



# Rai Technology University

ENGINEERING MINDS

## Social and Political Philosophy



# **CONTENTS**

**Chapter 1: Social Philosophy**

**Chapter 2: Political Philosophy**

**Chapter 3: Nature of Social Institution**

**Chapter 4: Traditional View of Marriage**

**Chapter 5: Classical Views**

**Chapter 6: Discrimination**

**Chapter 7: Sarvodaya- Its Relevance**

**Chapter 8: Anarchism**

**Chapter 9: Justice**

**Chapter 10: Civil Disobedience**

**Chapter 11: Liberty**

# **CHAPTER 1**

## **Social Philosophy**

### **Introduction**

Philosophy is the study of general and fundamental problems concerning matters such as the nature knowledge, truth, justice, beauty, mind and language. Philosophy is the root of all knowledge. It is considered as mother of all sciences. Philosophy helps to coordinate the various activities of the individual and the society. It helps us to understand the significance of all human experience. Philosophy critically evaluates and analyses the variety of human experiences. It develops a comprehensive system of thoughts about the universe and the life as a whole. The word 'Philosophy' is of ancient Greek origin meaning "Love of Knowledge" or "Love of Wisdom". There are many branches of philosophy such as Metaphysics, Epistemology, Ethics, Logic, Philosophy of Religion, Philosophy of Science, Philosophy of mind, Social and Political Philosophy, Philosophy of Education, Philosophy of Beauty (Aesthetics), Philosophy of Language, etc. Philosophy deals with certain general problems regarding the universe, human life, man's place in the universe, his duties and human values. Philosophy discusses and critically evaluates the

such as Knowledge, Truth, God, Values, Space, Time, Cause, Liberation, etc. Social Philosophy is one of the main and important branches of Philosophy. It is the thoughtful consideration of human society. It gives insight into the actual activities of human beings in the society. A Social Philosopher tries to study society from philosophical point of view and tries to find out the link between human society and the basic nature of Ultimate Reality.

### **SOCIAL PHILOSOPHY: ITS NATURE AND SCOPE**

Man is a social animal. The entire existence of every human being is sustained, nurtured, furthered and developed in all the aspects through the active cooperation of his fellow beings. Social Philosophy tries to find out the basic laws which operate in the society and influence human relations. Its aim consists in

discovering the meaning of the actual mode of existence. In Western civilization, we can find traces of Social Philosophy in Plato's "Republic". Plato depicted the picture of ideal society (Utopia). He classified the people of the society into three categories as per their talents into Rulers, warriors and workers.

Plato stated that philosopher must be the King. Aristotle's Social Philosophy is more realistic. For him the chief aim of the state is to produce good citizens who can perform their ethical duties in a better way. The rapid development in physics, mathematics and mechanics in the 17th century had great impact on Social Philosophy. It exposed the drawbacks of social institutions and set forth ideals for the guidance of conduct in society. In the 19th and 20th century, Social Philosophy became more comprehensive and systematic. Its aim was to interpret society with reference to the essential social unity of mankind.

### **Definition of Social Philosophy:**

An individual is born in the society and thereafter interacts with the society throughout his life. The society is the soil where his personality is nurtured. Social Philosophy is the philosophy of human relations in Society. Society is a group of individuals united together with a definite end in view. Society is a web social relationship. The nucleus of the society is man. Society is a dynamic organization of purposive individuals.

According to Mackenzie, 'Social Philosophy seeks to explain the nature of society in the light of the principle of social solidarity'. Social Philosophy aims at interpretation of society with reference to the norm of 'social unity'. F W Blackmar maintained that Social Philosophy is based upon the general facts of society. It makes general observations on the nature of society. Social Philosophy and Social sciences are closely connected. According to Morris Ginsberg, 'Social Philosophy aims at the formulation of the general principles of human behavior through speculation on social phenomena'. For Bertrand Russell, 'Social Philosophy seeks the conditions in which all the constructive tendencies of man (such as love and sympathy) Social marriage and education can provide maximum possible opportunities to produce the people who can save the world from future catastrophe. Social philosophy studies the interactions and inter-relations that exist among men and their groups''.

### **Nature of Social Philosophy:**

Social Philosophy is the philosophy of practice. It inquires into 'what is Right or Good for man and society'. Social Philosophy deals with the individual's Highest Good in the society. It is primarily concerned with general questions concerning the problems of society such as social cohesion, social progress and social disintegration. In its early period, Social Philosophy tried to seek the answer of the question, whether the society is natural or conventional? Human beings have freedom of choice. The question

gave rise to the conceptions of Social Contract to form society and Organic Unity of society. Rousseau said, 'man is born free and yet is everywhere in chains'. Social Philosophy seeks insight into the unity and order of human society. Social Philosophy is the philosophical study of the questions about human social behavior. It is concerned with the institutions like family, educational institutions, economic institutions such as business and markets. It is also related with religious and social institutions for recreation and enjoyment. The social classifications like race, caste and gender too are studied in Social Philosophy.

Social Philosophy is Normative. Social Philosophy concentrates its attention on the unity of mankind. Its effort is to study the meaning and worth of the present, past and future modes of existence. Social Philosophy looks beyond the actual existence and seeks to discover the ideals that bring Highest Good for all. It shows that individual Good is deeply involved in the realization of common Good. Social

Philosophy is concerned with what ought to be done to realize the ideal involved in our social existence.

Social philosophy studies the ideals that are found in the society. It suggests the means to realize those ideals through the social institutions such as family, education, the state etc. Social Philosophy is Evaluative. Social Philosophy evaluates the various means to realize common Good. Customs, traditions and various social institutions are means to achieve order, stability and harmony in the society. These customs, traditions and institutions with their set of rules and laws impose several restrictions on the conduct and behavior of its members. Social Philosophy aims at the criticism of social interactions and the social relations in the community. It is mainly concerned with the study of the values of various social phenomena. Social Philosophy formulates the rules for ideal social interactions. Social philosophy seeks to explain the nature of society in the light of the principle of social solidarity. It shows the value on which social progress of man depends. Social Philosophy tries to expose

the drawbacks of social institutions and the social behavior of people. It sets the higher ideals for the guidance of conduct in human society. Social Philosophy is Speculative. Social Philosophy is the speculation upon the basic principles of human behavior, the supreme values of human life and the purpose of entire existence. A social philosopher is deeply concerned with the study of the inner implications of social phenomena. Social Philosophy attempts to understand the patterns, changes and tendencies of societies. It explores philosophical questions about social issues, social behavior and social values. Social Philosophy is not based on empirical method. Social values are implied in social activities. The principles of Social Philosophy are the basic conditions of any social relationship. The ideals of Social Philosophy are a priori. They cannot be determined

from our experiences. Social Philosophy is Critical. According to Ginsberg, Social Philosophy must take into account the results of social sciences before formulation of the general principles of human behavior. Social Philosophy has two main functions namely Critical and Constructive.

Social Philosophy criticizes the actual social existence in

the light of common Good. It points out the shortfalls in the social phenomena. It tries to find out the logic of the postulates and the methods of social sciences. The Critical function of Social Philosophy consists in verifying the validity of approaches and methods. Social Philosophy is Constructive. According to Ginsberg, the criticism by Social Philosophy is constructive. The Social philosopher applies his standards of value

to the various social phenomena. He seeks to find out the conditions which make the society a harmonious whole. The Constructive aspect of Social Philosophy studies the validity of the social ideals. Social Philosophy gives insight into human tendencies which, with proper training can raise the level of social life. It also seeks solutions to get rid of all defective tendencies operative in a

social group. Social Philosophy not only points out the drawbacks in the social interactions but shows the measures to rectify them and thereby improves social conditions. Social Philosophy Transcends the Conclusions of Other Sciences. The thinkers like Mackenzie, Blackmar, Ginsberg and Sorokin maintained that Social Philosophy is closely connected with social sciences. E. S. Bogadus points out that Social Philosophy gives broad interpretation of human personality and society on the basis of the scientifically collected data on social phenomena. Social Philosophy is not a mere unity of the conclusions of various

sciences. Social Philosophy transcends various conclusions (data) provided by other branches of knowledge. It is the study of the most fundamental and general laws of social behavior and social change. Social Philosophy has passed through the stages of the speculative study to the descriptive study; from the descriptive study to the analytical study and from the analytical study to the philosophical reflections. Now it is facing the critical issues of single parent family, marriage, live-in-relationships, gender equality, and new educational and work institutions. By going beyond the received data, Social Philosophy interprets the meaning of ever changing human life in the society.

### **The Scope of Social Philosophy:**

Social Philosophy as a science of society reflects upon the basic nature of human relationships in society. It studies the interrelation of social organizations and the relation of individual to these organizations. It speculates upon the principles that underlie the human behavior. Social Philosophy studies the structure and functions of social systems and investigates into their philosophical implications.

Social Philosophy studies the most fundamental laws which influence social cohesion, social progress, social change and social disintegration. It seeks insight into the causes of social crimes, juvenile delinquency, child labor, honor killing, gender differentiation, injustice, and inequality. It tries to find out the root causes of social pathology and suggests the remedies for it. Social Philosophy seeks to discover and restore the social bonds that hold the mankind together. Social Philosophy reflects upon the impact of science and technology on human society and gives a comprehensive philosophy of civilization. It incorporates the conclusions of other sciences and gives their philosophical interpretation. Social Philosophy has axiological point of view. It defines the social values such as common good, happiness, peace, security, justice, freedom, excellence/beauty, punctuality and discipline. We live in globalizing world and society is becoming more and more inclusive. Social Philosophy is concerned with the problems of marginalization of certain sections of society all over the world on the basis of birth, education, skills, gender, age, profession and possessions. The traditional social institutions such as religion, family and marriage are undergoing radical changes. The social values need modification or redefinition to enhance the progress of individuals and groups. Social Philosophy tries to meet all

the requirements to maintain social solidarity. It views the entire mankind as one family which has a unique kind of fraternity and commitment. The unity and the wholeness of such a family aim at the realization of love, compassion and justice for its members. The scope of Social Philosophy includes everything which has human and social significance.

## **RELATION OF SOCIAL PHILOSOPHY TO OTHER SCIENCES:**

Social philosophy studies the interactions and interrelations that exist among men and their groups. The subject matter of Social Philosophy is man in the society. A man in the society has various social, moral, economic, cultural, bearings. All roles of human beings are to be played under the regulations of customs, traditions and social institutions. The collective life of man includes the ethical, political, economical and sociological spheres. Thus it becomes interesting to know how Sociology, Politics and Ethics are related with Social Philosophy.

### **Relation of Social Philosophy to Sociology:**

For Aristotle, man is a rational as well as social animal. Man is completely dependent upon the society for the satisfaction of bare needs. Man without society would be a savage beast leading to solitary, poor, nasty, brutish and short life. The human cultures, customs, religion, beliefs, thoughts, the notions of right/wrong, good/evil, all are outcome of social life. Social Philosophy determines the ideals of social life. It gives insight into the means that will be useful to bring out social welfare and the values that should be sought for social prosperity. Sociology is the science of the web of social relationships. It is the science of the origin, structure and development of the society. The social groups and social institutions are formal expressions of social relationships in human beings. Sociology investigates into the basic social nature of man manifested in a variety of social behavior. Social Philosophy is philosophical reflection on the basic laws which operate in the society and influence human relations. The human relationships are influenced by the cultural, religious and geographical conditions. The human customs and social institutions vary in their nature and structure. Sociology is concerned with the basic social tendencies common in all human beings. Social Philosophy is concerned with the realization of common good through social awakening. It tries to find out the philosophical implications of the generalizations of



Sociology. Social Philosophy and Sociology are closely connected with one another. There is a lot of overlapping in both the branches of knowledge. Sociology studies natural, structural and functional aspects of social phenomena. Its aim is to understand the evolution and transformation of human habitations. Social Philosophy studies the teleological and the meaning aspect of social phenomena. It seeks the purpose and the meaning of entire human existence. Sociology is a positive discipline that gives us a faithful description of multidimensional society. Social Philosophy is a normative discipline that goes beyond the actual existence and seeks to discover the ideal that is highest good for all. The key concept of Sociology is 'social relations' where as the key concept of Social Philosophy is 'to seek ideals in social relations'.

### **Relation of Social Philosophy to Politics:**

The relation between Social Philosophy and Politics is direct and intimate. The theoretical aspect of Politics (Political Philosophy) and Social Philosophy are philosophical reflections on the nature of social systems. Politics is a positive discipline which is concerned with the State. It studies the various forms of authority and the political organizations. Social Philosophy is a normative discipline that seeks the norms for ideal forms of government. Both Politics and Social Philosophy are guided by the same ideal of social harmony and cooperation. Politics tries to reach the goal through the State. The State by demanding obedience of Laws and by using its power tries to maintain social order. Social Philosophy lays down the norms of common good. It gives proper tone and directions to all human pursuits and efforts. So the domain of Social Philosophy is wider than the domain of Politics. Any deviation from the social ideals may lead the whole society into direct anarchy and confusion. The very existence of individual depends upon the active and willing cooperation of other individuals in the society. Every individual survives and flourishes in the society. Politics seeks the development of individuals through exercise of power of political institutions. The fear of punishment leads to cooperation and harmony in a society. The key concept of Politics is 'power'. Social Philosophy defines the relations between man and man; between man and social groups. It seeks the order and harmony in a social group and also among different groups or institutions. The insight into social ideals helps to cultivate the virtues of good and responsible citizens. Social Philosophy aims at social unity without external coercion. It aims at social

solidarity through the cultivation of virtues i.e. through inner control. The key concept of Social Philosophy is ‘knowledge of social ideals in the social relationships’.

### **Relation of Social Philosophy to Ethics:**

Social Philosophy and Ethics, both are said to be philosophy of practice. They give insight into the actual activities of human beings in the society. These branches of Philosophy inquire into ‘what is Right or Good for man and society’. Social Philosophy deals with the individual’s Highest Good in the society. Ethics deals

with the Summum Bonum (Supreme Good) of individual life. Social Philosophy and Ethics are complementary to each other. Their ideal is ‘Highest Good’. Social Philosophy seeks this ideal through a study of social relationship of the individuals. Ethics tries to study this ideal from the standpoint of an individual. However, Ethics presupposes the existence of individual in a society. Social Philosophy studies all social relationships including moral principles involved in these relationships. It is concerned with nature of relationships between individuals in society. Ethics studies the conduct of individual as an agent, interacting with other individuals. It must be remembered that personal as well as social development depends upon the harmony and the stability in a society. Social Philosophy is primarily concerned with the study of social relations in a community. Ethics is mainly concerned with the study of the conduct of individuals. Social Philosophy evaluates customs, traditions and various social institutions. It aims at the criticism of social interactions and the social relations in the community. It is mainly concerned with the study of the values of various social phenomena. Ethics evaluates rightness or wrongness of human

actions with reference to intentions of the agent. It aims at character building of individual by cultivation of moral values such as non-violence, truth, non-possession and self control. Moral values acquire fuller and deeper meaning in a developing civilization. There is intimate relation between Social Philosophy and Ethics.

## **CHAPTER 2**

### **Political Philosophy**

#### **Introduction:**

Philosophy is the methodical work of thoughts. It is an art of life. It is the understanding of the meaning and the value of life. It is an attempt to understand the ultimate Reality. Philosophy is the study of the principles which underlie all knowledge. It is an attempt of rational interpretation and unification of all our experiences. It tries to give a rational picture of the whole universe. Through different branches, Philosophy tries to answer the questions that human mind asks. Man is a rational animal. He seeks his place in this universe. Man wants to know what is expected to be a living being, to be a person, to be a leader or to be a member of the community. Man also seeks to find out the functions he has to perform. In other words, philosophizing is a distinguishing and unavoidable characteristic of human nature. According to D. D. Raphael Ethics, Social Philosophy and Political Philosophy are philosophies of **practice**. These branches of philosophy give insight into the actual activities of human beings in the society. These branches of Philosophy inquire into 'what is Right or Good for man and society'. Ethics deals with the Summum Bonum (Supreme Good) of individual life. Social Philosophy deals with the individual's Highest Good in the society. Political Philosophy is concerned with the welfare of individual in the State.

#### **POLITICAL PHILOSOPHY: ITS NATURE AND**

#### **SCOPE :**

Man is a social animal. Living in a society demands observation of certain rules of conduct. It requires the agency to observe proper obedience of the rules. Political Philosophy is the study of the relationship between individuals and society. It tries to answer the questions: How are we to live in the society? What are the underlying principles of the State, of authority and of political ideals? What is the best way to govern our interactions? What responsibilities do we have to each other? In Western civilization, Political Philosophy arose from the need how to govern and how to live in a city-state of Greece. Its goal was the creation and preservation of an ideal society. We find the traces of Political Philosophy in the 'Republic' of Plato. However the credit goes to Aristotle for the first genuine political treatise. Aristotle's treatise concentrates on stating, defending, and applying the principles that governments actually work upon. Aristotle in his

Politics speaks of diverse forms of government and social structure. In the Eastern civilization, Confucius was the first thinker to relate ethics to the political order. In India, Chanakya laid down

rules and guidelines for social, law and political order in society. The views of Niccolo Machiavelli, Thomas Hobbes, John Locke, David Hume, Jeremy Bentham, Rousseau, J S Mill, Karl Marx, Jacques Derrida, Giovanni Gentile, Antonio Gramsci, Isaiah Berlin and John Rawls are noteworthy contributions to Political Philosophy.

### **Definition of Political Philosophy :**

Political Philosophy can be defined as “philosophical reflection on how best to arrange our collective life – our political institutions and our social practices”. It is the study of the relationship between individuals and society. Political Philosophy is a “branch of Philosophy which studies fundamental questions concerning the communal life of human beings”. Modern political thinkers like Simon state that ‘Political Philosophy is a decision making process’. Political Philosophy as a branch of Philosophy can be understood through the perspectives of metaphysics, epistemology and axiology. Political Philosophy unfolds the ultimate reality side, the methodical (knowledge) side and the value aspect of political life. Through the perspectives of metaphysics, epistemology and axiology Political Philosophy gives insights into the various aspects of the origin of the state, its institutions and laws.

