equality before law. It ensures eradication of social evils like poverty, unemployment, starvation, disease etc. It also extends protection to the downtrodden and weaker sections of society. Ultimately it provides those conditions essential for the all round development of individuals.

3. Political Justice

Political Justice symbolises political equality. It implies provision of political rights to all the adult citizens in a state. It facilitates free and fair participation of the citizens in the governance of the country. It is manifested to the full extent in times of elections. It allows citizens for their active participation in day-to-day administration. It is based on the premise that everyone is counted as one and none for more than one. It may be noted that political justice prevails in the state when the following conditions are prevalent 1. Rule of law 2. Independent Judiciary 3. Elections to the representative bodies 4. Political parties 5. Freedom of press and assembly 6. Democratic rule etc.

4. Economic Justice

Economic justice refers to the absence of economic discrimination between individuals on irrational and unnatural grounds. It stands for equal treatment of individuals irrespective of differences in income, money, property, wealth etc. In its positive aspect, it implies payment of adequate emoluments to the workers strongly abhorring disparities in the distribution of wealth and incomes. It does not allow exploitation of weaker sections. It sees that nobody is deprived of the basic necessities of life. It hints out that everyone must be provided with adequate food, clothing, shelter and other minimum needs. It conceives just economic order in society. It supports the principle “from each according to his ability, to each according to his needs”.

Economic justice is viewed as a vital concept of the modern age of industrial and technological advancement. It proposes the notion that freedom is meaningless when it fails to provide economic justice in society to all. It advocates civil freedom to all basing on human dignities. Hence this concept occupied a prominent place in the present day society.

5. Legal Justice

Legal Justice is manifested in the laws of state. It is supplemented by the customs of society. It is embodied in the Constitution and legislative enactments in a state. It determines the legal contours of Justice. Legal Justice basically has two implications. Firstly, it implies that there is just application of laws in society on the basis of rule of law. There will be no discrimination between individuals in the application of laws. Secondly, laws are made in consonance with the principles of natural justice. They cater to the welfare of the community. However, Legal Justice itself is not justice. Earnest Barker maintained that legal Justice is ‘law according to Justice.’ It may be noted that it aims at providing justice.

7.8 SOCIAL JUSTICE

Social Justice is generally equated with the notion of equality. Equality is an indisputable and inherent element of social justice. The term ‘social justice’ has wider meaning. ‘Social justice’ connotes fairness, mutual obligation and responsibility in a society. It firmly believes that everyone is responsible to others. Everyone must be provided adequate opportunities.

Social Justice, in brief, aims at achieving a just society by eliminating injustice. It prevails when people have the belief of sharing the things in society. They must be entitled to equitable treatment, human rights and fair allocation of common resources.

In this context modern political scientists like John Rawls and David Miller gave two prominent statements.

John Rawls advanced the theory of social justice commonly known as “Justice or Fairness”. To him, social justice implies equal access to the liberties, rights and opportunities as well as taking care of the interests of the deprived and disadvantaged sections of the society. He maintained that what is just or unjust in human activities is determined on the basis of utility of such activities. He stated that social justice enables human beings equal access to civil liberties and human rights for leading a happy and healthy life. He emphasised that disadvantaged groups in society will be taken care of through the extension of social justice.

John Rawls’ concept of social justice is built around the idea of a social contract whereby all people sign a covenant for following and obeying certain rules for the betterment of the society. These rules or principles specify the basic rights and obligations involving the main political and social institutions. They regulate the allocation of benefits arising from social cooperation.

David Miller pointed out that social justice is concerned with the distribution of good (advantages) and bad (disadvantages) in society. He further analysed more specifically how these things are distributed in society. According to him, social justice is concerned with the allocation of resources among people by social and political institutions. People, through social justice, receive many benefits in the fields of education, employment, wealth, health, welfare, transport etc. However social justice has some negative repercussions. These relate to the interference of government in the private life and prescription of compulsory military service to individuals.

Miller’s theory applies to both public and private spheres. His theory regards social justice as a social virtue that speaks of what a person possesses and what he will owe to others in society.

7.9 ACHIEVEMENT OF SOCIAL JUSTICE

Social justice remains a mirage in a society having glaring disparities between different sections. Social justice can't be understood in absolute terms. Social justice along with equality is a strong desire of every one in modern society. A society dominated by unjust relations between different sections cannot achieve progress. In such a society the disadvantaged and deprived sections develop frustration in their day to day life. This leads to mutual conflicts between the majority poor and a few affluent persons. Hence a just society which ensures basic minimum facilities to all to lead happy and secured life is a must. In such a society adequate opportunities will be provided to various sections for realizing their goals.

In regard to the meaning of minimum facilities, various methods of evaluation are conceived through public programmes. In this regard some international organizations like World Health Organisation play an indirect role. The various governments in a democratic polity will strive to provide basic necessities to the people. These governments confront formidable challenges in providing social justice to the people.

Though many agree with the view that State should lend a helping hand to the disadvantaged sections of the society to attain some degree of parity with others, there remains a disagreement over the methods pursued for achieving the goal. Extensive debate has taken place in the contemporary society. Such a debate revolved on the topic of inviting open competition through free state organisation or private enterprises. But the fact lies in between the two. Both state and private involvement are necessary for achieving social justice in the state.

Free Market Mechanism versus State Intervention

An important debate has taken place among scholars in regard to better option between free market mechanisms and state intervention. The advocates of free markets maintained that individuals should be allowed to have complete economic freedoms like freedom of property, contracts and agreements in economic matters. They professed free competition

between various factors of production in the economy. They strongly felt such a competition would bring uncountable benefits. They also contended that absence of state intervention would ensure smooth market transactions leading to large scale amenities and benefits to various sections. Meritorious and talented persons would receive rewards and awards from all quarters.