### **Nature of Political Philosophy :**

Political Philosophy is the reflection on how to organize our collective life. Its aim is to find out the conditions in which social relations of man are possible. It deals with principles which underlie the political institutions such as state and government. Political Philosophy is a thought provoking process about the political institutions and social practices of human beings. It seeks insight into the ideals of state, the functions of the state etc. It seeks to establish the fundamental principles that justify the form of the state and the rights of its citizens. Political Philosophy analyzes and interprets the concepts like Justice, Freedom, Security, Discipline, Peace; Human Welfare etc. It attempts to apply these

concepts to the social and political institutions. Let us know more about the nature of Political Philosophy –

**Political Philosophy is a rational discipline :**

Political Philosophy is a rational discipline that creates system and order in the totality of our experience. It inquires into the meaning and the scope of the concepts such as authority, justice, liberty, democracy and public interest. The investigation into the meaning of the concepts should be regularly done. Such a rational scrutiny of concepts is like cleaning the house of thoughts. It leads towards the mental clearance in the understanding of concepts. Political philosophy does not aim at acquisition of new information. It aims at the acquisition of the habit of careful thoughts.

**Political Philosophy is normative :** Political Philosophy sets norms, ideal standard for the society, government and other political institutions. It sets doctrines for ‘What ought to be done’. (Plato’s ‘Republic’ depicts an ideal society i.e. Utopia) Political Philosophy is normative. It aims to give reasons for accepting or rejecting a doctrine or ideology. Prof NV Joshi mentions three ideals of political life namely, Justice, Love and Freedom.

**Political Philosophy critically evaluates beliefs :**

The unique feature of philosophy is its self criticism. It attempts to give the rational grounds either for accepting a belief or rejecting a belief. It happens when the validity of prevailing beliefs is challenged. The doctrines in question are scrutinized by a) Logical Consistency and b) Accordance with the actual facts of the world. Political Philosophy is a philosophy of action or practice. It does not determine what is true or false. It determines what is right or wrong and what is good or bad. The critical evaluation of the beliefs in question provides direct and indirect support to the beliefs. The direct support consists in highlighting the reasons to accept the belief. The indirect support consists in eliminating the alternative beliefs.

**Political Philosophy clarifies concepts :**

Political Philosophy is concerned with the meaning of general ideas or concepts. A concept is a general idea or a notion that applies to a number of things. The concepts of Political Philosophy such as society, authority, justice, liberty, equality and democracy are highly general and vague too. The clarification of concepts is done by analysis, synthesis and improvement of concepts. Analysis consists in specifying or defining its elements. Synthesis consists in showing logical relationship between showing implications of concepts. Improvement of concept consists in modification or revision of the concept by introducing more coherent or clear definition of the concept.

**Political Philosophy inquires into the system of relations between men:**

Political Philosophy aims at discovering the conditions of individuation in and through social relations. It does not exist in vacuum. That is why the society is considered as an organic whole and every member becomes a part of it. All individuals are conscious units seeking to realize one and the same common purpose. The state is a perfect system of relations between men. It is a perfect organization of social relations of men in accordance with the demands of reason. The state preserves, encourages and regulates a variety of interests of its citizens. The state as the source of absolute and sovereign authority can lead to happy and prosperous life of its citizens. Political Philosophy inquires into the principles which underlie the political organizations such as forms of government.

**The problems of Political Philosophy change with the material circumstances of life :**

Political Philosophy seeks to establish the basic principles in the relationship between the individuals and the society. It seeks solutions to the crisis that entire civilization confronts. Political Philosophy arises from the need to arrange the collective life. Obviously it is open to change and there is always a need of philosophical justification. The approach of Political philosophers reflects the general tendencies of their epoch. In ancient Greek time, Political Philosophy raised the questions regarding various forms of political organizations. Plato gives us a sketch of ideal government. Aristotle speaks of different forms of government. The central question for Greek thinkers was to search ideal form of state. Confucius in China sought to find

means of restoring political unity and political stability through cultivation of virtues. Chanakya in India aimed at political unity and stability through imposition of discipline. St Thomas Aquinas emphasized the harmony inherent in reason and revelation. In Medieval Europe the proper relationship between Church and State became a central issue in Political Philosophy. In the Nineteenth century the question of social welfare became major issue of philosophical inquiry. The question was how an industrial society should organize its economy and its welfare system. Another question rose, how far the rule of one person (state) over other person (state) is justifiable? Modern era discussed the meaning, the interpretation and the scope of the concepts such as justice, freedom, political obligation, authority, citizenship, power, property, sovereignty, coercion, fraternity, equality and collective responsibility. Contemporary thinkers focus upon the questions of social justice, feminism, environment and the political institutions that reflect their cultural, linguistic or regional identity. The major issue today is the obligation of human race towards the Mother Nature. Thus the problems in Political Philosophy change in accordance with the empirical and material circumstances of life.

.

### **The Scope of Political Philosophy:**

Political Philosophy as a branch of philosophy studies fundamental questions concerning the social or communal life of human beings. It inquires into the principles of justification of power and governance. It inquires into the origin, nature and purpose of State. It seeks justification of certain forms of State. Political Philosophy includes the questions about the source and extent governmental authority. It asks, 'What characterizes a government?' Political Philosophy raises the question about the relationship between individuals and their world, their society and their environment. What are the limits or extent of freedom of individual citizens? The issues of obedience or disobedience to the rule of law are discussed in Political Philosophy. Political Philosophy inquires in the origin of property rights and the best way to distribute the property and the benefits among the citizens. It seeks the best economic system for the prosperity of the citizens. The equal treatment to all the citizens irrespective of gender needs careful analysis of the concept of equality. Political Philosophy raises the questions about the principles that guide the dealings of one state with other states. So the issues of globalization, international justice, war and peace are discussed in Political Philosophy. It seeks insight into the general principles that guide the decisions of the state. Political Philosophy try to give a clear and coherent notions

of equality, liberty, justice, needs and interests, public interest, rights and welfare. It aims at conservation of traditional knowledge or distinguishing features in a particular nation or state. . Political Philosophy aims at the unity in diversity. It aims at the peaceful coexistence among a variety of social groups that is a global community.

### **RELATION OF POLITICAL PHILOSOPHY TO OTHER SCIENCES:**

The subject matter of Political Philosophy is man in the society; man in the political sphere. It is closely related with various aspects of collective life. A man in the society has various social, moral, economic, cultural, bearings. All roles of human beings are to be played under the regulations of political authority. Thus, whether consciously or unconsciously any individual is a part of political community and he is connected with moral and social realms.

### **Relation of Political Philosophy to Politics:**

Politics (Political Science) studies the State in regard to the past, present and future of political institutions. It investigates into the principles and practice of the government. Politics is a systematic and well organized body of knowledge of the State and the Government in all their aspects. Politics inquires into the description, history and ideology of political institutions of a country. It also studies the influence of such details on the life of the country and its relation with the neighboring countries. Politics is the study of power, influence and authority. It is the study of shaping and sharing power. Man as a social animal is completely dependent upon the society for the satisfaction of the bare needs of human life. Man without society would be a savage beast leading to solitary, poor, nasty, brutish and short life. All human activities in a society should be regulated by some authority to lead a fruitful life. Politics inquires into the nature of the mechanisms and agencies of political control. It investigates into the nature of various forms of government. It is concerned with all types of activities and affairs of the State – legislative, executive and judiciary. So Political science can be said to be a positive science. Politics seeks to prescribe laws to organize institutions and to regulate the conduct of individuals in order to realize a common welfare. It explains how men behave in their pursuit of actual political objectives. The Government is a political institution developed by men; aims at social welfare by enforcing external laws. These laws are associated with fear of punishment on violation of laws. The key concept of Political science is ‘Power’ where as the key concept of Political Philosophy



is 'to seek rational justification for power'. Political Philosophy is prior to Political science. Political science views man as a social animal while Political Philosophy views man as a rational animal in the state. Political Philosophy is concerned with the rational justification of political concepts such as justice, peace, human wellbeing, etc. It is concerned with the ideology of the State, which is the regulating and enforcing authority. The State, its nature, its structure, its purpose depends upon the concepts of just and unjust, right and wrong, vice and virtue, merits and demerits, act of crime etc. Political Philosophy provides interpretations of these terms in impartial and objective sense. Political Philosophy is concerned with the analysis of principles which underlie political institutions. It critically evaluates the beliefs that are to be followed in action. Political Philosophy develops normative justification for the political concepts such as state, forms of government, authority, justice etc. It has a value perspective in understanding the political notions. So Political Philosophy can be said to be normative. It prescribes what a government ought to do and what ought to be the political objective. Philosophy finds a way out of the struggle for the satisfaction of bare needs of an individual. It avoids opportunistic struggle for political power and thereby avoid anarchy in the realms of both theory and practice. Political Philosophy goes on refining the political concepts. In the light of the changing requirements of the citizens, existing concepts or laws need re-evaluation. Political Philosophy seeks rational justification for new, sometimes entirely revolutionary issues. For example, recent issues about the legal rights of persons in "live in relationship".

### **Relation of Political Philosophy to Economics:**

Economics is a science that deals with Wealth. It is concerned with human activities which are closely connected with the attainment & use of the material requisites of well beings. Economics studies human behavior as a relationship between ends (wealth) and scarce means which have alternative uses. Political Philosophy reflects upon how best to arrange our collective life – our political institutions and our social practices. It studies the relationship between individuals and society. It seeks the answers of the questions like, what is the best way to govern our interactions. What responsibilities do we have to each other? Economic activities are money oriented which are useful for material welfare of human beings. The aim of economics is to satisfy unlimited human needs by limited resources. The satisfaction is related with demand, supply, price, manufacturing of products. Economics deals with only wealth oriented activities

not with social or political or religious activities. Economics is the science of choice to make best use of our resources to obtain maximum satisfaction of our wants. It is a rational adjustment between wants and scarce resources. Resources or means are anything which is useful to satisfy our wants. Resources have alternative uses. Economics is concerned with the arrangements of priorities of satisfaction of wants. Political Philosophy is a decision making process. It prescribes what governments ought to do and what ought to be our policies to determine our priorities and objectives. It is power oriented speculative activity which is useful for the wellbeing of citizens in the state. Economics is the science of scarcity. It adopts method to overcome scarcity. It gives insight into the scarcity and suggests ways to deal with scarcity. It makes human life happier by material prosperity. The aim of Political Philosophy is seek rational justification for our beliefs and ends in the political sphere. Its goal is to interpret the concepts like justice, equality, distribution of advantages among the citizens etc. Economic problems arise due to an imbalance between wants and resources. Economics is concerned with economic development, inter-relation between nations. It shows ideals as well as path to achieve ideals. For example, regulation of economic policies, rate of interest etc. The critical evaluation of economic policies and the plan of action is the concern of Political Philosophy. The key concept of Economics is 'wealth' where as the key concept of Political Philosophy is 'to seek rational justification for power'. Political Philosophy is a branch of Philosophy which studied fundamental questions concerning the communal life of human beings. It aims at regulating the wants and desires of human beings. Economics aims at satisfying the wants & desires of human beings.

### **Relation of Political Philosophy to Ethics:**

Ethics is the science of Highest Good of an individual in the society. The question of morality arises when human beings live in a group. Political Philosophy studies the relationship between individuals and society. Ethics and Political Philosophy are the branches of philosophy, both are normative and both are critical in the approach. Both of them deal with human conduct. Ethics is concerned with the aspect of 'virtue' in human conduct; the individual life of men. Its concern is to build good, moral character. Political Philosophy studies fundamental questions concerning the communal life of human beings. Political Philosophy reflects upon how best to arrange our collective life – our political institutions and our social practices. It seeks the answers of the questions like, what is the best way to govern our interactions. What responsibilities do we have

to each other? In other words, Political Philosophy is concerned about 'public utility', to build a peaceful, prosperous and harmonious community. The focus of Ethics is on individual mind while the focus of Political Philosophy is on collective mind. Ethics deals with the Summum Bonum of individual life. It aims at Self-Realization of an individual. Its aim is to unfold and develop the potentialities of an individual. Political Philosophy is concerned with the welfare of individual in the State. Political Philosophy unfolds the value aspect of political life. Political Philosophy is a thought provoking process about the political institutions and social practices of human beings. It seeks insight into the ideals of state, the functions of the state etc. The aim of Political Philosophy is 'peaceful global community' that provides security, stability and prosperity to its citizens. Ethics seeks insight into the notions such as moral and nonmoral actions, virtues, intentions and motives of action, merits or demerits of action, values of human life, virtues of character, consequences and responsibilities of action etc. The emphasis of Ethics is inner control over outer activities. Political Philosophy analyzes and interprets the concepts like Justice, Freedom, Security, Discipline, Peace; Human Welfare etc. It attempts to apply these concepts to the social and political institutions. Political Philosophy seeks the justification for the measures of external control. Ethics and Political Philosophy aim at the acquisition of the habit of careful thoughts. Both criticize, evaluate and improve the related concepts. Improvement of concept consists in modification or revision of the concept by introducing more coherent or clear definition of the concept. Political Philosophy arises from the need to arrange the collective life. Obviously it is open to change and there is always a need of philosophical justification. The views or theories put forth in Political Philosophy neither true nor false. They are either good or bad; either right or wrong. This is axiological perspective provided by Ethics.

## **CHAPTER 3**

### **Nature of Social Institution**

#### **Definitions and Meaning of Institutions**

Institutions are usually defined as ‘certain enduring’ and accepted form of governing the relations between individuals and groups. Different sociologists have offered different definitions for institution. According to Ellwood, institutions are ‘habitual’ ways of living together, which have been sanctioned and established by communities. Mackenzie defines institution as a definite organisation pursuing some specific way. Bogardus defines social institution as a structure of society that is organized to meet the needs of people chiefly through well-established procedures. Goodword and Maxwell state that an institution is a network of folkways and mores that centre on the achievement of human and all purposes. It is evident from the above definitions that an institution has some definite aims by virtue of which it benefits to the society. Institution is only an organized form of racial customs, dogmas and rituals or methods.

#### **CHARACTERISTICS OF INSTITUTIONS**

The following are the characteristics of Institutions:

1. Every institution has some definite objectives.
2. There is a symbol of an institution, which can be material and non-material.
3. Every institution has some rules, which must be compulsorily obeyed by individuals.
4. It has definite procedures, which are formulated on the basis of customs and dogmas.
5. Institution depends upon the collective or group activities of man.
6. Institutions are means of controlling individual. They are more stable than other means of social control. Institutions are formed for the fulfillment of the primary needs of an individual.

#### **IMPORTANCE OF INSTITUTIONS**

In connection with the social importance of institution MacIver says: it is a means of transferring cultural elements from one generation to another. It introduces unity in social behaviour, controls, conducts and guides men of all circumstances. In a society, moral ideals or modes of

behaviour are transferred from one generation to another through the medium of an institution. Thus it helps the younger generation to solve the problems confronting it.

## **INSTITUTIONS AND ASSOCIATIONS**

An institution differs from an association in the following grounds: institutions are comprised of laws and systems; but associations are composed of human beings. Associations have concrete form but institutions are abstract. Institutions evolve while associations are formed. Associations lack the stability of institutions. An institution is a procedure of working while an association is an organized group. An institution indicates procedure of works and association – shows membership. Therefore, man is a member of association but not of an institution.

## **INSTITUTIONS AND CUSTOMS**

The concept of institution is very similar to custom. A custom is a habitual way of behaviour, which is followed in a society, for example, to queue up at a bus stand. Owing to the closeness that exists between habit and custom, custom has been defined as a ‘sanctioned habit’. Habit is an individual way of doing things whereas custom is a group act. From this it may be easily seen that the difference between custom and the institution is a matter of degree. An institution being socially normative is more impersonal and less spontaneous than custom. So in modern society the institution of marriage is more formal than the custom of courtship. Hence, institution is more widely recognized and held as necessary for society than custom. Thus the family may do away with courtship but not with marriage. An institution is expected to concern itself with the deeper needs of social life. Therefore association is an affiliation, institutions are infrastructures and customs are ways of doing things as sanctioned by society.

## **FAMILY**

### **INTRODUCTION**

The family is by far the most important primary group in the society. Family is not a mere association but an institution. Historically, it has been transformed from a more or less self – contained unity into a definite and limited organisation of minimum size consisting primarily of the original contracting parties. That the family is ‘Natural’ to a man is almost sufficiently apparent from the fact that it is natural to most of the highly developed animals. The family

therefore is a socially recognized unit of people related to each other by kinship, marital and legal ties. In most societies it is normally constituted of a married pair and their children, parents of the husband or the wife and in some societies even servants are admitted as the members of the household.

## **FAMILY : ITS ETYMOLOGY AND DEFINITION**

The word 'Family' is taken from the Roman word 'famulus' which means a domestic slave and familia primarily meant a collection of slaves attached to a household. Later the family came to mean not only the slave but also the persons included within the regular household – all regarded more or less as the property of the family. It is no doubt true that we have seized to think of a man's family as his slave. Every society implies the ultimate control over this unit by its institutionalization of marriage and the definition of rights and obligations that arise as a result of marriage and subsequent reproduction. Thus Mac Iver and page define family as, "A group defined by sex relationship sufficiently precise and enduring to provide for the procreation and upbringing of children. From the

Definition The Following Characteristics Follow.

1. It is a mating relationship.
2. This relationship is maintained through the form of marriage and other institutional arrangement.
3. The need to make the necessary economic provisions associated with childbearing and child rearing, is shared by the members of the group.
4. The members share a common habitation, home, a household, which however may not be exclusive to the family group.

These characteristics are so universal as to see them essential to the very nature of the family.

### **Check Your Progress**

1. State the origin of the word 'Family'.
2. Name any two characteristics of family.

## **3.8 DIFFERENT KINDS OF FAMILY SYSTEMS**

### **3.8.1 Family of Orientation or Procreation:**

Each individual usually holds membership of two families

During His / Her Life: The Family in Which One Is Born and the Family In Which One Marries the Family in Which One Is Born Is Called The Family of Orientation and That In Which One Marries Is The Family Of Procreation Also Called The Family Of Appropriation. The Family Of Orientation Socializes the Individual, Provides For His Economic And Social Needs and Gives Him A Place in The Society. Membership In This Family Is Involuntary For One Cannot Choose the Family to Which One Is To Be Born. One's Position in This Group Is Unchangeable Whereas In the Family of Procreation the Individual Has Children Of His Own And Has The Responsibility of Providing For Them. In Order To Establish the Family of Procreation One or Both the Partners Have To Leave The Family Of Orientation.