However, many supporters of state mechanism do not subscribe to the above view. These scholars insist upon imposing certain restrictions in the larger interests of society. They argued that state should step into the economic operations in order to ensure a basic minimum standard of living to all the people irrespective of their social and economic status. They further pointed out that state must provide basic amenities as a prelude to the free play of market forces in the fields of healthcare, education etc. State must encourage competition for rendering better services to the people. In other words, state should act as a facilitator for providing a congenial atmosphere for the participation of young and dynamic private entrepreneurs. It should create a strong foundation for implementing regulations for liberalising the economic system.

Another argument made on behalf of the free market mechanism is that it provides wider choices than one wish in the matters of education, health, transport, communications etc. It also enables freedom to people to adopt their own ways in the productive activities of society. Besides, it paves the way for the provision of qualitative goods and superior services which the people can afford at convenient and fair prices. Otherwise the services rendered by the state (in the absence of free market mechanism) could not satisfy the hopes of the wide spread consumers in the State.

Another argument advanced in favour of free market mechanism refers to the quality of services offered. Normally services and expertise rendered by the free market forces always remains better, if not best, when compared to the state aided or state sponsored authorities.

It may be noted that the above two arguments of free enterprise and state mechanism have utility to some extent only. So a clear blend or combination of the two systems would be appropriate. But it all depends upon the political sagacity of the leadership and economic conditions prevalent in and around the state. On the whole, the concept of social justice could be viewed as a combination of private and public participation in economic and other operations.

It may be noted that democracy and social justice always carry the elements of discussion and deliberations at different levels. Similarly the two elements provide scope for dissent, assent and consent among legislators and executive authorities. So in states like India where coalition governments have been holding and maintaining power and authority in both the centre and provinces, there prevailed both public and private sectors with a tilt towards public –private participation in all spheres.

QUESTIONS

I. Long Answer Type Questions

1. Define Justice and describe various types of Justice.
2. What is meant by Justice? How is it evolved?
3. Write an essay on Social Justice.

II. Short Answer Type Questions

1. Explain the major concepts of Justice.
2. How is justice evolved?
3. Describe any three types of Justice.
4. Point out any three sources of Justice.
5. How is Social Justice pursued?

III. Very Short Answer Type Questions

1. Define Justice.
2. What is Distributive Justice?
3. What is Corrective Justice?
4. How are economic elements considered as a source of Justice?
5. What is meant by Political Justice?
6. What is meant by Social Justice?
7. What are the implications of Legal Justice?

8. What are the views of John Rawls on Social Justice?
9. Point out the views of David Miller on social justice?
10. In what respect religion is considered as a source of Justice?

Citizenship

CHAPTER

8

- 8.0 Introduction
- 8.1 Definitions
- 8.2 Aliens
- 8.3 Methods of acquiring Citizenship
- 8.4 Loss of Citizenship
- 8.5 Qualities of a Good Citizen
- 8.6 Hindrances to Good Citizenship
- 8.7 Ways for overcoming the hindrances to Good Citizenship
- 8.8 Types of Citizenship
- 8.9 Significance of Citizenship

8.0 INTRODUCTION

Citizenship is a privilege of individuals residing in democratic states. Individuals feel it prestigious and proud to have citizenship in their native state. Infact citizenship differentiates citizens from other categories of persons in a state. People feel that citizenship enables them to lead a happy, honourable and harmonious life in the state. To say in a word, citizenship instills the feelings of patriotism, sacrifice, broad outlook etc. among the people.

Citizenship denotes status of a person recognised under the custom or law of a state. Persons who possess citizenship are known as citizens. Citizens participate in the affairs of the political organization, i.e., state. According to Salmond Citizens, as members of state, will have personal and permanent relations with the state. They enjoy several rights and privileges. State bestows several rights and privileges on the citizens. These include rights to vote, property, residence in the state etc. Besides every citizen has certain responsibilities like paying taxes, rendering military service etc.

Etymologically speaking 'Citizenship' denotes element of residence in a city-state in ancient period. A 'citizen' is one who resides in a city - state. The concept of Citizenship was traced back to the ancient greek city-states which had small population and less territory. In ancient Greece, citizenship was a privilege conferred upon a selected few. Women, manual workers, slaves and children were not entitled to the privileges of citizenship.

Aristotle stated that "a Citizen is a person who will have a direct and active role in the administration of the state."

The position of citizens was same in ancient Rome. However in medieval Europe, the place of slaves was taken up by the serfs. In the present modern nation- states, which have a large population and extensive territory, the concept of citizenship is quite different.

Citizenship privileges at present are granted to all persons without any discrimination. However, it is not possible for all citizens to have a direct share and active participation in the affairs of modern states. Citizenship is granted for meeting the legal requirements of a nation state or local government.

8.1 DEFINITIONS

The Social Contractualists regarded citizenship as the provision of rights and responsibilities. In this sense, citizenship was described as a bundle of rights by which citizens will participate in the activities of the political community. Citizenship entitles them the right to vote and the right to receive protection from the community.

Several political writers gave definitions on citizenship. Some of them are mentioned as below.

Prof. Laski: "Citizenship is one's contribution of instructed judgment to the public good".

T.H.Marshall: "Citizenship is a status bestowed on those who are full members of a community. All who possess this status are equal with respect to the rights and duties with which the state is endowed."

Laski assigned more importance to the Citizenship. He contended that a citizen must contribute his might towards the material and moral advancement of the society. A citizen performs certain responsibilities towards the state for promoting the well-being and progress of the society.

It may be noted that the main conception of citizenship has not changed materially since ancient period. But in course of time it became more positive, constructive and comprehensive. Citizenship denotes possession of civil and political rights by the citizens. These rights are vital to the civilised life. Citizens owe allegiance to the state. They have to sacrifice their personal likings, property and other things for the sake of the state. They should defend the State at all times and on all occasions.

The value of Citizenship varies from state to state. In some states, Citizenship means citizen's possession of right to vote, right to hold government offices, the right to receive unemployment relief etc. In some other states, citizenship means privilege of a citizen to have participation and share either directly or indirectly in the affairs of state.