### **3.8.2 Neo-local, Patriarchal or Matriarchal System of Family:**

In Some of the Western Countries They Follow the Neo-Local System Where the Married Couple Establishes a Home Apart From Both the Families of Orientation. This However Is Not the Most Common Arrangement. In Other Societies Some Follow The Patrilocal System In Which The Wife Leaves The Family Of Orientation Towards the husband's family of orientation. Yet Some Others Follow The Matri-Local System Where The Husband Leaves The Family Of Orientation Towards The Wife's Family Of Orientation.

The Place Of Residence Has A Considerable Influence On The Functioning Of The Family Of Orientation Whereas The Family Of Appropriation Is The Part Of The Patri Or Matri-Local System; The Activities Of The Husband Or The Wife May Be Subjected To Parental Control. The Advantage Is That It May Assist The Newly Married In Getting Established.

### **3.8.3 Family as Monogamous or Polygamous :**

The family may be Monogamous or Polygamous. The Former is constituted of a man and woman living together and the Latter either of a man living together with more than one woman or

vis-à-vis.

### **3.8.4 Family as Patriarchal and Matriarchal :**

If the head of a family is a male then it is called a patriarchal Family and when the authority is in the hands of the female then it is Called matriarchal family. Patriarchal families are more common And in contrast, in matriarchal or mother-right family, the authority Of the family and the ownership of property would be in the hands Of the mother. The transmission of name and rights could be done Through the oldest female that goes from the mother to the oldest Daughter and even the place of residence is matriarchal. Further, In some cases, it is the husband who goes to reside with his wife And the children also belong to the mother's clan. Matriarchal Families are found among the keralites, in some of the communities In assam, and in the west it prevails among the north americans.

## **DISTINCTIVE FEATURES OF FAMILY**

### **ORGANISATION**

The family is the most universal social group of all the organisations large and small, which the society enfolds. Family has an intense sociological influence. It is in many respects unlike any other association. It has several distinctive features:

**1. Universality:** No culture or society has ever existed without some form of family organization. As B. Malinowski writes, "the typical family, a group consisting of mother, father and their progeny, is found in all communities-savage, barbarian and civilized. Every human being is or has been a member of some family or other".

**2. Emotional Basis:** It is based on the most profound urges like mating, procreation, maternal instincts and parental care. Besides this there are other reasons like the wish to transmit one's name and property to posterity, the need for economic security and cooperation to guarantee help and friendship for the future of a person's life especially during old age and to have a partner in life with whom one can share the joys and sorrows, success and failure.



**3. Formative Influence:** The family moulds the character of the individual by inculcating in their minds the ideal base and custom of the social group. For instance – the purpose of family is to educate children. It exists largely for the nurture of young children and to prepare them to face the larger community.

**4. Limited Size:** It is the smallest group of all formalized organisations that make up the social structure in any civilization.

**5. Social Regulations:** Family is well protected by social taboos and legal regulations. Marriage, property, inheritance etc. are common institutions of a family organisation respected by all.

**6. Responsibility:** It makes continuous and greater demands on its members than any other association. In times of crisis, men may work and fight for their country, but they toil for their families all their lives. It expects sacrifice and a sense of duty from the members of the family as they have a common interest and collective goals.

**7. Both Permanent and Temporary:** It has a temporary as well as permanent nature. As a basic institution, which is domestic, it is permanent, as it is found in every society. It is an irony that while the institution of family is so permanent and universal, the family as an association is the most temporary since each family artificially comes into existence and may disintegrate. To conclude, the family is the most efficient agency to breed the quality of altruism. In a family the individual ego of its members gets transferred and transformed into one collective 'WE'.

## **FUNCTIONS OF THE FAMILY**

According to Grover, Family is an organisation for protection, growth and care of the young, the regulation and the control of the sex impulses, transmission of social heritage and opportunities for the most intimate relations. A modern family performs various functions, mainly of which are due to the impact of social and economic functions acting upon a family. The main functions of the family are as follows:

**1. Biological function:** The family is the only recognized social unit for the protection of children. All the societal forces are used for its protection and through it societies perpetuate themselves both biologically and culturally. As per Mackenzie, the most fundamental function of the family is primarily to secure what is best available for the nurture of the children with a view to their preparation as citizens of a larger community.

**2. Socializing function:** The rights and duties in a family bind the parents to each other in matters beyond the marital obligations. They also bind parents to the children beyond the provision of primary needs and the children to the parents at least for aid in case of need. Thus the family emerges as a social institution. The behaviour of its members expressing socially prescribed forms of actions, thus the family does by the use of parental authority and parental affection. Until the children accept right privileges and obligations not as demand and deprivations but as opportunities and self imposed responsibilities.

**3. Subsistence Function:** Family provides subsistence for its members in a congenial environment. The basic instinctive needs such as hunger, thirst, shelter, love care, protection etc are provided in and through the family. In other words, the family provides all that is needed for survival, growth and experience. No other institutional pattern can provide daily care and personal attention that families can give by their home making nor can they do it in the intimate ways, which is so significant in personality building. Family housekeeping provides necessary nutrition, a sanitary abode, a warm and cozy place for relaxation, personal attention to sickness and other requirements. Ralph Litton has written that mere satisfaction of bodily needs is not sufficient for the proper development of children. They are in greater need of individual attention, love and satisfaction of life.

**4. Economic function:** The life of the family has an important economic aspect. In the past, the responsibilities for making provisions for the economic needs of family usually depended on father and the mother remained busy in managing the house and taking care of needs of members. In most of the cases the father did earning, and distribution and management were done by both the parents. But, due to the shift in the economic settings of the family following the industrial revolution, slowly, the high standards of living, increasing wants, consumerism,

desire for luxury and comfort have made it necessary for both partners to shoulder the economic needs of the family.

**5. Educational Functions:** The family is the natural center of primary education. It is an important agency, which prepares an individual for a vocation. In the past boys received their training for life by working with their fathers and girls got trained at home. It is still an important educational agency, which prepares the family members to specialize. The family has given the school the task of preparing the youth for adult life; but the school can not replace the home, as home is the social and affectional center of the child's life. One can say that school supplements the family by providing the knowledge and experience, which the latter cannot give. John Dewey, Madame Montessori, Pestalozzy regard the fact that the family is the best educational institution ever. And no college or school can ever really take its place.

**6. Cultural Function:** The family is the first institution to get the opportunity to transmit the ideas, beliefs and values of the society to the growing child. It serves as a natural and a convenient channel of social continuity.

**7. Moral and Religious Functions:** The children gather their basic religious ideas and beliefs from the family through functions like marriage, celebration of festivals and other religious ceremonies. Nowadays, parents no longer place a greater emphasis on religious education neither is it ignored. The family is the school of moral education. The members of the family imbibe the social virtues of sympathy, fellow feeling, love and co-operation, the spirit of self-sacrifice and tolerance. These sentiments are the basis of all other social sentiments and virtues.

**8. Legal Function:** A child is born into a family and when it becomes an adult he accepts responsibilities and duties befitting his position in the family and society. The parents take on the responsibilities and duties befitting his position in the family and society. The parents take on the responsibilities and duties as long as child is a minor. Once he attains majority he can marry even without his parents' consent and has the right to vote. All the above functions lend stability to society and allows for continuity in a disciplined way. To sum up, the vital functions that family has to play cannot be substituted through any other institution. Biologically the human

Child is born dependent and some kind of parental relationship is necessary for the child to survive. His emotional needs are observed to be as urgent as his need of food. To survive in a large world the child has to learn what is expected of him. Here the family serves as a cultural mediator. Thus, some kind of institutionalized family group is found in all societies and is fundamental to the social system.

## **TYPES OF FAMILY**

Families take diverse form in different times and places.

Their attributes have changed greatly during the past 150 years or so. Joint or extended family and nuclear family are the two types.

### **Joint Family**

#### **1. Origin of the Joint Family:**

The primitive social group originated from patriarchal family, in which the father held the greatest power and owned all the members and belongings of the family. In the next stage of social evolution the patriarchal family became the joint family. In its original form the joint family consisted of the aggregate of individuals who were members of the family. During that stage the members of the joint family were not necessarily related by blood. But in course of time a joint family referred to only those persons who were born in it or who became its members by affiliation or marriage. D.F. Mullah points out that a Hindu Joint Family consists of all such persons who have lineally descended from a common ancestor and include their wives and unmarried daughters.

#### **2. Characteristics of Joint Family:**

The joint family system was prevalent from the Vedic times in the Hindu Society. The members of joint family owned property jointly, a common kitchen and a common deity. According to Prof. D. F. Mullah, the possession of a joint property is not a necessary member of the joint family by birth. But as this system evolved in the society, the possession of joint property became a necessary condition for keeping the members tied down to a family. Hari Singh points out that importance and strength of a joint family consists in the fact that all the members own its

properties in common. It can also be said that it is the joint property, which keeps the members together. It is in this sense that, sometimes, joint family is compared to a corporation.

### **Its Internal Organisation :**

The internal organisation of the joint family is much more valued and more significant than the composition of the nuclear family. The valuation is not only in size but also in role configuration making up the system. The members of the joint family may belong to the following four categories.

1. Persons descended from a common ancestor to the extent of four generations.
2. Collateral relations descended from a common ancestor in a male line like uncles, aunts, nephews, cousins and so on.
3. Persons adopted in the family e.g. adopted sons daughters etc.
4. The mothers, wives, widows and unmarried daughters of the male members of the joint family.

### **Management of Property and Authority in Joint Families:**

In the joint family, property plays a very important role. At one time it was a binding factor and management of property was in the hands of the head of the joint family, who was called a “Karta” – He has certain special rights and control over the joint family income and also decides the way in which family income should be spent. When the joint family property is divided / distributed each member gets his / her appropriate share. In the division of authority between men and women the male plays a major role and is the focus of power whereas women plays a subordinate role. Seniority determines who will have authority among the adult males. Between the father and the sons the principle of seniority is easily established. The older member always has a higher rank. When the father dies the eldest brother succeeds to this position. Joint Family makes the ‘authority’ of the individuals submissive to that of the head. The authority of a father over his own children is subordinate to the overall authority of the eldest male. This is important because it discourages the crystallization of the nuclear family with the dominant power as a separate union. While seniority is the general determinant of authority, however, the authority cannot be used arbitrarily. The eldest male must conform to specific family and cast traditions. Tradition is an important force in all family-systems.

### **Filial Relationships in the Joint Family:**

In the joint family the conjugal relationship is important. But it has always been subordinate to the requirements of the larger system. Filial relationships i.e. mother-child or father-child relationship or between brothers are more emphasized for the stability of the joint family. The mother-child relationship was emotionally restricted by the norms of impartiality between many children in the joint family though this is not so today in the joint family. Traditionally the mother is regarded as the one who is concerned about the property interest of her children and wishes to protect them against possible exploitation by the uncles and the cousins. Therefore the child may find a more gratifying relationship with his / her mother than with his father. The relationship to the father is close but it is still one of respect. The fraternal relationship is usually a close one but constrained. The structural source of constraint may arise from status differentiation: it means brothers age factor matters. This can be a potent source of jealousy and rivalry. The relationship between the brother and sister is significant. For the young growing boy and even for the grown up, the sister is not a potential rival and she can become a source of feminine tenderness. While the brother – brother relationship may be very close it rarely approaches the tenderness of brother – sister relationship. This problem arises from the fact that the men belong to joint family and women are outsiders.

### **Status of women in joint family:**

The cardinal position of men determine an important status of their wives and affects the attitude of women towards each other in the Joint family. But an equally important determinant of the wife's status is her closeness to her husband. He can be her spokesman and facilitate her acceptance in the household. But where the relationship is not close she must still lean heavily upon him for understanding and support. From this comes the pattern of dependence and subordination of women. Child upbringing is not the exclusive responsibility of the individual mother but the physical dependence of the child on the mother for its nourishment binds the mother to the child. This relationship has a great emotional significance and often becomes source of strain for the relationship between a mother and the wife of her adult son. One of the common problems of a man in the joint family is the conflict of loyalties – the loyalty to his mother to whom he owes too much and to his new wife whom he may not yet know, but who is

his concern and who must inevitably lean upon him for support. In the nuclear family this problem is not unknown but is minimized by a more definite norm of loyalty to one's wife. The mother's status is also socially gratifying for the women especially when she has given birth to a male child. The male child assures continuity of a family lineage and the mother achieves status as the person who has given birth to this child. The failure of the women to give birth to a male child is one of the approved reasons for her husband to bring a second wife into the home. There is another reason why the mother's role, particularly the role of the mother for the son, is important for a woman. Formally the woman had to right in the property of husband's family. If the husband dies leaving her widow she could expect maintenance but she would always feel that she is dependent. The son thus confirms her status as the member of the family and provides an insurance against the possibility of laws of status due to widowhood.

**Advantages:**

In its traditional form the Joint Family provided a kind of social security for its members; for no one was wholly dependent on his own resources. And in case of any misfortune befalling on a member of the family, all the members shared it. They always had a feeling that they would be looked after with care and affection. Even if the head of the Joint Family died, other surviving members of the family looked after his widow and children.

**Disadvantages:**

A joint family often becomes unmanageable due to large number members within the family. Thus some members were uncared and neglected. The women were the most sufferers in the family. Another major disadvantage was that a joint family often gave rise to idlers (parasites) who feed on the income of other earning members without contributing anything, thus becoming a burden for the active members of the family. Finally it was seen that children of the head of the family received preferential treat whereas children of the junior members were neglected. These were some of the factors that led to the disintegration of the system.

**Causes for Disintegration of the Joint Family:**

The joint family system is fast breaking down in almost all the countries and the same is even seen in India especially in cities. The disintegration has certain inevitable historical events. Some of the main causes for the disintegration may be briefly stated:

**1. Commercialization:** Increasing commercialization, introduction of cash and individualization adversely affected the joint family. The destruction of village community and the breakdown of the traditional social structure as a result of modernization affected the structure and value system of the Joint Family, the production of the market, the payment of land revenue in cash and the substitution of the collective principle for the individual cultivator. Responsibility for the payment of land revenue generated a centrifugal tendency, which gave a severe jolt to the joint family system.

**2. Concept of Private Property:** The introduction of the principle of the private property in land transformed land into marketable commodity. Land could now be mortgaged, purchased and disposed off by an individual cultivator. Under the increased burden of land revenue and a competitive market economy a vast number of cultivators were forced to sell their lands to money lenders and this led to the fragmentation of joint family.

**3. Uniform Legal System:** An introduction of a uniform legal system based on a secular rational and egalitarian principle led to the dissolution of the joint family. A legal recognition of an individual's right to own and dispose of family property, the right to claim a share in ancestor's property, the freedom to choose any vocation, the fixation of the principle of individual responsibility and the uniform legal code contributed to the breakup of the joint family.

**4. Social Reforms:** (Especially emancipation of Women) : Under the impact of the modern educational system and the westernization process, social reformers initiated a movement for the emancipation of women for their education for a reform of the traditional social structure. The prohibition of child marriage and the promotion of widow remarriage disturbed the functioning of the joint family.



**5. Competitive Society:** Lack of sympathy and fellow feeling was more apparent in a competitive society where in each individual has to struggle hard for earning his livelihood. Those who were enterprising earn more and those who lack initiative and tact earn less. This led to frequent quarrels and tensions among the family members and as a result the joint family broke into smaller family units.

**6. Lack of Freedom:** It is usually found that the head of the joint family (Karta) tends to be dominating and authoritarian in his attitude and place restrictions upon his junior members. With the onset of industrialization the old traditional ideas and values changed. The junior members did not appreciate and accept the dominating attitudes of the senior members and rebelled against the seniors. A joint family breaks down when these are frequent and serious clashes between the junior and senior members.

**7. Commerce and Industry:** Commerce and Industry brought income and property to the individuals and not only to the group. In general the legal institutions of the western power tended to individualize. The foreign powers recognized individual ownerships and placed demands such as taxation and labour service upon individuals. Employment was on individual basis. These economic and legal factors were indirectly responsible to weaken joint family systems.

**8. Changing Position of Women:** In a joint family, women generally had no rights of inheritance or independence of action. As the idea of the emancipation of women spread around the world, it brought restlessness within the joint family structure. The movement for equal rights for women paved the way for their equality before the law and rights of inheritance as well as opportunity for education and right to vote.

**9. Rapid Social Change:** The joint family structure was weakened by rapid social change, which tended to undermine the authority of the elders. Young people were acquiring new standards and the body of knowledge, which were at variance with the knowledge, and values of elders. It was no longer easy to maintain filial loyalty and respect in the traditional set up.

**10. Urbanization:** The movement of individual members of the joint family to the cities tended to erode the joint family. Urban housing with its small dwellings and crowded conditions made it difficult to accommodate an extended family group.

**11. World War II:** All these factors tend to undermine the joint family but it was the World War II and its effects that dealt a direct blow to this traditional system. The breaking up of the joint family was accelerated by taxation, inheritance laws and laws of the rights to women. Although joint families have been able to partition their joint property the new system of taxation and inheritance place pressure on families to convert themselves into small, single, family units.

## **CHAPTER 4**

### **Traditional View of Marriage**

#### **Introduction**

Marriage is an institution which admits men and women to family life. It is a stable relationship in which a man and a woman are socially permitted to have children, which implied the right to sexual relations. Traditionally a marriage bond is viewed differently by different societies and religions. Today in a modern society it is given a social as well as legal status. So to quote Hindberg marriage is a legal relationship which defines the rules and regulations describing the rights, duties and privileges of husband and wife with respect to each other. In India different laws govern the nature of marriage as an institution:

- According to Hindu bill code, “marriage is regarded as a sacred bond which is established after Saptapadi.”
- According to the law of Shariyat, “marriage is purely a contract for which Meher is promised by the bridegroom to the bride.”
- On the view of Christianity, “marriage is a promise or commitment.”