8.2 ALIENS

All persons residing in a state are not considered as citizens. Sometimes some of them may reside in other states. Then they are known as aliens. Aliens are entitled to such rights and obligations which are incorporated in the covenants of the foreign state. For instance in the United States, aliens must obey the laws and pay taxes just like the american citizens. They must register their names with the american government to secure legal permission to stay for a prescribed period of time.

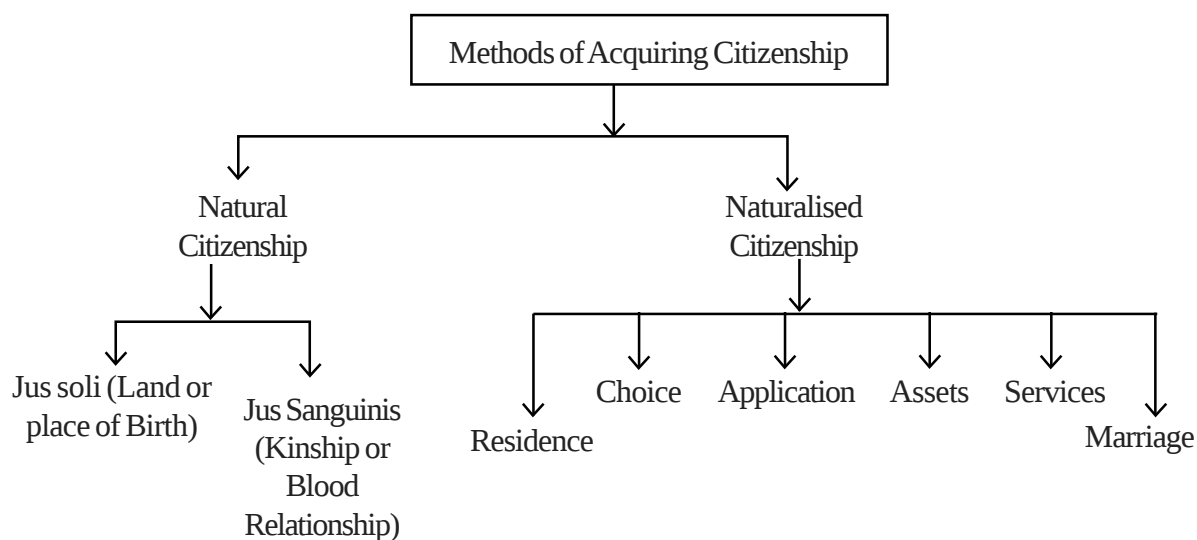
Some of the aliens are entitled for protection under the existing laws. They can own property, carry on business and attend public schools. However, they do not enjoy franchise and assume public offices. In some states they are not even allowed to practice certain professions until they become citizens.

Differences between Citizen and Alien

Citizen	Alien
1. A citizen resides in a particular state on permanent basis.	1. An alien resides in a state on temporary basis.
2. A citizen owes loyalty to the state in which he resides.	2. An alien owes allegiance to the State to which he belongs.
3. A citizen is entitled to enjoy civil and political rights.	3. An alien will have civil rights only.
4. A citizen can criticize the policies and programmes of the government.	4. An alien has no right to criticize the policies and programmes of the government
5. A citizen will have both the rights and responsibilities.	5. An alien has more responsibilities than the rights.

8.3 METHODS OF ACQUIRING CITIZENSHIP

There are two methods of acquiring citizenship. They are (i) Natural (ii) Naturalization. The two methods may be studied as follows.



(i) Natural Citizenship

Natural Citizenship is one which is acquired by the persons without specific application or request to the authorities. It comprises three elements. They are

- (A) soil (Jus Soli)
- (B) blood relationship (Jus Sanguinis) and
- (C) mixed principle.

(A) Jus Soli – (Land or Place of Birth)

Jus Soli means acquisition of citizenship by the principle of land or place of birth. According to this principle, citizenship is determined by the place of birth and not by parentage. It is the place of birth which determines citizenship. This method is more popular since a long time. It was popular in the Middle Ages when citizenship was associated with land. At present, however, this practice is observed exclusively in Argentina.

(B) Jus Sanguinis - (Kinship or Blood Relationship)

This type of citizenship denotes acquiring citizenship by kinship or blood relationship. Under this principle blood relationship within the territory of a state entitles a person to have citizenship. Every person is treated as a citizen of the state where he has relationship. According to Jus Sanguinis, a child acquires citizenship of the parents irrespective of its place of birth. Here blood relationship alone determines the citizenship. For example, a child born to the Indian parents will be treated as Indian citizen irrespective of its place of birth. This principle of Jus Sanguinis was very popular in ancient period. Even today, this principle is followed by many states in the world. It is considered as natural and logical. It is exclusively observed in several states like Germany, Norway, Italy, Sweden etc.

(C) Mixed Principle

Under this method citizenship is granted by following either of the two principles of jus sanguinis and jus soli. Many states adopted both these principles. For example in Britain, France and United States, the above two principles are employed

simultaneously. In this context there may arise duplication of citizenship. For example, a child born to British parents in the United States becomes an American citizen according to the practice of *Jus Soli*. The same child becomes a citizen of Britain according to the principle of *Jus Sanguinis*. In such a case, the child is given option to choose one of its citizenship, after becoming a major.

(ii) Naturalised Citizenship

Citizenship may also be acquired through naturalization. According to this method, an alien will become a citizen in a state after fulfilling certain conditions. These conditions vary from state to state. Some of them are summed up as follows.

1. **Residence:** An alien who resides in a state for a prescribed period automatically becomes its citizen. Residence in any part of the state is a must for an alien. The period of residence varies from state to state. For instance it is 5 years in Britain and United States and 10 years in France respectively.
2. **Choice:** The children of alien parents could receive citizenship of the state according to their option and choice.
3. **Application:** An alien in a state may apply for the citizenship of that state. Then the government of that state considers his application on its merits. It grants citizenship to him with or without some conditions. These prescribed conditions refer to a minimum period of residence, good moral character, financial capability and knowledge of one of the national languages. Besides, an alien must take an oath of allegiance before he assumes the citizenship of another state.
4. **Fixed Assets:** An alien who buys some portion of land or acquires some fixed property can acquire citizenship in a state.
5. **Service (Public or Private):** An alien who serves in the government of a state or in a private recognised enterprise could become the citizen of that state. He is entitled for such citizenship if he serves in the public or private authorised departments. He may also be given citizenship if he renders meritorious service in another state.

- 6. Marriage:** An alien woman acquires citizenship of a state when she marries the citizen of that state. In some countries when a person marries an alien, Citizenship of either of the husband or wife is acquired. For instance, a british lady will acquire Indian citizenship if she marries an Indian citizen. Japanese women do not lose their citizenship even if they marry persons of alien states. The alien person on the other hand, acquires the citizenship of Japan if he marries a Japanese lady.

In this context it may be noted that an alien who receives citizenship of the new state, he will have to forego his native citizenship. In other words no one is allowed to have dual citizenships simultaneously.

Differences between Natural and Naturalised Citizenship

Natural Citizenship	Naturalised Citizenship
1. Natural citizenship is acquired by the native citizen of a state in his own right.	1. Naturalised citizenship is conferred by a state on the aliens.
2. This is acquired on the basis of birth or descent.	2. This is conferred on the individuals subject to certain conditions like stipulated period of residence, job, property, marriage etc.
3. It is irrevocable in normal conditions.	3. It can be revoked any time by the state under certain circumstances like treason.
4. This is more a right of a citizen than a privilege.	4. This is more a privilege than a right.
5. Here the citizen enjoys all the constitutional rights.	5. Here the citizen enjoys limited rights.

8.4 LOSS OF CITIZENSHIP

Citizens lose their citizenship under the following conditions:

1. Renunciation

A person is deprived of his citizenship, if he wishes to become the citizen of another state. One will lose the citizenship of one's parent state and may become the citizen of a foreign state by naturalization. In India, the constitution prescribes that a person who voluntarily acquires citizenship of any other state will no longer be an Indian citizen.

2. Marriage

Generally a woman loses her citizenship when she marries an alien. However some states allow retention of citizenship. For instance in Britain, there is an option to retain British citizenship who marries an alien.

3. Accepting Foreign Service

A person may lose his citizenship when he enters into the service of another state. If a person accepts a permanent job in the government of a foreign state, he foregoes the citizenship of his native state.

4. Obliging Foreign Decorations or Titles

When a citizen obliges to receive foreign decorations or titles without the consent of the native state it may lead to the forfeiture of his Citizenship.

5. Prolonged Absence

Prolonged absence in the native state beyond a certain period may lead to the loss of citizenship. In some states like France and Germany citizens who are absent themselves from their native country for more than ten years will lose their citizenship.

6. Treason

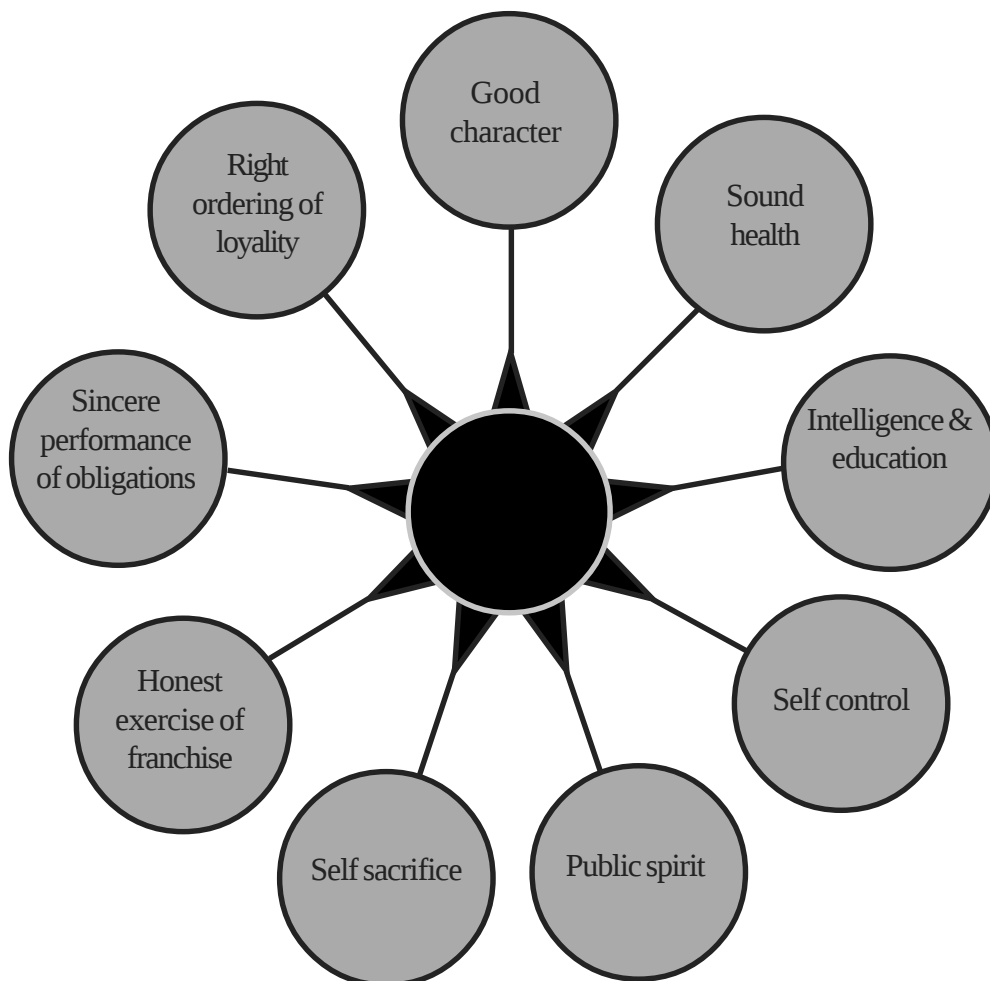
Involvement of a citizen in a serious crime and subsequent evidence of his action will also lead to the loss of citizenship. Especially those persons who directly or indirectly participate or extend assistance to anti-state activities, will lose their citizenship by a special notification.