#### **TRADITIONAL VIEW OF MARRIAGE:**

Marriage is an institution sanctioned by the society to establish durable bonds between males and females and to permit sexual intercourse for implied purpose of parenthood and establishment of a family. Marriage as an institution originated with the family and this institution was a major concern of the society at every stage of its development. It is an institutionalized system that secures the perpetuation of human race and species in particular. It is established at a particular time and under certain conditions may be terminated with the approval of the society. However, the society's expectations with marriage are that the bond will continue throughout life time of the couple or until some socially defined conditions arise in which their accepted roles cannot be performed. “Till death do us apart” is implied in every marriage in a society. Every marriage had a religious backing and also a legal support. It always implied a heterosexual relationship where the society to a large extent had defined roles for each of the partner and such a relationship had a strong social approval. For any reason if the marriage went bad, either of the partners could expect support from the family members, community as well as law, and this gave the couple a

great sense of security. It goes without saying that the basis of such a marriage implied love, affection, caring. Such a marriage even today is very popular and has the same strong social approval. This is proved by the normal status of majority of the adults in different societies is that of a married one and it is interesting to note very few individuals are single by choice. The proposition is also strengthened by the fact that so many remarriages occur in the society. In U.S.A. one in five marriages is a remarriage for one or both the partners. It is said that chances for marriage of one who is already married once and is eligible for another are greater than those for single persons and this is a real strong indication. It is further strengthened when we note that a great portion of married couples go through their lives with only one married partner. Monogamy is the prevailing form of marriage in practically all societies. It is sanctioned by law and religion in most modern societies. Relationships between the spouses are more intimate and it allows two personalities to blend in a matured affectionate relationship which in turn could rise to an ideal environment for the upbringing of children. The ultimate aim of marriage is procreation and preservation of the human race. Contemporary societies feel that the monogamous family is the only proper form of family and make all polygamous forms illegal.

#### **Sacrament theory of marriage and contract theory of marriage:**

In the societies, especially in India among Hindus and Christians, marriage is not taken as an artificial contract between a man and a woman. It is regarded as a spiritual bond. Indian scriptures define marriage as; The union of two souls who identify themselves with one another as a family and work for the achievement of a common goal, initially that of a family and then the highest goal of perfection and emancipation. On the other hand, Malanowsky says, "Marriage on the whole is rather a contract for the procreation, protection and the maintenance of children and a legal sanction for channelizing the sex instinct. The sex urge is a strong drive, an instinct which is to be controlled and decently expressed. It is, said, marriage is a means to control, regulate and decently express sexual desire. It is a contract where the responsibility is to be shared by both the spouses and obligations are to be discharged by both of them. In Muslim religion, marriage is regarded as a contract and it is called the NIKAHNAMA and the groom has to pay the bride an amount called MEHER. It is a kind of security. If at all the marriage breaks, the contract is dissolved and the meher has to be paid to the wife. It is normally seen that people have been looking at marriage with willful sanctity and respect and even if the marriage is

registered in court many couples go in for a religious sanction. This implies sacredness of the relationship and also the social security that goes with it. This type of marriage is religious, legal and heterosexual in characteristic. As against this, we see a new contemporary trend where couples of the same sex who are known as gays or lesbians are also trying to get their relationship legalized and therefore asking for some kind of sanctity of relationship. Some countries like Denmark have already given a legal sanction and they are free to get married, have a family with the help of either adoption or surrogacy or artificial insemination. In India, still it would take time to accept these kinds of relationships but the various organizations have started demanding space in our society also. It is very difficult to break the set norms which have been accepted for generations but today, we have to be sensitive to these issues and allow such people to also lead a normal life in the society with full dignity and respect. There is a need to develop various support systems to tackle various problems related to this, and a beginning has been made everywhere. Homosexual marriage and Live in Relation marriages are explained in brief in the following pages.

### **HOMOSEXUAL MARRIAGES:**

**Background:** In many European countries sexual preference is regarded as a personal choice. Same states in U.S. consider it to be legitimate.

#### **Causes:**

- Assertiveness as far as sexuality is concerned
- Individualism
- Slow acceptance by the society of homosexual

#### **Effects on children:**

- If treated properly no ill effects are to be found.
- Children of Homosexual parents need not be homosexual.

#### **Legal status:**

- In some parts of the world laws are passed on in favour of homosexuality. But in India there is no such legislation.

### **4.5 LIVE IN RELATIONS:**

**Background:** With the modern trends of feminism, society has outgrown the typical patriarchal and male dominating trend. So modern youngsters expectations from marriage have been changed. Thus live in relationship is regarded as an alternative for marriage bond.

**Causes:**

- To avoid the burden of commitment.
- To avoid legal traps of divorce.
- To satisfy purely psychological needs.
- To avoid financial problems.
- Various personal reasons.

**Effects on children:**

- The idea of Live in Relation is not yet very popular in India. So children of such parents are likely to face societal criticism.
- If parents separate then children are expected to come to terms with this change.
- If Live in Relation sails smoothly and parenting is done consciously then children grow normally in such families.

**Legal status:**

- Contractual marriage is legalized in India. Laws about Live in Relation are not yet very clear.

## **SINGLE PARENT FAMILY**

Another trend which has to be studied is that of individuals who are single by choice and would still want to adopt or have their own children using new technological methods. May be there is a need to understand and respect these decisions and let the person enjoy his / her freedom without being a menace to the society. In today's times, many individuals are not interested in getting into the institution of marriage but they still would like to have children of their own using various means like adoption or artificial insemination and surrogacy and this is a decision taken by choice. It should be noted that there can be single parent families as a result of natural events like death, desertion or divorce. But here, the concerned parent cannot be blamed and also the society is sympathetic towards them. Today, social support is also available in the society for such parents and children. But here, when we are talking of single parenthood by choice, that kind of social support may not be available since it is a deliberate decision taken by a person to have a child outside the institution of marriage. This trend is probably due to financial

independence and people not believing in the institution of marriage, and also because, certain techniques are easily available today like for e.g. artificial insemination and also availability of sperm banks. As far as single men are concerned, they opt for surrogacy or adoption if they want to have a child. Is this situation ideal? Even though we have to respect the choice made by matured adult imagine a situation where all well off single people have children out of the institution of marriage then, the entire concept of a well knit family of a husband, wife and children will be extinct. Now, is this trend good? Obviously not. An attempt should be made to understand male-female relationships, develop trust in each other and learn to share and develop a give and take relationship which is ideal for the wholesome upbringing of children. It was Russell who pointed out that the main reason for this could be the weakening of the father's role in the family. Since mother is a biological necessity and she has to bear and given birth to the child, her importance in the upbringing of the child is a must. Does this mean the father has no role to play other than just earning for the family and providing the necessary sperms for child birth? It is necessary for the basic conditioning in the society to change. The emotional role of the father is to be emphasized and stressed and this can be done only by increasing the involvement of the father in the rearing of children. In India, it has been customary to look at the father only as a bread earner of the family and normally kept away from matters related child birth and the rearing of children. But today, since women equally share the economic issues like she supplements the income and technically we can say in many homes if the man earns the bread woman provides the jam today. So it is necessary to understand the role of the father, his emotional contribution in the upbringing of the child other than just earning the bread. May be it will be necessary for the state to interfere and strengthen rules regarding living-in-relationships for the social security of the child. It seems that it will be necessary to emphasize the importance of both the parents in the upbringing of the child. Children should be brought up in a way where they learn to respect the institution of family and marriage. This could help in strengthening the ties of the family and also understanding the biological, social and emotional needs of both males and females and therefore respect the same.

## **Adoption**

### **Causes for Adoption:**

- High rate of infertility
- To complete the family

- To accomplish a noble act
- To get a heir for legacy
- To experience parenthood
- Personal etc.

**Effects on children:**

- Adopted children should be told about their status, earlier possible. If this is not accomplished then it may prove to be traumatic for the child.
- Otherwise adopted children grow as normally and nicely in adopted families.

**Legal status:**

- Adoption is very much viewed as legitimate by our constitutions.

**SURROGACY**

**Background:** Surrogacy is comparatively a new procedure to have children in which uterus of a woman other than desirous woman in a couple is hired on the basis of certain terms and conditions. So 100% heredity (50% by Husband 50% wife) is given to the baby by the couple. But the actual prenatal growth takes place in the uterus of the 3rd party woman. This woman legally and contractually allows the couple to use her uterus as a temporary abode for the baby. So, biological mothers' mother or sister or any other woman may willingly be a surrogate mother.

**Causes:**

- Peculiar problem of infertility amongst couples.
- Commodity approach towards parenting We can hire / but anything.
- Too much of importance to biological parenting.

**Effects on children:**

- Not yet completely known.
- Likely to create complications in nearby relations.

**Legal status:**

- It is purely a legitimate contract with certain terms of conditions.

**DIVORCE**



**Background:** Marriage is not seen today as a sacred, unbreakable bond. People prefer living separately than “suffering together”. So divorce is no more a ‘no’ in our society today. When a married couple cannot get along due to some reasons they decide to terminate the marriage. Termination of marriage is called divorce. Even in primitive societies, divorce was common. They were divorced for barrenness, negligence of children, invalidism, old age, disagreeable personality etc. The economic value of the wife and the husband in the primitive society helped to limit the frequency of divorce. The economic factor was much stronger. The breaking of the family is therefore, a concern of the society. Family may dissolve as a consequence of separation, desertion or divorce. It is said desertion is a poor man’s divorce as it is common in the poorer groups.

**Causes for divorce:**

Numbers of explanations have been given for the marked increase of divorce, especially in countries like U.S.A., Russell says as the family feeling is very weak, there is frequency of divorce. For example, in France and India, divorce will be comparatively rare even if it is easy. Adultery, cruelty and desertion may not be more prevalent today than sixty years ago. It is possible that the loosening of the social taboo and the easing of convictions have given many couples the courage to come out in the open and end their incompatibility with a legal divorce. Some of the factors that have led to the increase in divorce are:

1) Industrialization: It has liberated women from economic dependence on men and given them an equal status so neither of them must marry, nor stay married to solve their economic problems. Because of this, it has probably had the consequence of allowing family differences to be magnified out of proportion to the real significance. Industrialization does not cause a divorce, but does weaken the emotions that often bind family together in spite of difficulties.

2) Equality and individualism – A psychological explanation for an increased rate of divorce is a strong feeling of individualism. This has reached against the virtue of tolerance, give and take attitude required in the family relationships. Female emancipation has boosted the woman’s ego and helped to destroy the paternal type of the family. The feminist movement has made her more self-assertive and thus endangered the old type of family stability.

3) The position of the father in the family – Russell insists that the modern father is losing his form of position in the society. The father is busy earning a living and some of them scarcely see their children and when he sees them, he hardly knows how to behave with them. This is true both among the upper classes where family instability seems to be most marked and among the lower classes where poverty does not permit the father to be much of a parent. Among the middle class at present, the father is of utmost importance as long as he earns a good income and can provide adequately for his offspring.

4) Childlessness – A large proportion of persons going in for a divorce, in the American society are childless. The presence of a child in the family generally gives a married couple a strong purpose that stabilizes their relationship. Once a couple becomes a parent, they are able to keep their ego aside and there is a bond which ties them together. It has been noted that in certain cases, the presence of children has helped in the reconciliation of some divorced couples. In fact, 70% of childless marriages ultimately end up in a divorce.

5) Infidelity – Another vital factor frequently overlooked is that we have standards of strict sexual morality and hence infidelity is commonly regarded as the greatest hurdle and the wrong partner in the family usually feels that both pride and decency require a divorce action. In countries like France, fidelity is not considered the most important factor for the success of marriage. Adultery is not likely to provoke the husband or wife to file a petition for divorce.

6) Lack of sex education – By and large, it has been seen that most marriages that end in divorce are due to sexual incompatibility. People often marry without proper understanding of their sexual roles in marriage. Therefore, today the urgent need is a proper and so called correct understanding of sex.

7) Divorce varies with occupation – Certain occupations assert more strain on the family life than the other occupation. Certain occupations presuppose more temperament than the other and attract the emotional tie. Other occupations where the husband is away from the house for a longer or shorter period may lead to a break-up in the family. Divorce is high among artists,

physicians, musicians etc. This merely reflects the effect of the occupation on family life with the resulting degree of instability.

8) Divorce seems to reach its maximum about the fifth year of marriage. It is said that if a couple can pull on for five years, the chances for the continuous success of marriage are greatly increased. This is due to the fact that family requires an immense amount of readjustment and each party to the contract must learn to get used to the matrimonial state. In an economic system within which it is difficult for a young man or woman to undertake the responsibility of a wife or husband before 25 years of age and by then habits become settled and readjustment to new relations is made with increasing difficulty. Some other causes of divorce are uncontrollable interference such as parental intrusion, (wide differences in education and religion between the partners, serious personality defects and personal disappointments) result in the breaking of marriage.

**Effects on children:**

- The issue of the custody of children is most delicate. If it is resolved properly then children do not suffer.
- If situation not handled properly, children may develop insecurity.
- If handled with care children may develop to be responsible caring' independent.

**Legal status:**

- Divorce has to be granted by the law authority. In India, it is granted only after using all other means to reconcile (like counseling, Arbitration etc.) fail. Divorce may be granted only under very specific conditions.

## **CHAPTER 5**

### **Classical Views**

#### **Introduction**

Man is a social animal. He cannot satisfy his needs if he leads a solitary life. So a human being needs society. In the society, every individual has some peculiar status and roles corresponding to the status. The society controls the behavior of the individuals through mores, traditions, myths, legends and customs and sometimes even through punishment. The influence of the society reaches to the extreme when the natural biological difference leads to Gender inequality. A man and a woman are two organisms created by Mother Nature. These two organisms serve the common purpose that is continuation of the existence of Human Species. By nature these two organisms have their own peculiar physical structures. Their functions are complementary to one another. Whatever reasons may be – biological difference, division of labor or power relationship – Gender inequality is a fact. In almost all societies, a man receives higher status than that of a woman. In this unit we will try to understand the classical views on Gender that is views of Manu and Aristotle. We will learn about J. S. Mill's modern views on Gender. We will also study the Contemporary Feminist thoughts.

#### **CLASSICAL VIEWS**

It is interesting to know that traditional views about the status of a man and a woman are quite similar. Indian views and Greek views on gender have many common factors. They assign similar functions to men and women.

##### **1 MANUSMRUTI:**

Manusmriti represents ancient Indian views on the duties of various castes and individuals in different stages of life. The text is not the work of one particular man, but it is composition by different people from time to time. The text is an encompassing representation of the life in the world – how it is and how it should be. Its purpose is to strongly uphold a particular structure of traditional society in Hinduism. These views are clearly Gender biased. It prescribes a very inferior status to women. We will focus on the prescribed duties of women and those of a

husband and a wife. In the 5th and 9th chapter of Manusmriti we find the laws of behavior for a woman and for husband and wife.

### **The duties of Women**

1. By a girl, by a young woman, or even by an aged one, nothing must be done independently, even in her own house.
2. In childhood a woman must be subject to her father, in youth to her husband, when her lord is dead to her sons; a woman must never be independent.
3. She must not seek to separate herself from her father, husband, or sons; by leaving them she would make both her own and her husband's families contemptible.
4. She must always be cheerful, clever in the management of her household affairs, careful in cleaning her utensils, and economical in expenditure.
5. Him to whom her father may give her, or her brother with the father's permission, she shall obey as long as he lives, and when he is dead, she must not insult his memory.
6. Though destitute of virtue, or seeking pleasure elsewhere, or devoid of good qualities, yet a husband must be constantly worshipped as a god by a faithful wife.
7. No sacrifice, no vow, no fast must be performed by a woman apart from their husbands; if a wife obeys her husband, she will for that reason alone be exalted in heaven.
8. A faithful wife, who desires to dwell after death with her husband, must never do anything that might displease him who took her hand, whether he be alive or dead.
9. At her pleasure let her emaciate her body by living on pure flowers, roots, and fruit; but she must never even mention the name of another man after her husband has died.
10. She who cohabits with a man of higher cast, forsaking her own husband who belongs to a lower one, will become contemptible in this world.
11. She who, controlling her thoughts, words, and deeds, never slights her lord resides after death with her husband in heaven and is called a virtuous wife.
12. A twice born man, shall burn a wife of equal caste who conducts herself thus and dies before him with the sacred fires. Having thus, at the funeral, given the sacred fires to his wife who dies before him, he may marry again and again kindle the fires.

### **Duties of Husband and wife**

1. Day and night woman must be kept in dependence by the males of their families and, if they attach themselves to sensual enjoyments, they must be kept under one's control.
2. Her father protects her in childhood, her husband protects her fit for independence.
3. Women must particularly be guarded against evil inclinations, however trifling they may appear; for, if they are not guarded, they will bring sorrow on two families.
4. Let the husband employ his wife in the collection and expenditure of his wealth, in keeping everything clean, in the fulfillment of religious duties, in the preparation of his food, and in looking after the household utensils.
5. Drinking spirituous liquor, associating with wicked people, separation from husband, rambling abroad, sleeping at unseasonable hours, and dwelling in others men's houses, are the six causes of the ruin of woman.
6. Woman do not care for beauty {in men}, nor is their attention fixed on {a man's} age; thinking, it is enough that he is a man, every man should most strenuously exert himself to guard them
7. Through woman's passion for man, through their mutable temper, through their natural heartlessness, they become disloyal towards their husbands, however carefully they may be guarded in this world.
8. Happiness, heavenly bliss for the ancestors and oneself, depend on one's wife alone. Never cohabit with another's wife.
9. For one year let a husband bear with a wife who hates him; but after the lapse of a year let him deprive her of her cease to cohabit with her.
10. By the sacred tradition, the woman is declared to be the soil and the man is declared to be the seed. The production of all corporeal beings takes place through the union of the soil with the seed.
11. The husband receives his wife from the gods; he must always support her while she is faithful. Let mutual fidelity continue until death.