6. Desertion from Army

Desertion from army thereby jeopardizing the security of a state leads to the forfeiture of citizenship.

8.5 QUALITIES OF A GOOD CITIZEN

According to Aristotle good citizens make good state. This is due to the fact that good citizens imbibe many noble qualities. Lord Bryce cited three qualities of a good citizen, namely, conscience, intelligence and self control. On the whole, a good citizen will have the following qualities.



1. Good Character

Good character is essential for a good citizen. A good citizen should be courageous, just, helpful, kind-hearted, sympathetic, truthful and virtuous in letter and spirit.

2. Sound Health

A good citizen should have good health and strength. Healthy citizens make healthy nation. Only a sound body will have a sound mind. Sound body and mind of a citizen paves the way for the progress of the state in many spheres.

3. Intelligence and Education

Intelligence and education is another quality of a citizen. The citizen should be well-enlightened, fully aware and informed of his rights and responsibilities. He must be intelligent enough to identify good and bad. He will not be emotional in examining the events. In this regard proper education enables him to play a proper role in society. An intelligent citizen will be able to understand the issues of the state in a proper way.

4. Self control

A good citizen will have moderate temperament. He will have self-control in public activities. Self control and self confidence make him to lead a disciplined life. Similarly he will not indulge in inhuman activities.

5. Public spirit

A good citizen should have broad and liberal outlook. He should be ready to take active part in public affairs. He should be intelligent in enjoying his rights and responsibilities. He should actively participate in the social service activities. He should have public-spirit and ready to offer his services for the collective well-being of the society.

6. Self-sacrifice

A good citizen must possess self sacrifice. He must subordinate self-interest to the interests of the community. He must be imbibed by the spirit of service and devotion to the society, government and state.

7. Honest exercise of franchise

Honest exercise of one's franchise is another essential quality of a good citizen. A good citizen must cast his vote without considering self interest or sectional interest casting vote in terms of class, religion or community is considered as a hurdle to good citizenship.

8. Sincere performance of obligations

A good citizen performs his obligations sincerely and faithfully. He extends co-operation to the authorities in the discharge of their obligations. He pays his taxes to the various governmental organizations promptly and properly.

9. Right ordering of loyalties

A good citizen brings about right ordering of his loyalties to the family, class, caste, club, trade union, region and nation. He avoids conflicts between various associations by assigning priorities. He sacrifices his self interest for the sake of wider purposes. When there arises a conflict between the interests of the family and the locality, one must sacrifice the interests of the family for the sake of the locality.

8.6 HINDRANCES TO GOOD CITIZENSHIP

There are various hindrances to the growth of good citizenship in a state. These relate to caste system, communalism, ignorance, illiteracy, poverty, social discriminations etc. The main hindrances to good citizenship are discussed as below.

1. Laziness

Citizens in many states do not prefer to work hard. They remain narrow minded. They have little interest in working for the progress of the nation. They create havoc on many occasions in the state. Many of them are affected by apathy, inactivity, indifference and indolence. Laziness leads to the neglecting of civic duties. Ultimately it makes citizens indifferent in public affairs.

2. Ignorance and Illiteracy

Ignorance and illiteracy are regarded as the greatest obstacles to the good citizenship. Ignorant and illiterate citizens do not understand their rights and responsibilities properly. Laski rightly stated that citizenship consists in the contribution of one's instructed judgment to the public good. Ignorant and illiterate persons are unable to make any such contribution. They don't have an enlightened interest in public affairs in the absence of education. Democracy degenerates into a mob rule in the hands of ignorant and illiterate persons.

3. Poverty

Poverty is the root cause of all evils. Good citizenship cannot develop in a country where vast inequalities of wealth exist. Poverty leads to apathy and indifference in public life.

4. Ill health

Ill health is another hindrance to the good citizenship. Because unhealthy citizens cannot carry on their services to the good of the state and society.

5. Narrow Political Interests

Political parties, which are essential in democracy, play a crucial role in promoting the ideals of good citizenship. But many members of these parties work for the party and not for the society or the nation. Leaders of various parties keep their attention only on capturing power. They show least regard to the promotion of people's welfare. Some political parties even create rivalries and hostilities among the people. Sometimes interests of the community are sacrificed for the sake of the party.

6. Communalism and Casteism

Communalism and casteism are two important handicaps in the path of good citizenship. Caste system and class distinctions are especially responsible for bringing out a discord among the people. These distinctions hamper social and political solidarity of the state.

7. Selfishness

Selfishness and good citizenship cannot go together. Selfish citizens will confine their thoughts and actions to their own private benefits. They spare no time and energy for the wellbeing of others including their mother land.

8. Indifference

Indifference is another great obstacle which makes citizens indolent and lazy. Such citizens are least bothered about the contemporary happenings. They do not participate in the dynamics of the state mechanism. They ignore the evil effects of backwardness, dirt, disease and poverty. Lastly, they lack the character of good citizens and suffer from total aversion to public work.

8.7 WAYS FOR OVERCOMING THE HINDRANCES TO GOOD CITIZENSHIP

In order to remove the hindrances of good citizenship, efforts should be made by the parties, people, press and state. Laski said that good citizenship implies “contribution of one’s instructed judgment to public good”. The following are some ways to remove hindrances to good citizenship.

1. **Solving People’s Grievances:** Government should address the basic grievances of the people. Issues of poverty and unemployment should be tackled with great commitment. Good citizenship can’t be realized when people’s basic needs are not fulfilled.
2. **Education and awareness:** Education, which is the most important need of the hour, should be given top priority. Steps should be taken to spread education and awareness among the people. Citizens must be provided with such instructions which make possible the understanding of human life. They must be trained for expressing their wishes and aspirations which they come across in their life.
3. **Efforts of Leaders:** Citizens should always feel that government itself cannot provide succor and rescue them on every occasion. Leaders at various levels should come forward and co-operate with government in promoting good citizenship.

On the whole, Lord Bryce suggested two types of remedies for overcoming the hindrances of good citizenship. They are: 1. Mechanical and 2. Ethical. The first relates to laws of the state and second relates to character of the citizens.

Mechanical Remedies improve the machinery of the state to make it more useful to the public. The entire social structure has to be built up on the principles of equality, justice and democracy. Citizens should be allowed to utilise their civil and political rights to their maximum extent.

Ethical remedies enhance the general character of citizens in the state. Ignorance and narrow party interests must be avoided. On the other hand, honesty and literacy would induce the citizens to take active role in public life. A vigorous programme of social reforms must be undertaken. A good citizen should always keep thinking of what he owes to the state instead of seeking state aid.

8.8 TYPES OF CITIZENSHIP

There are three types of Citizenship. They are (i) Single Citizenship (ii) Dual Citizenship and (iii) Global or Universal Citizenship.

(i) Single Citizenship

Single Citizenship implies possession of one type of citizenship, identical rights, privileges and immunities by the citizens in the state. Citizens enjoy this type of citizenship without any discrimination. It is prevalent in many modern states. For instance the constitution of India provided for single citizenship to every Indian citizen irrespective of his place of birth, residence etc.

(ii) Dual Citizenship

Dual citizenship means possession of citizenships in two States. It is in vogue in some developed and developing countries. For instance, children born to american citizens in other states acquire natural citizenship in both the states - one in their parent american State and another in the state where they are born. However, persons having dual citizenship are not entitled to the special privileges. They are subject to the laws of both countries. Dual citizenship applies to the children until they attain adulthood. Later they have to choose citizenship of one of the two States.

(iii) Global or Universal Citizenship

Global or Universal Citizenship is the latest phenomena in the contemporary national and international politics. The dramatic events that took place after 1980s and 1990s created a great awareness among the people all over the world. The advancement in communications, science, technology and other spheres transformed human life in a miraculous way.

Even the commonest of common men feel comfortable, convenient and economical in availing the various devices of sophisticated technology. The results of Liberalization, Privatization and Globalization (LPG) have become a boon to them. The various governments in both the advanced and third world states have shifted their priorities ranging from defence to the welfare and well being of common men. As a result, intellectuals belonging to different walks of life have been given encouragement to go abroad and reap ample benefits.

It is in the above circumstances that large number of citizen have gone abroad for educational, commercial and research purposes. Thousands of them have either settled in foreign states or remained there on work permits. They have earned a lot of money. They remain instrumental in bringing their income to the native states. In the process they have been seeking citizenship in their native state and in the states where they are rendering services. Some states have contemplated the idea of conferring dual citizenship to their citizens in other states. Such an idea became a basis of global citizenship. Use of internet, availing online services etc became useful for the citizens as well as the rulers. Some Nobel Prize awardees and human rights activists popularised the notion of global citizenship. They felt that such a citizenship would ease out tensions between states and peoples of the world on various issues. They expressed the view that governments could spend their budgetary allocations on human progress instead of spending on war operations. Hence, global citizenship has become a prominent concept and ideology in recent times.

8.9 SIGNIFICANCE OF CITIZENSHIP

Citizenship remains significant when fundamental rights enshrined in the constitution are available to all the citizens. Further, Citizenship ensures the citizens many political rights. Citizens could exercise their vote in elections to the various representative bodies. They could also contest for the membership of legislative bodies. Above all, citizens alone are eligible for appointment to the highest offices in the executive like President, Vice – President, Judges of the Supreme Court, High Courts etc., Along with the above rights, citizens also owe certain responsibilities towards the state such as payment of taxes, defending the country as and when required etc.

Questions

I. Long Answer Type Questions

1. Define Citizenship. Describe the methods of acquiring Citizenship.
2. Explain the various qualities of a Good Citizen.
3. Describe the various hindrances to Good Citizenship.
4. How many types of Citizenship are there? Elucidate.

II. Short Answer Type Questions

1. Write about the two methods of acquiring Natural Citizenship.
2. What are the differences between Citizen and Alien?
3. How is naturalized Citizenship acquired?
4. How Citizenship is lost?
5. Explain any three conditions for securing Naturalized Citizenship.
6. Briefly describe about Global or Universal Citizenship.
7. Point out the ways for overcoming the hindrances to Good Citizenship.

III. Very Short Answer Types Questions

1. Define Citizenship.
2. What is meant by Jus Sanguinis?
3. What do you mean by 'Jus Soli' mean?
4. Who is an Alien?
5. Write about any two conditions for acquiring Natural Citizenship.
6. List out two conditions of loss of Citizenship.
7. Mention any two qualities of a Good Citizen.
8. Explain the significance of Citizenship.
9. In what way do ignorance and illiteracy act as hindrances to Good Citizenship?
10. What are the suggestions of Lord Bryce for overcoming the hindrances of Good Citizenship ?
11. Write short notes on Dual Citizenship.

Democracy

CHAPTER

9

- 9.0 Introduction
- 9.1 Origin
- 9.2 Definitions
- 9.3 Evolution and growth of Democracy
- 9.4 Features of Democracy
- 9.5 Types of Democracy
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9.0 INTRODUCTION

Democracy is not only a form of Government but also a way of life. It is a combination of several elements such as political ideals, economic policies, social practices and ethical norms. Modern Governments have been mainly classified into two types, namely (i). Democracy and (ii). Dictatorship. For many, democracy guarantees freedom, equality and justice. Democracy is understood in several ways. For instance, the Athenians in ancient Greece celebrated democracy as the best form of government. While Plato viewed democracy as a rule of ignorants, Aristotle believed it as the government by many perverted persons. Abraham Lincoln, the American President, gave a very simple and popular meaning for democracy as a government ‘of the people, by the people and for the people’.