### **ARISTOTLE:**

Aristotle [384- 322 BC] was born at Stagira. He belonged to an aristocrat family. Aristotle was in the 'Academy' of Plato for 20 years. After the death of Plato, Aristotle established his own Peripatetics' school. Aristotle was a man of independent and original mind. He is said to have

composed some four hundred books. However his one book is one chapter in modern treatise. More than three quarters of his writings have been lost. Aristotle's writings in his books are complete, mature and fully developed. Aristotle was a man of universal learning. He became the founder of Logic and Zoology. He wrote on Logic, Metaphysics, Ethics, Politics, Art, principles of Rhetoric, Meteorology, Astronomy, etc. Aristotle was deeply interested in facts, so he collected facts from every possible source. He wanted definite and clear knowledge. Aristotle coined new terms to express his thoughts. He introduced an enormous number of terms. Aristotle strongly supported slavery and maintained inferior status of women. In ancient Greece, all women were excluded from the participation in state affairs due to their inferior intellectual capacity. They had no right for property. They did not have the status and rights of a citizen. A woman was supposed to be incapable to enjoy freedom. A Greek woman had to marry the person selected by her father. The age of marriage was around 14 years. A woman's life was confined to household. She was supposed to manage household matters and look after the slaves. She was not free to go out of the house. Aristotle maintains inferior status of women. His Gender bios views declare woman as subordinate, deformed male, unfinished male and even lower class human being. Aristotle's Gender views are based on three principles. These principles are as follows----

### **1. Nature is Purposive.**

The entire world process is essentially movement towards ends. The whole world movement is the effort of Form to mould Matter. Everything in the nature has its end and a specific function. Nature seeks everywhere to attain the best possible. Everywhere we find the evidence of design and rational plan. Nothing is purposeless. The nature itself attempts to realize the goal.

### **2. Nature is Hierarchical.**

Every person, every unit of this world has its own status in the hierarchy of nature. There is a scale of beings. The lowest is inorganic matter, then organic matter, then plants that possess the nutritive soul, then animals that possess the nutritive and the sensitive soul. Human beings possess the nutritive, the sensitive and the rational soul. Human beings (males) are on the topmost position of nature's hierarchy. Aristotle states that the higher rules the lower. The soul rules the body, the intellect rules the appetite. The rule of higher is natural and expedient. The lower always exist for the sake of satisfaction of higher. The nature ordains that the superior should rule over the inferior.

### **3. State (polis) is Natural.**

For Aristotle the term 'Natural' has a special meaning. Natural means that which attains its end. Natural means that in which the 'Form' successfully masters the 'Matter'. The state is a unit in which its members have a purpose and have hierarchy of relations. The state is a Community of communities.

#### **Family: The Natural Social Unit:**

Aristotle applies these principles to family and to the relations in a family. For Aristotle the state is made up of households. A household or a family is the first natural association arising out of the union of male and female. A complete household consists of slaves and freemen—man, wife, children and slaves. There are three types of relations in a family—the relation between master and servant, marriage relation between male and female and procreative relation to children. The relations in the parts of the complete household are hierarchical. The family is a patriarch family. The father, the male possess the highest status. He rules wife, children and slaves. Aristotle puts forward following arguments to prove that women are inferior---

#### **1. The Philosophical argument:**

A man provides substance that is the soul- the form of human beings. A woman provides the nourishment that is the body – the matter of human being. A male offers the principle of life where as a female offers the conditions of life. For Aristotle, the Form is superior to the Matter. Men are more intelligent than women. Men have more capacity to learn and retain the information. Hence men are superior to women.

#### **2. The Biological Argument:**

Aristotle argues that man give life where as woman bears life. Woman is infertile man. Women are defective by nature. A male is a male in virtue of a particular ABILITY. A female is female in virtue of a particular INABILITY. During the reproduction process, a woman is passive and receptive while a man is active and productive. Man sows the seed and woman nourishes it like a soil. The child inherits only male characteristics.



### **3. The Argument from Expediency:**

Aristotle argues that just as a king is a natural superior of his subjects, man is naturally superior to his wife, children and slaves. The male is by nature fitter for command than the female. The inequality in the relation of a male to the female is permanent. There are three types of rule in the household. The relation between the master and the slave is despotical rule (complete power). The relation between the husband and the wife is constitutional (advisor) rule. The relation between the father and the children is royal rule (love and respect).

### **4. The Argument based on Hierarchy in Rationality:**

Aristotle raises a question, whether the slaves, women and children possess any excellence of character? Aristotle states that there is a difference of kind (degrees) in the rational principle which is shared by all human beings. Almost all things rule and are ruled according to nature, but the kind of rule differs. Commanding is the virtue of a man while obeying the virtue of a woman. 'Silence is a woman's glory but not a man's.'

### **5. The Argument based on 'Purpose':**

Aristotle states that slaves and animals are tools of their master. Any animal or slave is useful for the wants of life. The nature is hierarchical. The lower exists for the purpose of the higher. The lower one should be ruled by higher one for its protection. Women must be made dependent upon men for their own benefit. The slaves, the tame animals, the women and the children should be ruled by men as they preserved and nourished. Women for their own good, depend upon men. Aristotle believes that this is the principle of necessity that extends to all mankind. It is surprising that Aristotle, a man of distinguishing intellect, wide background of knowledge, interested in search of facts, had gender bias views. Manusmriti in India and Aristotle in Greece have many similar views on Gender. Both maintain inferior status of women. Both believe the woman as soil and a man as seed. Manusmriti takes support from religion and applies punitive measures to maintain the hierarchy. Aristotle on the other hand gives various arguments to support his views.

### **MODERN VIEWS OF J. S. MILL**

John Stuart Mill [1806 - 1873] was the eldest son of James Mill. James Mill was a secretary in the East India Company and a writer on economical, political, sociological and philosophical

subjects. He gave a well planned intellectual training to J.S. Mill by consulting Bentham. J S Mill was influenced by Bentham's principle of Utility. J S Mill in his autobiography admitted that the principle of Utility gave unity to his conceptions of things and gave definite shape to his aspirations. J S Mill entered the service of East India Company and remained there until the abolition of company. In 1865, J S Mill was elected to Parliament as a Liberal. J S Mill was trained to attack practical problems to find out solutions on his own. His intellectual training gave him a liberal, open-hearted, practical, utilitarian and impartial set up of mind. He was deeply interested in the reforms of society and the happiness of man. In his works on 'Liberty' and 'The Subjection of Women' J S Mill insisted on the fullest possible individual rights. He maintained that social well-being is inevitably bound up with individual wellbeing. Mill regarded the repression of women is a greater loss to community than to women themselves. Mill's essay 'The Subjection of Women' is eloquent plea in favor of equality of women. Women had few civil rights but no political rights. Mill was the first man in prominence who supported women leaders and denounced the injustice done to 'half of the population'. Mill's views can be summarized in the following way---

1. In today's society, we cannot say that any man knows or can know the nature of two sexes—male and female. We can find out the natural, inherent, mental or moral qualities in men or in women if there is the society of men only; or if there is the society of women only; or if there is the society in which women not controlled by men.

2. Today's nature of women is not natural, but it is 'Artificial Thing'. It is the result of forced repressions and unnatural stimulation. Usually, the class of dependents acquires somewhat distorted and artificial characteristics from their masters. Women always stuck to a hot-house and stove cultivation for the benefit and pleasure of their masters. A plant or a tree grows in any environment whatsoever. It may be pleasant, may be snowy or may be burning. Similarly men think that women live in any situation as created by men and women would die if no man is there to take care of them.

3. Every society forms its own opinions on life and social arrangements. For example, Irish are naturally idle. Turks are naturally more sincere. Similarly, it is a common view that women are less interested in 'General Good' or in politics or in the public affairs. It is the ignorance and inattention of mankind in respect to the factors that influence human character.

4. The question arises: what is the natural difference between men and women? Apparently there are moral and intellectual differences in men and women. If we deduce every characteristic of either sex which can be explained either by education or external circumstances; there is no evidence to prove natural difference among two sexes.

5. Mill believes that nature exercises its influence on everything. No one can go beyond the boundaries set by nature. Whatever is contrary to women's nature to do; women will never do it even if complete freedom is gained. It is superfluous to forbid women from doing something which women cannot do.

6. If women cannot do so well as men can do; women are excluded from the competition. It is simply because there are no protective duties and bounties in favor of men. However, we can raise the questions about the protective duties and bounties in favor of men in today's society.

7. If women have a greater and natural inclination for some things, they can do it in a better way. No law or social inculcation can pursue them to do what they cannot do so well.

8. The disability of women to some functions and occupations is due to their subordination in domestic life. Women always have lower position in their life of household. Such subordination results in the lack of confidence to take up some occupations and functions in the society. Generally male sex cannot tolerate the idea of living with equal.

9. Mill believes that it is injustice to exclude half of the human race from the greater number of lucrative occupations and all high social functions. From their birth, women are kept under such pressure that they cannot become fit for money oriented employments or higher positions in social fields. However such employments are legally open to the stupidest and basest members of the other sex (men).

10. Even capable women are prohibited from many occupations in order to protect the interests of men. Women are often labeled as having inferior mental capacity. The services of women are accepted only when it is said to be in the benefit of the society. In fact, it is in the benefit of men and not of society.

11. In the present male dominated society, when anything is forbidden to women; it is said that women are incapable of doing it. It is also maintained that women depart from their real path and real happiness if they want to do whatever is forbidden for them. The rules and restrictions laid down in such a way are necessary for the welfare of women themselves.

12. Mill says that, if the performance of the function is decided by competition, it is possible that any important employment may fall into the hands of women who are believed to be inferior to average men. Many women have proved themselves as capable of doing everything successfully and creditably; which is done by men.

13. Mill says that the higher intellectual functions are often filled by men. Women can beat them in any fair-field competition. Mill raises the questions - Can any society afford to reject the services of any competent person (man or woman)? Any duty or function of social importance remains vacant (even if distinguished female member is available), is it not the loss of the society? By putting a ban upon half of mankind and refusing beforehand the faculties of female made available, is it not the loss of society? Mill believes that it is injustice to deny women the equal moral right to choose the occupation of their own preferences. It is injustice to dictate that any kind of persons (women) shall not be physicians or advocates or Member of Parliament.

14. It is not only loss of women but the loss of human society as a whole. Mill's views on the status of women are clear implications of the principle of Utility. Gender inequality is the obstacle in the path of happiness in the society. Mill's views triggered the movement of liberation. It provided philosophical foundation to the movement. In many civilized nations, women were liberated from the injustice that mill denounced.

## **CONTEMPORARY FEMINIST THOUGHTS**

The term Feminism refers to political, cultural and economic movements aimed at establishing greater rights and legal protection for women. It is concerned with the issues of Gender Difference. The Feminist activists have campaigned for women's legal rights such as right of contract, property right, and right to vote, workplace rights and equal pay. They also draw attention towards women's right to bodily integrity and autonomy, reproductive and abortion rights. They try to protect women and girls from domestic violence, sexual harassment and rape.

## **FORMS OF FEMINISM**

Feminism emerges from several political and social ideologies. The main traditions [Forms] in Feminism are as follows—

### **1. Liberal Feminism:**

This tradition in Feminism is based on the principle of individualism. It is based on the belief all human beings are important and all individuals have equal worth. Whatever sex, race, color, creed or religion of individual may be; all individuals are entitled for equal treatment. All individuals have equal rights. All human beings (men or women) are entitled to participate in the public or political life. The remedy to Gender Inequality lies in the equal legal rights.

### **2. Socialist Feminism:**

The Socialist tradition in Feminism argues that the Gender Inequality is not only related with public life or politics: it is deeply rooted in the social and economic structure of the society itself. Women should enjoy economic power such as ownership of wealth, equal pay and workplace rights. Women should enjoy equal social status also. The remedy to Gender Inequality lies in the social change, rather in the social revolution. Only social revolution is the hope of genuine emancipation of women.

### **3. Radical Feminism:**

The Radical Feminists argue that all social divisions are founded on Gender. The sexual oppression is the most fundamental feature of society. All other forms of injustice based on class, caste, race, and religion, economical and social status are the secondary forms of sexual

exploitation. The Radical Feminism is concerned about the equality in the family and personal life. Equality must operate in terms of childcare and other domestic responsibilities, the control of one's own body, sexual expression and fulfillment.

## **STAGES IN THE DEVELOPMENT OF FEMINISM**

The development of Feminist views can be broadly be classified into following stages (WAVES)

---

### **1. First Wave:**

Though the term Feminism is recent, Feminist views have been expressed since 18th century. Mary Wollstonecraft in "Vindication of Rights of Women" argued that women should be entitled to the same rights and privileges as men on the ground that they are human beings. J. S. Mill in "The Subjection of Women" strongly argued in favor of Gender Equality women's right to vote. First Wave of Feminism was influenced by the ideals and values of Liberalism. The period of First Wave Feminism is 19<sup>th</sup> century and early 20th century. This stage was focused on the promotion of equal contract rights and equal property rights. It opposed chattel marriage. It also opposed the ownership of married women and their children by their husbands. The goal of First Wave Feminism was Women's Suffrage. It was the demand that women should enjoy same legal and political rights as men. Its goal was achieved when women were entitled to vote—in Britain 1918, in America 1920 and in New Zealand 1893.

### **2. Second Wave:**

Betty Friedan's "The Feminine Mystique" and Simone de Beauvoir's "The Second Sex" are the milestone writings in Second Wave Feminism. The duration of Second Wave Feminism is 1960 to 1970. It was focused on women liberation. It demanded a fundamental change in the social structures of society. Simone de Beauvoir declared that "One is not born a woman but becomes one". Betty Friedan said that women are victims of a false belief system (a Myth) that the identity and meaning of a woman's life is sought through her husband and children. It is a cultural myth that women seek security and fulfillment in domestic life. Such a Myth causes women to completely lose their identity in that of their family. "Feminine behavior" is also a Myth that discourages women from entering employment, politics and public life in general. Many women experience the frustration and unhappiness which is a result of

being confined to the role of a housewife and a mother. Second Wave Feminism seeks women liberation in all the fields of life. The requirement is social revolution. The main areas in which social change is necessary are as follows---

**a) Patriarchy:**

Feminists believe that the dominance of father or husband within a family extends the male supremacy in all other institutions such as education, work, politics, etc. “The rule by men’ (Patriarchy) continues to exist within the family as well as outside the family. The society is based on a system of sexual inequality and oppression. It must be noted that the classical views on Gender are characterized by male dominated family and society. Dr. Babasaheb Ambedkar criticized Manusmriti and pointed out that sexual exploitation of women is the root cause of injustice in Indian society. The rules in Manusmriti are basically Gender bias and then the rigid regulations of caste system are imposed to maintain the social divisions. Thus Dr. Ambedkar ‘s views are similar to Second Wave Feminism in this respect.

**b) Division of Public-Private Sphere:**

It is a general tendency to hold that activities of women are personal and within private sphere; and activities of men are political and within public sphere. Women activities are related to domestic and family responsibilities. Men activities are related to public affairs such as politics, work, art, literature etc. The activities of public sphere are said to be political -based on power structured relationships. Second Wave Feminists hold that all the activities that take place in any social group are political activities. Not only the relationships between Government and its citizens, the employer and the workers are political but the relationships between husband and wife, parent and children too are political as these relations are power structured relations. So whatever is supposed to be personal for women is not personal matter but a political matter. Carol Hanisch coined the phrase, “The personal is political” Second Wave Feminists argue that women’s cultural and political inequalities are inextricably linked. Women must understand that their personal lives are deeply politicized as reflecting sexist power structure. The development in technology gave rise to machines such as washing machine, food processors that reduce labor in household. As a result women’s work becomes less meaningful and less valuable. Female oppression operates everywhere, especially in the family. It includes distribution of domestic

responsibilities, policies of personal and social conduct. The so called personal sphere consists of “Politics of everyday life”.

### **c) Sex and Gender:**

The biological difference between men and women influences their social roles. The child bearing capacity of women leads to her subordinate position in domestic and social life. It is maintained that “Biology is the destiny”. Second Wave Feminists draw a sharp line between Sex and Gender. Sex is a natural biological and unalterable difference. Gender is a cultural term that refers to different roles of men and women as prescribed by the society. The society imposes stereotypes of ‘masculinity’ and ‘femininity’ on men and women. Gender differences are socially and even politically constructed as it involves ‘power relationship’.

Second Wave Feminists look upon social change as a remedy to Gender inequality.

### **3. Third Wave:**

The latest stage in Feminism begins in 1990. This stage can be called as Third Wave (Contemporary) Feminism. At this stage Feminists argue that all human beings possess the genetic inheritance of a mother and a father. In other words, every human being possesses both male and female traits. Therefore, a man or a woman should be treated as a ‘Person’. The goal of Contemporary Feminists is the achievement of ‘Genderless Personhood’. Feminists, in all the stages of development vary in their views. Some Feminists define their goals in terms of “What men are and what men have”. They define Gender equality in terms of “To be like men”. Some other Feminists see a danger of adopting competitive and aggressive behavior by women. These Feminists interpret liberation as achieving fulfillment as a woman that is ‘Woman Identification’. Men and women are fundamentally different at psycho-biological level. The aggressive and competitive nature of man and the creative and empathetic character of woman reflect deeper hormonal and genetic difference. Women should recognize, respect and celebrate the distinctive characteristics of female sex. Women should seek liberation not in the terms of ‘Sexless Person’ but as a ‘Developed and Fulfilled Woman’, third thoughts.



## **CHAPTER 6**

### **Discrimination**

#### **Introduction**

Allen Grimshaw in the Encyclopaedia of violence, peace and conflict volume 2 defines social violence as violence directed against individuals or their property solely or primarily because of their membership in a social category.” This category consists of socio-economic class, ethnicity, nationality, religion, race, etc. The term violence includes threats of physical force, abusive language and harassing actions. It takes heinous forms of beating, bombing, burning, crucifixion, explosion, electrocution, gassing, etc. and also other methods of large-scale use of “weapons of mass destruction” including biological, chemical and nuclear weapons in the recent times.

If social violence is a form of large-scale human massacre, then hate crime is another form of bias-motivated crime which is more specific and direct attack on people. It occurs when a perpetrator targets a victim because of one’s perceived membership in a social group, usually defined on the basis of race, religion, caste, sexual orientation, disability, ethnicity, nationality, age, gender, gender identity or political affiliations. Incidents of social violence and hate crimes from the past include the Athenians attack on Melos, Roman persecution of Christians, the Ottoman empire massacre of Armenians, the Nazi genocide of the Jews, more recently the ethnic cleansing in Bosnia, genocide in Rwanda and the tragic attacks of hate-filled extremists on the World Trade Centre and on the Pentagon, on September 11, 2001 in the United States. In India too, one has witnessed substantial social violence during latter part of the twentieth century. At the time of independence and partition in 1947, around a million of people have been killed in communal violence. The naxal attacks in Assam, Andhra Pradesh and various other places, the Mumbai serial blast in 1993, the local train bombing in 2006, the terror strikes in Mumbai on November 26, 2008 are to name a few incidents of hate crime. Very recent episodes of hate-filled assaults in Australia against Indian students have raised our concern regarding the safety and security of one’s life back home and in foreign lands. Thus discriminatory treatment based on such category membership has important effects on its victims in particular and society at large. It should be considered illegitimate and as something that individuals should actively strive to prevent, both in themselves and others.