9.1 ORIGIN

The term 'Democracy' has originated from two Greek words 'demos' and 'Kratos'. The two words mean demos (people) and Kratos (Power/ government). Democracy normally means power vested in the people. Democracy to the Greeks was direct in nature. It was in Athens Assembly that democracy had its origin as the citizens voted directly on various laws of the city state for the first time.

9.2 DEFINITIONS

Democracy is defined in several aspects. Democracy in its political perspective implies allocation of a share to every one a share in the government. In its economic aspect, democracy stands for the abolition of exploitation. In its social angle it seeks to eliminate all distinctions between individuals based on caste, colour, creed, language, religion etc.

Democracy is not an easy word to define and understand. The reason is that it has numerous connotations. So there could hardly be a single definition of democracy. However, some of them are given below.

1. **Abraham Lincoln:** "Democracy is a government of the people, by the people and for the people".
2. **Lord Bryce:** "Democracy is that form of government in which the ruling power of the state is vested not in a particular class but in the members of the community as a whole".
3. **A.V. Dicey:** "Democracy is a form of government in which the governing body is comparatively a large fraction of entire nation".
4. **MacIver:** "Democracy is a way of determining who shall rule and how".
5. **J.S. Mill:** "Democracy is that form of government in which the whole people, or some numerous portion of them, exercise the governing power through deputies periodically elected by themselves".
6. **J.R. Seeley:** "Democracy is a government in which everyone has a share".

The above definitions clarify that in democracy a majority people will have a share in power. People influence the policy and legislation of the government. However, some of the above definitions point out a pure form of democracy. Such definitions are not based on practical cases as there has been no such government where everybody has a share. Hence democracy is not a pure form of government. It is more educative, more responsive and more responsible. It is more people friendly and less prone to revolutions and violence. Its significance lies in the fact that it is based on equality, liberty and welfarism.

It may be noted that despots may rule in the interest of the people. However their rule will not reflect democratic ideas. Their rule will not be people's rule in general or through their representatives. They may not grant substantial liberties to the people. They least bother about the popular needs. Similarly an oligarchical rule, which existed all through the history, can not be described as democratic. On the democracy embodies the elements of popular participation, popular representation, popular control, popular accountability etc.

9.3 EVOLUTION AND GROWTH OF DEMOCRACY

The idea of democracy had its roots in ancient Greece. It is surprising to note that prominent greek philosophers like Plato and Aristotle viewed democracy as a perverted form of government. In ancient roman empire, the idea of good government and sound administration were given priority. But democratic element was nominal during that period. In the Republican period, it was nonexistent in many kingdoms. Middle ages gave no scope for democratic elements. Some important factors like dominance of faith over politics, kings and the feudal lords over myths, of extinct quality over dead liberty etc made democracy and democratic institutions a far cry in the whole period of the medieval age. Renaissance and Reformation movements paved the way for the present form of democracy in the west. Way back in England the Magna Carta had voiced some of the freedoms. The Bill of Rights curtailed the absolute power of the kings. The Glorious Revolution followed by the Bill of Rights cut short the unlimited powers of the rulers. The American war of Independence and French Revolution emphasized on the rights of man towards 'Liberty, Equality and Fraternity.' Democratic institutions began to grow in England since 17th century. With the decline of absolute monarchy, democracy as a concept of government gained currency from the writings of John Locke, Rousseau, Thomas Paine, J.S.Mill and others.

In the liberal democratic world of the west, democracy was a latter addition in their liberal ethos. In the Socialist-Marxist world the order was welfarism first, participation later, and control thereafter. In the developing societies, these three features of democracy were introduced simultaneously. All of them were incorporated in their constitutions, consequent to the attainment of national sovereignty.

Democratic waves swept across the world during 1970's. But representative elements of democracy were instituted in the latter part of 1980's in the nations of southern, central and Eastern Europe. Much of Latin America, Southeast Asia, Taiwan, South Korea and some Arab and African states notably Lebanon and the Palestinian Authority moved towards greater liberal democracy in 1990's and 2000's. An analysis by Freedom House observed that there was not a single liberal democracy with universal suffrage in the world in 1900. But by 2000, 120 of the 192 world nations adopted democracy.

9.4 FEATURES OF DEMOCRACY

Democracy is not only a political doctrine but also a social and economic way of life. It has the following essential features.

1. Popular government

Democracy is basically a government by the people. In democracy people act as the rulers and the ruled. While voters assume ultimate sovereign authority, their representatives are considered as immediate masters over the rulers in government. Both voters and their representatives play a decisive role in public affairs of course with some minor degree of variations.

2. Popular control

In democracy, citizens will have control over political affairs. Citizens regulate the affairs of government by expressing their opinion on various policies and programmes of the latter. They support the wise, honest and welfare oriented programmes. At the same time they never hesitate to oppose the unconstitutional legislative measures. As a last resort they can remove those leaders who defy or ignore people's wishes.

3. Individual's dignity

In democracy individual's dignities are honoured by the government. Even the ordinary persons living in distant and remote places are given various opportunities to express their opinions.

4. Elections

Democracy and elections are closely related. Democracy gives scope for holding elections at regular intervals as per constitutional norms. Adult citizens participate in elections for choosing the members of various representative bodies. Citizens regard elections as a golden opportunity for unseating the selfish and narrow minded leaders and for selecting the efficient and honest persons as their representatives.