## **Discrimination**

Discrimination is differential (usually negative) behavior directed toward members of different social groups. Joan Ferrante a sociologist defines ‘discrimination as an unequal treatment either intentional or unintentional towards an individual or groups on the basis of group membership that is unrelated to merit, ability or past performance.’ While all minority populations have experienced some degree of discrimination, perhaps the most cruel and enduring discrimination has been experienced by the people of African origin residing in the west. The deprived communities of Nagaland, Mizoram and many more Eastern states in India have been denied facilities and opportunities. Segregation and discrimination have been used as mechanisms for maintaining status quo within the society. With this understanding, we can explain discrimination in an extended form. That is, it is a negative behaviour directed towards members of social groups who are the object of prejudice. Prejudices are distorted perceptions. It also means prejudgement about a person, an object or event. “Prejudice is a subjective mental attitude and its objective expression is ‘discrimination’ which is nothing but leading away from equality.” According to Rao & Rao, “in as much as prejudice is a departure from reason, the consequent discrimination is also a departure from equality which amounts to privilege or deprivation. Both are discriminations, but generally, discrimination is used to emphasize deprivation rather than privileges.” Thus actions such as restricting members of various groups to certain seats on buses or barring them from public restaurants, schools or neighbourhoods are various forms of discrimination. Along with the above mentioned instances, many are currently concerned about Islamist Extremist groups pose as threat to security. In other instance, there are certain minority groups who seem to do very well for themselves in other states, as found in the recent agitation to remove non-maharashtrians from Maharashtra since they are direct threat to jobs. And even gay & lesbian relationship accepted as permissible, one is looked upon as threat to marriage. Thus discrimination continues to be embedded in the social, political and economic fabric of most of the countries.

### **Forms of Discrimination - Racial, Religious, Caste**

Discrimination in one form or another appears to be endemic to all societies. There are various forms of discrimination – racial, sexual (denial of certain rights to women), religious, discrimination against cultural groups, against physically and mentally challenged, against the aged and homosexuals. From the above mentioned forms let us consider the three most prominent types of discrimination – Racial, Religious and Caste

(i) **Racial discrimination** – it is an unequal evaluation of persons on the basis of race. Racism is a belief that humanity is divided into stratified genetically different races. According to its supporters, racial differences make one group superior to another. Racial prejudice emerges from the mistaken notion that superficial physical differences among people reflect inherited differences in character, personality, motivation, intelligence and potential. Racial discrimination leads to interpersonal conflicts and to differential behaviour in housing, jobs and services. The most blatant forms of racial discrimination are the social categorization of Apartheid in South Africa, Holocaust of Jews in Germany and racial assaults on Indian students.

**Origin** – Racial emphasis came into use as a support for imperialism and its accompanying institution of slavery. Although the origin of the word “race” is obscure, experts believe that it began as a loose description of similar groups. The first English record of the use of the word “race” was in 1508. It was not until 1684 that the term “race” was used to designate skin colours and other distinguishable physical features. It was only after the field of science adopted the concept of race as an explanation for human variation that it became a broadly accepted term.

**Significance** – Racism became a justification for slavery in the Western Hemisphere and for the subsequent denial of human and civil rights of people of certain colour. The concept of race is an invention of the early modern world. The ancient and medieval worlds did not identify persons by race. Individuals were recognized during the earlier periods in geographic terms. Hence, an African would be called Ethiopian or Egyptian as opposed to being called black or Negro. Hate-crime in the form of racial discrimination have shaped and sometimes defined world history. In the United States racial biases have inspired most hate-crimes. In the 16<sup>th</sup> and 17<sup>th</sup> centuries, Native Americans became the targets of bias-motivated violence. During the past two decades, some of the typical examples of hate-crimes in the United States are attack on African Americans by White people and on the White people by African Americans, assaults on gay,

lesbian and transgender people, etc. in India violence continued on a small scale in the 1990s. The government of India have made attempts to pacify tribal people in Assam and other states. Sri Lanka had increasing violence between the Hindu Tamil minority and the Buddhist Sinhalese majority.

(ii) **Religious discrimination** – in this form of discrimination a person or a group is treated differently because of what they do or do not do believe. Many experts argue that religious discrimination pose major problems for various countries including India, South Africa, United Kingdom and Greece.

Several case- studies emphasising the importance of religious discrimination on different continents indicate that it is not a regional or isolated issue rather a global issue. According to A.Yasemin, a Political Scientist, “one has to understand religious discrimination within the triangle of religion, equality and ethnic conflict.” Further it is stated that, “historically, religion has been used as an important source of validation for both ethnic and interstate conflict, as well as violence. It also served as a tool of discrimination by governments that at the end triggered religious grievances in the multiethnic societies.”

**Origin** – Religious discrimination originated due to different antireligious speeches. The most widely known Western criticism of religious constructs and their social consequences emerged from the atheists and agnostics. The 18th century European Enlightenment Era consisted of critics like Voltaire and his followers talking against religion. Karl Marx’s popular declaration that religion is the “opium of the people” and his writings gave rise to the concept of “state atheism” in the former Soviet Union, China and Cambodia. Many contemporary critics blame religion as being irrational. Religious discrimination occurs when people are denied “the equal protection of the laws, equality of status under the law, equal treatment in the administration of justice and equality of opportunity and access to employment, education, housing, public services and facilities and public accommodation because of their exercise of their right to religious freedom.”

**Discrimination based on Religion in India** - The idea of liberal democratic governance is practiced all over the world. In India after more than six decades of efforts to make liberal,

representative democracy work, the institution of the liberal state remains fragile and the society is constantly in a state of turmoil. There are eight major religions, out of which four are Indian origin. About 80 percent of the population follow Hinduism, which itself is a plural system of beliefs and practices. According to Sheth and Nandy, Social Psychologists, in ancient India, these communities shared a symbolic system which expressed cultural flexibility. The co-survival of a multi-ethnic group day-by-day threatened the age-old principles. The conflicting cultural-religious identity was taken as the main challenge by the new government post independence. However, regional movements and political mobilizations of cultural-ethnicreligious identities have created tensions. Sometimes bitter rivalry and hatred between some groups and the country is paying a heavy cost in terms of loss of communitarian harmony. Since independence thousands of deaths have taken place due to ethnic and communal riots. There have been over 65,000 incidents of communal violence in India since 2000. Maharashtra tops with the maximum number of such incidents in comparison to other states.

(iii) **Caste discrimination** – Caste is a social order in which society is divided into hierarchically ranked, occupationally specialised endogamous groups. India has the questionable distinction of having caste prejudice and discrimination. Localised caste rivalries and competition between castes have been exploited by political groups in India to create caste based groups and loyalties. On the contrary, there have also been caste movements by groups of “untouchables” and other lower castes to reverse caste discrimination, for instance, the anti-brahmin movement in South India.

**Origin** – Some scholars search for the roots of India’s caste system in the ancient civilization of the subcontinent i.e., the Indus Valley or Harappan civilization. The earliest clear evidence for caste is found in the Vedic texts of Indo-European groups who migrated in about 1500 B.C.E. The sacred texts describe three classes of society roughly corresponding to the top three varna of the later system. But the archaeological and historical evidence for this ancient period is very scanty. Most people believe that the fourth or shudra varna was added to the three Indo-European classes as they migrated into the subcontinent. They were considered as the indigenous people and pushed to the lowest position in the social hierarchy. Thus the top three varna are called “arya” or “pure” while the shudra varna is called “anarya” or “impure.” Buddhism and Jainism

arose during the 5th century B.C.E. were rebellious against Vedic Society with its unequal social divisions. Both the religions renounced the institution of caste. While it is unclear whether the rules prescribed for caste behavior in sacred texts were enforced, but certainly the conception of what caste meant and how a caste system should function was solidified by the middle of the millennium C.E. The religious tradition of Hinduism, which arose out of a synthesis of Vedicism, Buddhism and Jainism and other blend of thought and culture, developed an intricate philosophical justification for caste that remains viable for many Hindus today.

**Significance** – Caste system was based and found on the principle that ethics are not universal but are relative to one's position in society. The Hindu caste system is one of the ancient forms of social organisation in the world. It is based on the conception of society as an organic whole in which each group serves a particular function. The social order of caste emphasized hierarchy and interdependence rather than equality and independence. Caste is an ascribed status rather than an achieved status. It means that an individual is born into the caste that one shall occupy throughout life. There four caste levels or varna in the Hindu system: Brahmin is the highest ranked, traditionally associated with priesthood. Kshatriya, class of warriors and rulers. Vaishya, class of merchants. Shudra, the commoners. Beneath the four major varna of the system are the outcaste or untouchables. India represents a complex picture of a multi-ethnic society, with a population of over one billion of which more than 3,000 communities are differentiated by castes and jatis based on birth, occupation, etc. and more than 350 tribal communities. The government of India have identified many backward castes and tribes and reserved seats for them in government, educational and professional institutions. This has strengthened caste identities, created stereotyping of "reserved" groups and brought about protest movements for eg., the anti-reservation agitation by AIIMS doctors in 2006. Despite constitutional provisions banning any form of caste discrimination, ill-treatment of and atrocities against Dalits still continue. For instance the Ranvir Sena, one of the many castesupremacist paramilitary groups in Bihar, is notorious for its violent acts against Dalits.

### **Introduction –**

Religions evoke powerful emotions and commitments. It is capable of producing believers whose faith moves them to act for charity and self-sacrifice. Similarly, it can produce believers

who feel that their faith calls them to struggle, violating in what they believe to be a just cause. In many faiths, the issues of whether warfare is permissible have given rise to various theories of the just war. Such theories seek to define whether believers can ever engage in the use of violence. The usual conclusion is that violence including warfare is only acceptable in pursuit of a greater good. The problem however is 'who defines the greater good?'

### **Crusades –**

Crusades were a series of religiously sanctioned military campaigns waged by Latin Christian Europe, particularly, Franks of France and the Holy Roman Empire. They were expedition undertaken in fulfilment of solemn vow to deliver the Holy places from Mohammedan tyranny.

**Origin -** Since the middle ages the meaning of the word crusade has been extended to include all wars undertaken for fulfilling a vow and directed against infidels i.e. against Mohammedans, pagans, heretics or those under the ban of excommunication. The wars waged by the Spaniards against the Muslims constituted a continual crusade from 11th to 16th century. The idea of crusade corresponds to political conception which was realised in the Christian world only from 11th to 15<sup>th</sup> century. This presupposes a union of all people and sovereigns under the hands of the Pope. After pronouncing a solemn vow each warrior received a cross from the hands of the Pope or his legates and henceforth had the goal of recapturing Jerusalem the Holy Land from the Muslim Rule.

**Significance –** Crusades has far reaching political, economic and social impacts some of which lasted into contemporary times. It assumed different dimensions. Visitors from the west to the middle east returned with stories of such places possessing rich wealth. Greed and false piety gave rise to the crusades. The crusades did not deliver the Holy Land from the clutches of the Muslim; however they left behind a trail of bitterness. This gave rise to invasions being carried out century after century time and again. In the present time crusade has been embodied in the American foreign policy. It is the barbarous and unjust military operation against the Muslim world. Post September 11, President Bush took over the responsibility to respond to the attack. It was his role to lead the nation and lead the world to wage the war on terrorism.

The crusade just like Jihad and Dharmayuddha in the present time is a set of world's historic crimes. For eg: in Iraq American military have shocked the world by decapitating hostages during the most taboo of acts into military acts. They have committed the most inhuman crimes in Iraq and Afghanistan. In contemporary times the word crusades refer to a long series of military campaign, which considered together were the defining events in the shaping of what we call Western Civilization.

### **Jihad –**

Many Muslim scholars and others have equated the term 'Jihad' to 'Holy War.' It is derived from the word 'jihaada' means 'to struggle' and 'strive,' it is striving against the evil intention of oneself, to get rid of one's evil thought and motive. Jihad is considered as one of the pillars of Islam because Islam does not mean war. Rather, jihad means utmost effort, non-violence and it is obligatory on every follower of Islam to make effort to spread the message of Allah so as to create a just and compassionate society. The concept of Jihad in Islam was popularised by the west after the crusades. This had nothing to do with the spread of religion but wars of territorial conquest. As far as the spread of religion is concerned the Quran rules out violence completely through many pronouncements like 'there is no compulsion in religion' (2:256). Also it makes very clear that 'one can invite a person to the path of Allah through wisdom and Godly manner'.

**Origin** –The concept of violent Islamism began in the 1920s. The concept of Jihad as armed struggle began from 1927 with a book written on Jihad, 'Al-Jihad-fi-islam,' parts of which were translated in English. The 1980s witnessed a third generation come of age. Because of their military outlook they are mostly referred to as jihadists. These people state very clearly that, jihad is not a matter of moral rearmament but armed struggle. Their favourite form of self-purification is 'martyrdom.'

**Significance** – The term 'Jihad' is equated with 'terrorism' by certain extremist followers of Islam. It is this misuse of the word 'jihad' by fanatics caused a havoc. Any act perpetrated by Muslim terrorist is supposed to be a jihad, as they also project it in the same manner. As such a Holy War, Crusade or Dharmayuddha is not a uncommon usage in different religions, kings too have launched their campaign for expansion of their territories in the name of their religion and



Islam is no exception. The whole notion of Jihad is being used as an instrument for legitimising militaristic, monarchic and dictatorial regimes. Radical Islamic groups are utilising jihad as a cynical trick to popularise religious fervour for their intended cause. The simplistic theory of Islamic terrorism based on Muslim Fanaticism suits the ideology of the Islamic states including Iran, Iraq, Saudi Arabia, Afghanistan, Pakistan, Libya, etc. these nations have at different times used this phenomenon to suit their interests. The Islamists in India too have used the opium of non-muslim antagonism. As a consequence the masses too have been fascinated by such totalitarianism, arrogant, ruthless leadership. Equally alarming is the increasing hold of Islamic fundamentalism amongst the lower middle, upper classes, and young professionals of the Muslim. This section of the society is acquiring unmerited recognition from their religions for their own ends. The propaganda of Islamic terrorism also suited the nonmuslim regimes in South-East Asia and also presently in India. It has also suited the Western civilizations especially Bush's foreign policy to gain political mileage in carrying out his crusade.

### **Dharmayuddha –**

Originally the term Dharmayuddha stand for Just War. It is fight for justice or it fight against injustice the term Dharmayuddha mainly stand for moral values. Today some Hindu Revivalists in order to gain recognition in Indian Politics have over the period of time taken tremendous effort. Dharmayuddha is 'struggle for Dharma.' This has been the clarion call for the revivalist group to resurrect Hindutva or Hinduism back into the country. In order to achieve this multi-faceted approach has been adopted through a wide variety of organisation, institution and political party collectively and popularly known as Sangh Parivar. It was partial consummation of a prolonged and dedicated campaign to forge a fanatical and narrow minded 'United Hindu Community' different from and superior to others. The ideology was to totally break down the existing Secular Democratic Indian State and instead thereof, to establish a Hindu Nation State. They believed, in such a state, the non-Hindu may stay, but 'wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges and not even citizen's rights.' They were also of the opinion that the decency, decorum which was so popular at the time of freedom struggle was outmoded. They had disregard for law and democratic norms. They popularised the cult of violence, freely professed and propagated it in order to bring about a social revolution and a golden age in the country. The Indian conscience and sense of public duty was threatened and

was corrupted by narrow, sectarian and primordial considerations. Such an attitude caused the spread of communalism. Communalism became powerful organised force only in the 1980s though it was present in Indian society right from the beginning of the 20th century itself – criticizing the Indian National Congress.

**Origin** – One can trace the origin of the word Dharmayuddha in the Bhagavad Gita the great text in Hinduism emphasising that in order to bring back the social order it is necessary to kill the evil and preserve the good. Here too we can find the traces of just wars. However, the idea of violence during this era was not to limit, in facilitate and pull down the morale of few groups and propagate the interest of majority. Rather the whole idea was to resurrect Dharma a higher order system which would enhance and benefit individuals and society at large to live a complete life. Again the essence of Bhagavad Gita, is to teach human beings the core values of life, to win over one's evil aspect and lead a moral life by being good and doing good.

**Significance** – Firstly, Hindutva resemble in many traits with fanaticism. Both target the liberal ethos of society. Its focus is on the central appeal of religion which makes it easier to cause mass hysteria. Asserts that the holy book originated from divine sources, emphasize on cultural nationalism. They have propounded religion based nationalism and have been open advocates of a fascist society aiming at building a Hindu Rashtra. Secondly, the garishly coloured Rath Yatra gained momentum a united and increasingly militant movement of Hindu revivalism called popularly as Hindu Jagran which was fanatic in character. Many people freely moving across the nation, dragging in its fervour divergent followers like shopkeepers, sadhus, social activists professionals, businessmen shaking the political and social foundation of the country. It also later propagated hatred towards the Christians, by attacking nuns and preachers and accusing them of converting the poor Hindus. Thirdly, Hindutva strengthened in the post mandal period. It projected national interest over the interest of the people. The concept of 'akhand baharat' (Undividing India- including Pakistan, Myanmar, Bangladesh and Sri Lanka) originated with the idea of expansionism. They targeted Muslims as the cause of ills of the country.

They were oppressive towards:

- (i) Workers – demanded them to produce for the nation and not to bother about their individual rights and progress.
- (ii) Dalits – opposed in a subtle way with the demand for meritocracy.
- (iii) Women – should be ideal wives and mothers.
- (iv) Minorities – should subjugate themselves to the Hindu culture. Lastly, post Babri Masjid demolition there was spread of full terror, violation of human rights and distrust. Their main support was from the urbanised middle class and rich peasants. Thus the self righteousness assumed and asserted by the revivalist Hindu militants exhibited by the demands for ‘Indianisation’ and their cause to join the ‘national main-stream’ was not only a perversion of the entire concept of nationalism and secularism but also divisive as they refused to accept the concept of pluralism that is enshrined in the Indian Constitution.

### **I Role of Religious Believers**

To sustain courage and commitment in the resistance against injustice, religious communities need to be in constant touch and humble solidarity with the victims of injustice themselves. There have to be comprehensive political reforms aimed at reducing the potential, for religious conflict. Every citizen’s rights should not only be acknowledged but also observed in practice.

### **II Role of Government**

The government should set up a committee to monitor the violation and preserve the rights of religious and ethnic communities. It should promote studies of religious and ethnic conflict and alternatives to overcome them. It should sponsor fellowships and exchange programmes to promote religious and ethnic understanding.

## CHAPTER 7

### Sarvodaya- Its Relevance

#### Introduction

Being marginalised means being separated from the society. The marginalised individuals are forced to occupy the edges and not considered as a part of the society. Material Deprivation is the most common result of marginalization. The material resources such as food and shelter are unfairly dispersed in society. Along with material deprivation, marginalised people are also excluded from education, services, policy making, etc.

#### Indian view: sarvodaya - its relevance to modern time

‘Sarvodaya’ means ‘universal uplift’ or ‘progress of all.’ The term was first formulated by Mahatma Gandhi. He used the term as an ideal and formed his own political philosophy. Gandhi’s philosophy rests on Truth, Non-violence and Satyagraha. His entire life is an expression of his philosophy. Satyagraha is defined as ‘insistence on truth.’ It is an ethical weapon used by people who are inclined to lead a moral life. Satyagraha also implies self-purification. It is adopted by practicing non-violence and developed by maintaining an attitude of mind. The application of Ahimsa (non-violence) to social, economic and political issues is the main contribution of Gandhi. According to him, ‘violence breeds violence.’ This ultimately leads to the degeneration of society. Gandhi believed in both social and economic equality. Though the goal was India’s independence; he considered economic equality as the master key to attain non-violent independence. He worked for equitable distribution of wealth. Gandhi believed in trusteeship, for him everything belongs to God and thus we are not possessors of wealth but trustees. Sarvodaya which Gandhi visualised advocated the greatest good of all. He did not want to sacrifice the good of minority to hat of majority. Sarvodaya is not utilitarianism. Gandhi said, ” I will strive for the greatest good of all. The greatest good of all inevitably includes the good of the greatest number.” Gandhi’s ideals have lasted well beyond achievement of his principle project, that is, Swaraj for India’s Independence. He was influenced by Ruskin and writes: “The good of the individual’s contained in the good of all means that a lawyer’s work has a small value as the barber has, much as all have the same right of earning their livelihood from their

work.” Gandhi’s followers especially Vinobha Bhave continued the Sarvodaya movement with great efforts. This gave rise to Bhoodan Movement. Thus Gandhi’s economics is based on the principles and objectives of socialism. He rejected all distinctions in the name of class, caste, religion, etc. He promoted socio-economic harmony. In other words, his economic ideals also aim to promote spiritual development and harmony in rejection of materialism. Thus the aspect of Sarvodaya rests on identification with the poor, selfpurification, faith, distributing the material resources equally among all, service to mankind and practising ahimsa

### **Ramchandra Guha’s Social Equity:**

Ramchandra Guha is a social and environmental historian, biographer and a columnist in India. His concept of social equity refers to set of standards which apply to personal and social relationship with other individuals or groups. Social equity is nothing more than doing justice to our fellow beings and thereby establish peace and harmony. According to Guha, at the individual level one must follow Gandhi’s ‘voluntary simplicity’ for a complete living. He is very much concerned with the conservation of environment. He responded to industrialization and modern state power with three different ideals in order to ensure proper relationship between humanity and nature. Further he calls these ideals: “back to the land,” “scientific conservation” and the “wilderness idea.” He agreed with Gandhi, when Gandhi stated that, “the world has enough for everybody’s need but not enough for everybody’s greed.” The consequence of such wholesale abuse of nature has affected the lifestyle of poor farmers and tribal families. The Indian Government has been making efforts to make India like England and America. But for this the resources in India must be properly channelized. The bias towards urban industrial development has resulted in onesided exploitation. According to Guha, it is unfair that one group of country consumes more than its fair share of earth’s resources. The inequalities of consumption thus need to be addressed at both national and international levels. In the underdeveloped countries of Asia and Africa, the provision of oil or LPG must be provided to improve the qualities of life. This could be achieved, provided the developed and affluent countries are moderately taxed for the use of same products. He believes, it is necessary to address questions like how much should the country consume? or how much should a person consume? Even today in India, there are millions of people living below poverty line to whom access to water and other basic needs are not completely available. Therefore it is necessary to adopt an approach in the name of social

equity, so that all individuals enjoy certain fundamental rights and at the same time, perform duties to increase the nation's wealth. Hence, it is only "social ecology," which works to harmonize the needs of diverse human groups and develop sustainable resource. And management through more equitable, local and democratic governance alone can resolve most of the environmental conflicts.

### **WESTERN VIEW: PETER SINGER**

Today many people are suffering and dying of starvation. Also many other are undergoing tremendous hardships for their survival. There are countries where people enjoy luxuries, they choose not to give up their luxuries. Peter Singer says, "my work is based on the assumption that charity and consistency in moral thinking is likely in the long run to lead to hold better views on ethical issues." Singer's position is that we have a positive obligation to give financial aid and to rent out people living in the third world countries. There is no difference as far as morality is concerned, as far as killing and allowing to die is concerned whom we could have saved. According to him, a rich person must be charitable, should advice politicians to do welfare of the poor people. The suffering and death that are occurring at alarming rate can be avoided, if the rich nations provide enough assistance to reduce their suffering to certain extent. Singer's most recent book, 'The Life You Can Save,' makes the argument that it is a moral imperative for citizens of developed countries to give more charitable facilities that help the poor. The person who is not charitable is condemned, for is it not our duty to share our wealth with the poor? So, we must campaign actively for both public and private sectors in order to enable them to attain relief from their distress. But unfortunately people consider it as government responsibility. Singer is equally concerned on similar grounds about animal rights.

## CHAPTER 8

### Anarchism

#### Introduction to anarchism

Anarchism comes from the Greek word ‘an’ meaning ‘*not*’, and ‘*rule*’ (without rule) a condition in which there is no rule of any authority. In short it means ‘chaos and disorder’. It is a study of political thought. In political theory this is described as a form of social arrangement in which people take their own affairs without impairing the scope of others.

#### Anarchism: paul wolff

Robert Paul Wolff (born 1933) is a contemporary American political philosopher and professor at the University of Massachusetts Amherst. Wolff has written widely on many topics in political philosophy such as Marxism, tolerance (he wrote against liberalism and in favor of anarchism), political justification and democracy. Wolff is also well known for his work on Kant. Wolff is of Jewish heritage. His great-grandfather, Wolf ('Velvyl') Zarembovitch, immigrated to New York from Eastern Europe, when the family name was changed to Wolff. Wolff expounds his views on the concept of authority, autonomy and the conflict between authority and autonomy. A brief review of Wolff's work is done in the following pages.

#### The concept of authority

Authority is the right to command, and correlatively, the right to be obeyed. Wolff distinguishes between authority and power. Authority is the ability to compel compliance either through the use or the threat of force whereas power is held more or less securely on a variety of more or less acceptable grounds. For eg. A kidnapper demands a ransom of Rs. Three lakhs to free a child and the parents concede to the demand. In this instance we can say that the kidnapper has made use of force to demand ransom but we will not agree to the fact that demanding ransom is his authority. The concept of authority includes the claim of right to be obeyed. The term authority is ambiguous having both a descriptive (“ought to do”) and normative sense (“pertaining to norms”) in state or group of persons who have the right to exercise supreme authority.

Authority itself expresses even under the most of unjust of government, there are good reasons for obedience rather than disobedience. We do always obey the rules of authority under the threat of legitimate authority. For e.g. Rules of property, etc as concern of moral obligation. When we consider the 'right', 'duty' and 'obligation' then moral philosophy looks into the possibility of a just state, which means the authority should be legitimate or *de-jure*, authority thus concerns the grounds and sources of moral obligation. To conclude we may say that there will be no such state that exists where there is no authority and rules are not obeyed. So, every man believes in the authority of state, i.e. *de jure* authority.

### **The concept of autonomy**

The term 'Autonomy' comes from Greek 'autos' which means '*self*' and nomos which means '*law*'. The fundamental assumption of moral philosophy is that men are responsible for their actions. Thus in ethics the demand for autonomy is the notion that ethical rules must be freely arrived at as being comfortable to reason rather than imposed. This view was strongly defended by Kant. However, for Wolff merely choosing an action is not in itself enough to constitute taking responsibility for one's actions but in man's capacity to reason about his choices which can be said to stand under a continuing obligation to take responsibility for them. Wolff further states that every man that possesses both free will and reason has an obligation to take responsibility for his actions. He further states that the responsible man acknowledge that he is bound by moral constraints. But he insists that he also is the judge of those constraints. He may listen to the advice of others, but he makes it his own by determining for himself whatever it is good advice. Since the responsible man arrives at moral decision which he expresses to himself in form of imperatives, we may say that he give laws himself or is self-legislating. In short, he is autonomous, so far he is not subject to the will of another. He may do what another tells him, but not because he has been told to do so. He is therefore, in the political sense of the word *free*. Since man's responsibility for his action is a consequence of his capacity for choice, he cannot give it up or put it aside. A man can decide to obey the commands of another without making any attempt to determine for himself whether what is commanded is good or wise. This is an important point, and it should not be confused with false assertion that a man can give up responsibility for his actions. Even after he has subjected himself to the will of another, an individual remains responsible for what he does. But by refusing to engage in moral deliberation



by accepting as final the commands of others, he forfeits his autonomy. In politics, as in life, men frequently forfeit their autonomy. Most men feel so strongly the force of tradition or bureaucracy that they accept unthinkingly the claims to authority which are made by their nominal rulers. Wolff says that it is the rare individual in the history of the race who rises even to the level of questioning the right of his masters to command and the duty of himself and his fellows to obey. Among the most ancient is Plato's assertion that men should submit to the authority of those with superior knowledge, wisdom, and insight.

### **The conflict between autonomy and authority**

the defining mark of the state is authority to rule. The primary obligation of man is autonomy, the refusal to be ruled. In so far as a man fulfills his obligation to make himself the author of his decisions, he will resist the state's claim to have authority over him. That is he will deny that he has a duty to obey the laws of the state simply because they are the laws. In that sense, it would seem that anarchism is the only political doctrine consistent with the virtue of autonomy. Wolff further states that an anarchist may grant the necessity of complying with the law under certain circumstances or for the time being. An anarchist may even doubt that there is any real prospect of eliminating the state as a human institution. But he will never view the commands of the state as legitimate, as having a binding moral force. However Wolff believes that a person should morally follow his actions as being an autonomous man. To conclude the dilemma can be expressed in terms of the concept of a *de jure* state. If all men have a continuing obligation to achieve the highest degree of autonomy possible, then there would appear to be no state whose subjects have a moral obligations to obey its commands. Here the concept of a *de jure* legitimate state would appear to be vacuous and as per Wolff this philosophical anarchism would seem to be the only reasonable political belief for an enlightened man.

### **An introduction to marxism**

Karl Marx has been one of the most influential social, political thinker and philosopher of the 19th century. His philosophy of communism inspired philosophers and masses alike. Major world revolutions were based on Marx's theory of communism popularly known as Marxism. Marxism is a particular political philosophy, economic and sociological worldview based upon a materialist interpretation of history, a Marxist analysis of capitalism, a theory of social change,

and an atheist view of human liberation derived from the work of Karl Marx and Friedrich Engels. Marx gives immense importance to the economic aspect. The primary aspects of Marxism are:

### **The Dialectical and Materialist Concept of History:**

Marxist thinking claims that capitalists and workers are in a constant state of struggle, which they call "Materialist Dialectic." Marxism says that in order for Capitalists to generate profit quickly, and to maximize their rate of profit, they have to exploit the workers as much as possible, and lower their wages as much as possible. Workers, on the other hand, have to struggle to keep their wages up, to keep the "rate of exploitation" low, so that they can live more peaceful lives. This is what Marxism calls "Class Struggle" where workers and their bosses fight against each other to gain for themselves. Marxists think that all of written human history has been divided by economic classes. They think that the progression of history has been pushed forward by class struggle. Marxism says that it is from this struggle that Capitalism was born and that it is from this struggle that Communism (or Socialism) will be born. For example: Feudal Society (a society controlled by feudal Lords and Nobles) rested its Ruling Class on the labor of peasants (farmers). But, as peasants demanded more and more for themselves small shopkeepers and trades people began to appear. Many of these people appeared in Guilds as well, and eventually began to employ workers to independently accumulate wealth. It was this historical progression that created Capitalists/Capitalism. In the same way, Marxism says that Capitalism will give way to Communism, as the struggle of the workers becomes more and more revolutionary.

### **The Critique of Capitalism Or Description Of Modern Situation:**

Marx argues that in capitalist society, an economic minority or the 'Haves' (the bourgeoisie) dominates and exploits the working class or the 'Haves not' (proletariat) majority. Marx argues that capitalism is exploitative, specifically the way in which unpaid labor (surplus value) is extracted from the working class (the labor theory of value), extending and critiquing the work of earlier political economists on value. He argued that while the production process is socialized, ownership remains in the hands of the bourgeoisie. This forms the fundamental contradiction of

capitalist society. Without the elimination of the fetter of the private ownership of the means of production, human society is unable to achieve further development.

The identity of a social class derives from its relationship to the means of production; Marx describes the social classes in capitalist societies:

- **Proletariat:** “Those individuals, who sell their labour power, and who, in the capitalist mode of production, do not own the means of production”. The capitalist mode of production establishes the conditions enabling the bourgeoisie to exploit the proletariat because the workers’ labour generates a surplus value greater than the workers’ wages.

- **Bourgeoisie:** Those who “own the means of production” and buy labour power from the proletariat, thus exploiting the proletariat; they subdivide as bourgeoisie and the petit bourgeoisie.

**Petit bourgeoisie** are those who employ labourers, but who also work, i.e. small business owners, peasant landlords, trade workers et al. Marxism predicts that the continual reinvention of the means of production eventually would destroy the petit bourgeoisie, degrading them from the middle class to the proletariat or the ‘haves not’.

- **Lumpenproletariat:** Criminals, vagabonds, beggars, et al., who have no stake in the economy, and so sell their labour to the highest bidder.

- **Landlords:** a historically important social class who retain some wealth and power.

- **Peasantry and farmers:** A disorganized class incapable of effecting socio-economic change, most of whom would enter the proletariat and some become landlords.

**Oppressive nature of human society** –Society as such is based on antagonism of oppressing and oppressed classes. The modern labour, instead of rising with the process of industry sinks deeper and deeper below the conditions of existence, of his own class known as pauperism. Karl Marx quoted, “Society can no longer be alive under this bourgeoisie.”

**Property and freedom-** Communism is not the abolition of property but abolition of bourgeoisie property means private property which exploits many by few. So communists ask for ‘abolition of private property’.

**Types of property** – Marx distinguishes two types of properties

**Capitalist property**- it is a social phenomenon means 'has not' and a private social status in production. Capital is a collective product by collective efforts of all members converted into private property. Capital is therefore not only personal; it is a social power wherein only the social character of the property is changed but loses its class character.

**Artisan's property or labor's property** – Minimum wage laborers have bare minimum conditions of existence, so his property need not be abolished. Oppressive conditions of production free trade become impossible, so abolition becomes necessary. Communism deprives him of the power to oppress others.

**Advocacy of Proletarian Revolution or the Future:** Marx states that the first step in the revolution is to raise the proletariat to the position of ruling class to win the battle of democracy and as political power is acquired various good measures can be brought.

- i) Abolition of property in land for public purpose.
- ii) A heavy progressive or graduated income taxation
- iii) Abolition of all rights of inheritance
- iv) Confiscation of the property of all emigrants and rebels
- v) Centralization of all banks
- vi) Centralization of the means of transportation and communication.
- vii) Free education for all children.

Eventually, Marxists believe that we will move to a society where everyone owns everything in common—this will be known as Socialism. In other words, human progression has been based on genetic evolution and social evolution, that human society has always been based on the economic forces that human beings can control. For Marxism, this means that the "mode of production" dictates the form each society will take. It is this idea that brings Marxists to believe

that the current capacity to produce means human beings can move beyond the conflicts of Class society the first step in.

## **DEMOCRATIC SOCIALISM**

Jawaharlal Nehru ( 14 November 1889–27 May 1964) was an Indian statesman who was the first prime minister of India, from 1947 until 1964. Nehru gave a new terminology in the Indian context and that is democratic socialism.

### **Introduction: What is Socialism?**

Social organizations that advocates the laying of the ownership and the control of the means of production and distribution of capital land, in the community as a whole is known as Socialism. Jawaharlal Nehru believed in parliamentary democracy. But to him, democracy was not a form of government, it was a way of life and solving problem by argument, discussion, persuasion, democracy thus involved tolerance and restraint. Jawaharlal Nehru defined democracy as “Self discipline of the community.” The noteworthy features of Nehru’s views on Socialism are stated below:

i) Scientific socialism: Jawaharlal Nehru mentioned two ways: Nationalism and political freedom as represented by the Congress and social freedom as represented by socialism, which includes political freedom for without that there can be no social and economic freedom.

ii) Political minded classes dominated over nationalism. However Nehru warns that nationalism by itself don’t offer any solutions to huge problems India and the world as a result of which national position becomes impossible. Nehru further emphasizes that for the progress of any nation, nationalism and economic freedom is essential and also that the world problem is essentially an economic problem, though it has many changing faces.

iii) Scientific socialism itself teaches us not to follow slavishly any dogma or any other country’s example, which may have resulted from entirely different circumstances. Nehru further states that armed with the scientific outlook, socialist tries to solve the problems of each country in relation to its varied background and stage of economic development and also in relation to the

world. Nehru further states that ideas are the essential basis for action and to carry out action we need people of strong character, determination and self discipline. Further the self disciplined person should be ready to sacrifice the individual self for the larger cause, i.e. of the nation.