5. Public accountability

Democracy is characterised by public accountability. The various governments functioning in democracy owe accountability immediately to the legislators and ultimately to the voters at large. The persons assuming and exercising power will exercise their authority with great care, caution and reliability. They continue in office until they enjoy public confidence. Otherwise they step down when citizens are angry, impatient and serious against the former.

6. Fundamental freedoms

A noble feature of democracy relates to the enjoyment of fundamental freedoms by the people. Democracy gives scope for civil, political, economic, cultural and other freedoms. As a result, people enjoy several fundamental freedoms in the matters of assembly, employment, education, entertainment, movement, residence, property etc. Democracy guarantees its people with several fundamental freedoms by including them in the constitution.

7. Independent Judiciary

Independent Judiciary is another essential feature of democracy. In some countries like United States and India judicial organizations enjoy the power of judicial review. The higher courts in these countries act as watchdog of the people's freedoms. They issue

several writs for preserving and upholding fundamental freedoms. They serve as the custodian of people's rights.

8. Equality

Democracy is based on the concept of equality. Equality is the basic postulate of democracy. Democracy allows no special privileges to some thereby affecting the rights of others. It is based on the equal application of laws and equal provision of opportunities.

Besides the above, democracy has some features like Rule of Law, Freedom of Press, Decentralisation of powers, Community welfare etc.

9.5 TYPES OF DEMOCRACY

Democracy is mainly classified into two types, namely (1) Direct or Pure Democracy (2) Indirect or Representative Democracy. These two types are explained as below.

1. Direct or Pure Democracy

Direct or Pure Democracy existed in ancient Greek and Roman city states. In ancient India, this system prevailed during the buddhist period. Some considered that it has become a thing of the past. In this system, people directly participate in the administrative affairs of the government. They assume all powers of legislation. They formulate laws in the meetings attended by the people. People participate directly in the affairs of the state. Direct democracy is suitable to small states having by a few thousand people residing in a small territory. They hold deliberations and formulate public policies. So direct democracy is impossible and impractical when the geographical area of the state is very large. Similarly, it is not workable for those states having heterogenous population. However, some devices like referendum, initiative, recall and plebiscite will help to a great extent in rectifying the defects in legislation in this system. This is manifest in some cantons of Switzerland and some states of the United States.

2. Indirect or Representative Democracy

Modern states are generally huge in size and population. Hence direct democracy is inconceivable in these states. People living in these states govern indirectly through their elected representatives. The will of state is formulated and expressed not by people but indirectly through their representatives. Indirect democracy rests on the principle that

sovereignty belongs to people and it is their representatives who will exercise it. Representatives, elected for a determinate period, are responsible to the people. People in the exercise of their obligations can remove them (in times of elections) if they fail to act according to their expectations. Hence, representatives govern the people as their trustees. They respond to public opinion.

Indirect or representative democracy is again classified into two types namely, 1. Presidential 2. Parliamentary. In presidential system all executive powers are exercised by a single executive head. For e.g., In United States where there is Presidential system all executive powers are concentrated in the office of the President. On the other hand, in parliamentary system, executive powers are exercised by some ministers under Prime Minister's leadership and in the name of the President. The ministers along with the Prime Minister are responsible for their acts to the Parliament. Eg. U.K, India, Australia etc.

9.6 MERITS OF DEMOCRACY

Democracy received overwhelming popularity in the contemporary world. Almost all the leading states have opted for democracy. Democracy has the following merits.

1. Efficient government

Prof. Garner described that democracy is an efficient and effective government. In this system government carries on its activities efficiently and effectively both in normal times and emergencies. The two World Wars and their repercussions proved well in this regard. Democratic principles such as “popular election, popular control and popular responsibility” ensure a greater degree of efficiency than other forms of government. Democracy encourages self-government and self discipline among the people. It inculcates a sense of responsibility among them.

2. Upholds individual liberties

Democracy is the only government which upholds individual liberties. It guarantees rights of individuals by providing several constitutional safeguards. J.S. Mill defended democracy on this basis. He stated that democracy assures its people certain civil rights like freedom of speech, expression, press and association. Besides, democracy gives recognition to the meritorious and worthy people by providing adequate opportunities for

them in various capacities in the government. This contributes a lot for the social progress, political enlightenment and economic development of the people.

3. Assures equality

Democracy assures equality of individuals in political and economic spheres. In the political sphere, it bestows several political rights like right to vote, right to contest as candidates in elections, right to hold public office etc., without basing on one's caste, colour, creed etc. It opposes special privileges to a few persons by ignoring other sections in society. In economic sphere, it ensures several economic rights such as right to property, right to work, right to recreation, right to leisure etc. Hence every section of society in democracy gets satisfaction in the matters of basic amenities and social security.

4. Educates the masses

Some described that democracy serves as a laboratory for large scale experiments in public education. Elections to various representative bodies at different times and the corresponding campaigns make the citizens educated. Various burning issues are brought to the public notice by the candidates and leaders during elections or by-elections. Meetings are held for communicating the people about the policies and programmes of various parties. These make the people enlightened in casting their votes. The voters indicate their preference for the party and the candidates after a close scrutiny.

5. Instills patriotism

Democracy instills patriotic feelings among the people. People get several opportunities in selecting and electing the members representatives to the various representative bodies. They feel conscious and proud in participating in the perfect working of the democratic institutions. They show enthusiasm by extending their co-operation and support to the nation in times of crisis. This is evident in the case of Indians during the Chinese and Pakistani invasions at the borders on several occasions.

6. Ensures stability

Democracy is immune from the dangers of revolution due to the presence of elected government. People in this system can change the government by a negative vote during elections. They need not resort to hatching conspiracies against the party or coalitions in

power. Another significant point is that democracy strives for the elimination of economic inequalities. It gives no scope for discontentment among the people. Democracy tackles any possible discontent and makes a society free from revolution.

7. Simultaneous order and progress

Dictatorship assures order and ignores progress of the nation. As against this democracy assigns importance to the maintenance of peace and order through constitutional rule. It