### **The Content Of Social Welfare:**

Jawaharlal Nehru defines the concept of social welfare. According to him, Social welfare includes well – being of society which includes spiritual, cultural, political, economic and social. It covers thus the entire field of human activity and relationships to humanity. To bring about social welfare, social workers toils hard day and night but he/she keeps themselves aloof from political action or economic theory. The social worker will try to bring relief to the poor, work for women welfare, fight diseases and may also seek to bring about some changes in the law in order to remedy present day injustices. However Nehru contends that social workers seldom go down to the roots of the problems, for he accepts general structure of the society as it is and seeks only to tone down its glaring injustices. This results in all good work being wasted because it deals with the surface of the problem only. Nehru further elaborates that social evils have a history and a background and many problems have an intimate connections either with the economic system, or religious superstition and harmful custom under which we live. He felt that any scientific consideration of the problem of social welfare must, therefore, inevitably go down to these roots and seek out the causes. Nehru was associated with National Planning Committee and the experience so gained gave him a firm conviction that in order to solve any major problem the economic structure needs to be taken into consideration. To bring reforms in a society is a difficult task as the economic or religious vested interests are opponents of change. It is equally essential that before bringing about any particular reform, we must be clear what our general objective is and what kind of society we are aiming at? Nehru asserts that a social structure which assures work and security of all adults, proper education for the young a widespread distribution of the necessities and amenities of life and a measure of individual freedom for self-development, this in itself will solve many of the social problem. Further crime will decrease rapidly and will result in far better adjustments of human relations. However, Nehru warns that if this background and basis are not provided, then the roots of evil remains. Nehru also attracts attention to the religious front when dealing with the social problems. Inheritance, marriage, divorce all have religious sanctions. If social change is to be brought

about, many a times the votaries of organised religion oppose it. Nehru suggests that to bring about social change, public opinion should be sought at. He felt that merely framing laws would not bring about desired change but it is people's support which is equally essential. Nehru himself suggests certain changes. They are Uniform civil code for the whole of India, Civil Marriage Act, Divorce laws etc. to be framed on democratic principles.

### **The Socialist Pattern:**

Nehru presided over the introduction of a modified, Indian version of state planning and control over the economy. Creating the Planning commission of India, Nehru drew up the first Five-Year Plan in 1951, which charted the government's investments in industries and agriculture. Increasing business and income taxes, Nehru envisaged a mixed economy in which the government would manage strategic industries such as mining, electricity and heavy industries, serving public interest and a check to private enterprise. Nehru pursued land redistribution and launched programmes to build irrigation canals, dams and spread the use of fertilizers to increase agricultural production. He also pioneered a series of community development programs aimed at spreading diverse cottage industries and increasing efficiency into rural India. While encouraging the construction of large dams (which Nehru called the "new temples of India"), irrigation works and the generation of hydroelectricity, Nehru also launched India's programme to harness nuclear energy. Although influenced by Gandhian ideas, Nehru was a modernizer who believed that the future of India lay with industry, science, technology, and state-led industrialization. Nehru was strongly influenced by the Soviet model of centralized planning and established the Planning Commission (1950) which oversaw the development and the implementation of Five-Year Plans. Centralized planning, however, was adapted to operate within the framework of a liberal democracy or bearing in mind that the conditions in India are special and particular. The successes of many of the elements of planning were made contingent upon the democratic mobilization of the poor, especially the rural poor. He knew that the real India existed in her village and, without alleviation of poverty of the rural poor, India could not prosper. Also, at the same time, without proper industrialization India would not be able to advance into the modern age. So, in the First Five-Year Plan, agriculture was given priority so that the country could be selfsufficient in food and also consisted in taking up those schemes which were most useful. And, in the Second Five-Year Plan, stress shifted to industrialization,

where a balance of heavy industry, light industry, village industry and cottage industry was sought to be maintained. Nehru also stresses that mass production inevitably involves mass consumption, which in turn involves many other factors, chiefly the purchasing power of the consumer. The purchasing power must be increased with the help of wages, salaries and so on which will further result in more consumption thereby resulting in an increased standard of living. So to conclude, we can say that democratic socialism is the development programme for India's physical conditions to improve for each individual's benefits but at the same time the welfare of every state is important.



## CHAPTER 9

### Justice

#### **Introduction to justice**

Justice is the concept of moral rightness based on ethics, rationality, law, natural law, religion, fairness, or equity, along with the punishment of the breach of said ethics.

#### **Scales of justice**

Justice concerns itself with the proper ordering of things and people within a society. As a concept it has been subject to philosophical, legal, and theological reflection and debate throughout history. A number of important questions surrounding justice have been fiercely debated over the course of Western history. What is Justice? What does it demand of individuals and societies? What is the proper distribution of wealth and resources in society: equal, meritocratic, according to status, or some other arrangement? There are myriad possible answers to these questions from divergent perspectives on the political and philosophical spectrum. According to most theories of Justice, it is overwhelmingly important. John Rawls, for instance, claims that "Justice is the first virtue of social institutions, as truth is of systems of thought." Justice can be thought of as distinct from and more fundamental than benevolence, charity, mercy, generosity or compassion. Justice has traditionally been associated with concepts of fate, reincarnation or Divine Providence, i.e. with a life in accordance with the cosmic plan. The association of Justice with fairness has thus been historically and culturally rare and is perhaps chiefly a modern innovation. Justice according to Morris Ginsberg, "consists in the ordering of human relations in accordance with general principles impartially applied.... The central core of the idea of Justice is... the exclusion of arbitrariness and more particularly the exclusion of arbitrary power". Ginsberg in his definition stresses the importance of avoiding arbitrariness.

#### **Social utility of j s mill**

##### **Introduction to Utilitarianism**

Utilitarianism (also: utilism) is the idea that the moral worth of an action is determined solely by its utility in providing happiness or pleasure as summed among all sentient beings. It is thus a form of consequentialism, meaning that the moral worth of an action is determined by its

outcome. The most influential contributors to this ideology were Jeremy Bentham and John Stuart Mill. Bentham defined the term utilitarian as, 'Man is pleasure seeking pain avoiding animal'. Utilitarianism is often described by the phrase "the greatest good for the greatest number of people", and is also known as "the greatest happiness principle". Utility, the good to be maximized, has been defined by various thinkers as happiness or pleasure (versus suffering or pain), although preference utilitarians define it as the satisfaction of preferences. It may be described as a life stance, with happiness or pleasure being of ultimate importance. Utilitarianism can be characterized as a quantitative and reductionist approach to ethics. It can be contrasted with deontological ethics (which do not regard the consequences of an act as being a determinant of its moral worth) and virtue ethics (which focuses on character), as well as with other varieties of consequentialism. Utilitarian is the theory of ethics on which we must judge actions in terms of their consequences – if these are good, so are the actions, if not, not. Goodness in turn is to be judged in terms of the amount of happiness than an action produces. As a modern doctrine it is often applied as a CRITERION for legislation. This theory can be taken in various ways – descriptive – as what does happen, Normative as what should be done. Some Utilitarian take into account only amount of pleasure, other distinguish quality as well, which somewhat weakens the principle. A further distinction lies between judging the consequences of particular actions and assessing what follows from actions according to certain rules. (eg. Abiding by Ten Commandments) This introduces a further complication – rules are in force to secure orderly social existence, which therefore must itself be regarded as good. This likewise is not simply and strictly a utilitarian consideration. In general usage, the term utilitarian refers to a somewhat narrow economic or pragmatic viewpoint. Philosophical utilitarianism, however, is a much broader view that encompasses all aspects of people's lives.

### **Social Utility: J S Mill**

John Stuart Mill (1806-1873), British philosopher, economist, moral and political theorist, and administrator, was the most influential English-speaking philosopher of the nineteenth century. His views are of continuing significance, and are generally recognized to be among the deepest and certainly the most effective defenses of empiricism and of a liberal political view of society and culture. The overall aim of his philosophy is to develop a positive view of the universe and the place of humans in it, one which contributes to the progress of human knowledge, individual

freedom and human well-being. His views are not entirely original, having their roots in the British empiricism of John Locke, George Berkeley and David Hume, and in the utilitarianism of Jeremy Bentham. But he gave them a new depth, and his formulations were sufficiently articulate to gain for them a continuing influence among a broad public. J S Mill set out to explain concept of Justice in terms of utility which is measure of rightness of particular action in terms of its tendency to produce happiness. It is often thought that 'idea of utility can conflict with idea of justice'. Justice is taken more powerful binding force than usefulness because as Mill conclude it comes with itself the feeling that punishment should occur if an injustice is done – 1) the idea of Justice differs from form of morality from justice. 2) Justice involves people's right and morality involves no right. 3) Whatever our right are it should not violate other morality and if it may lead to injustice in society. According to utilitarian thinkers including John Stuart Mill, justice is not as fundamental as we often think. Rather, it is derived from the more basic standard of rightness, consequentialism: what is right is what has the best consequences (usually measured by the total or average welfare caused). So, the proper principles of justice are those which tend to have the best consequences. These rules may turn out to be familiar ones such as keeping contracts; but equally, they may not, depending on the facts about real consequences. Either way, what are important is those consequences, and justice is important, if at all, only as derived from that fundamental standard. Mill tries to explain our mistaken belief that justice is overwhelmingly important by arguing that it derives from two natural human tendencies: our desire to retaliate against those who hurt us, and our ability to put ourselves imaginatively in another's place. So, when we see someone harmed, we project ourselves into her situation and feel a desire to retaliate on her behalf. If this process is the source of our feelings about justice that ought to undermine our confidence in them.

### **Justice as fairness: john rawls**

*Justice as Fairness* is the phrase used by the philosopher John Rawls to refer to his distinctive theory of justice. It is also the title of an essay on the subject written in 1958. In his *A Theory of Justice*, John Rawls used a social contract argument to show that justice, and especially distributive justice, is a form of fairness: an impartial distribution of goods. Rawls asks us to imagine ourselves behind a veil of ignorance which denies us all knowledge of our personalities, social statuses, moral characters, wealth, talents and life plans, and then asks what theory of

justice we would choose to govern our society when the veil is lifted, if we wanted to do the best that we could for ourselves. We don't know who in particular we are, and therefore can't bias the decision in our own favour. So, the decision-in-ignorance models fairness, because it excludes selfish bias. Rawls argues that each of us would reject the utilitarian theory of justice that we should maximize welfare because of the risk that we might turn out to be someone whose own good is sacrificed for greater benefits for others. Instead, we would endorse Rawls's two principles of justice: Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all. Social and economic inequalities are to be arranged so that they are both to the greatest benefit of the least advantaged, consistent with the just savings principle, and attached to offices and positions open to all under conditions of fair equality of opportunity. This imagined choice justifies these principles as the principles of justice for us, because we would agree to them in a fair decision procedure. Rawls's theory distinguishes two kinds of goods –

(1) liberties and

(2) social and economic goods, i.e. wealth, income and power – and applies different distributions to them –

(1) Equality between citizens for,

(2).equality unless inequality improves the position of the worst off for. Rawls argues that the two principles would be chosen by representative parties in the original position — a thought experiment in which the parties are to choose among principles of justice to order the basic structure of society from behind a veil of ignorance — depriving the representatives of information about the particular characteristics (such as wealth and natural abilities) of the parties that they represent. *Justice as Fairness* is developed by Rawls in his now classic book, *A Theory of Justice*.

**Bhimrao Ramji Ambedkar** (14 April 1891 — 6 December 1956), also known as *Babasaheb*, was an Indian jurist, political leader, Buddhist activist, philosopher, thinker, anthropologist, historian, orator, prolific writer, economist, scholar, editor, revolutionary and a revivalist for Buddhism in India. He was also the chief architect of the Indian Constitution. Born into a poor Mahar, then Untouchable, family, Ambedkar spent his whole life fighting against social discrimination, the system of *Chaturvarna* — the categorization of Hindu society into four varnas

— and the Hindu caste system. He is also credited with providing a spark for the conversion of hundreds of thousands of Dalits with his Ambedkar(ite) Buddhism. He led millions of the oppressed to a life of self respect, dignity and responsibility. Ambedkar has been honoured with the Bharat Ratna, India's highest civilian award. Although Ambedkar used Western models to give his Constitution shape, its spirit was Indian and, indeed, tribal. Granville Austin has described the Indian Constitution drafted by Dr Ambedkar as 'first and foremost a social document.' The majority of India's constitutional provisions are either directly arrived at furthering the aim of social revolution or attempt to foster this revolution by establishing conditions necessary for its achievement.' The text prepared by Ambedkar provided constitutional guarantees and protections for a wide range of civil liberties for individual citizens, including freedom of religion, the abolition of untouchability and the outlawing of all forms of discrimination. Ambedkar argued for extensive economic and social rights for women, and also won the Assembly's support for introducing a system of reservations of jobs in the civil services, schools and colleges for members of scheduled castes and scheduled tribes, a system akin to affirmative action. Equality and liberty are two main pillars of democracy, but to enjoy freedom one needs to have minimum social status and potentialities of exploring freedom. For eg. The constitution of India has given equal rights to education to everybody. But children from backward classes and deprived sections of society are not able to enjoy this due to extremely poor socio-economic conditions. So in order to improve these conditions certain reservations were required in our constitution. This is nothing but corrective justice. Ambedkar's main aim was to destroy caste system and its ideology so he set new frame based on liberty, equality, brotherhood and morality was the central idea of this new system. His contribution towards framing of Constitution of India always believed in corrective justice. So he made provisions for deprived sections of the society. India's lawmakers hoped to eradicate the socio-economic inequalities and lack of opportunities for India's depressed classes through this measure, which had been originally envisioned as temporary on a need basis. The Constitution was adopted on November 26, 1949 by the Constituent Assembly. We find in his writings – as far as women are concerned, they constitute half of population of our society. They have always suffered tremendous injustice as a result of gender discriminations. So in our constitution equal rights - to vote, equal wages, right to education, right over her sexuality etc. are guaranteed. . If we look at the rest of the world we will not find such rights for women. However in India women have got

this easily, so it becomes our duty to make it worthy of enjoyment of these rights. This is again the reflections of his concepts of social corrective justice. After publishing a series of books and articles arguing that Buddhism was the only way for the Untouchables to gain equality, Ambedkar publicly converted on October 14, 1956 at Deekshabhoomi, Nagpur. Dr. B.R. Ambedkar converted the group of untouchables (Mahar) into Buddhists at Nagpur. He did not choose Buddhism by chance but it was an emancipatory idea. Ambedkar did a lot for the emancipation of the untouchables.

## **CHAPTER 10**

### **Civil Disobedience**

#### **Introduction**

There is a saying, “Might is Right”. On various levels, individual, state, national or international; there is always an attempt to dominate the weaker one. The weaker class is many times denied even elementary rights. Whether the weaker one has no choice, but to surrender against their wishes or rights? Civil Disobedience is the most powerful weapon to overthrow the unjust command. It is the moral, organized and well disciplined weapon of masses against all kinds of evil – economic, civil, religious and racial. Civil Disobedience is not an armed revolt. It is an evolutionary and bloodless revolution to bring out the social, economical or political change. It may be used by individuals (men, women and children) as well as by communities in political and domestic affairs. Civil Disobedience has universal applicability.

#### **WHAT IS CIVIL DISOBEDIENCE?**

‘Civil Disobedience’ is initially an essay by Henry David Thoreau that was first published in 1849. It argues that people should not permit governments to overrule their consciences and it is a duty not to allow any sort of injustice. He refused to pay the state poll tax implemented by the American government to prosecute a war in Mexico and to enforce the Fugitive Slave Law. For his protest Thoreau had to spend some time in jail. He believed that the government which is more harmful rather than helpful cannot be justified. Thoreau said, “That government is best which governs least”. Civil Disobedience is the active refusal to obey certain laws, demands and commands of the government or an occupying international power; using no form of violence. It is one of the primary methods of non-violent resistance. In India Mahatma Gandhi called it, ‘Satyagraha’. It is compassion in the form of ‘respectful disagreement’. Civil Disobedience means polite and orderly disobedience to the State, which is exclusively non-violent resistance. It is generally regarded as more morally defensible than any other forms of protest like militant acts. Civil Disobedience involves a conscientious and communicative breach of law designed to demonstrate condemnation of a law or a policy. It has an intention to contribute to a change in that law or policy. Civil Disobedience involves fair warning of what the protesters want to do. It has openness and publicity to breach of law, which may cost the ‘frustration of the protest’. Non-

violent protest diminishes the negative effects of breach of law. Civil Disobedients are willing to accept the punishment. They practice the non-violent form of civil disorder with the expectation that they will be arrested or even beaten by the authorities. Non-violence, publicity, openness and willingness to accept the punishment are the marks of fidelity to the legal system. Civil Disobedients convey their condemnation to a law or policy and draw public attention to the particular issue; and thereby instigate a change in that law or policy.

### **PLATO'S VIEWS – ABSOLUTE OBEDIENCE**

Plato (427BC – 327 BC) was the first person in the history of the world to produce a great all embracing system of philosophy. He was in the highest degree an original thinker. His system is the mature fruit of the history of Greek philosophy down to his time. Plato was a faithful disciple and the friend of Socrates. Socrates became the pattern and exemplar of the true philosopher for Plato. Plato established the school named ACADEMY in Athens. Like Socrates, he took no fees for his teachings. Plato's writings take the form of dialogues. In most of the Dialogues, the central figure is Socrates. Plato gives exposition of his own philosophy through the character of Socrates in the Dialogues. Plato was not only a philosopher, but a consummate literary artist. He often explained the philosophical concepts by myths, allegories, fables and stories. Plato's Dialogues are genuinely dramatic, enlivened by incidents, humor and lifelike characters. Like other Dialogues, the main character in 'Crito' is Socrates. Socrates was sentenced to death at the age of seventy, on the false charges of Atheism and for corrupting the youth. When his friends like Crito arranged a plan of escape, Socrates refused to run away from prison. Socrates did what he thought right without fear or favor. He proved his loyalty to the state and his respect for authorities by obeying the laws. He insisted that others should also respect the laws of Athens. He accepted the death penalty imposed upon him, drank the poison Hemlock and died as beautifully as he lived. Plato's Dialogue, 'Crito' is a conversation between Socrates and his wealthy friend and disciple Crito regarding justice, injustice and appropriate response to injustice. Socrates thinks that injustice may not be answered with injustice. So he refuses Crito's offer to escape from the prison. Crito tries to convince Socrates that his escape from prison is the right act. Crito offers following reasons to support his views—



1. Socrates is Crito's friend and life of a friend is more valuable than money. If Socrates dies, Crito will lose a friend who can never be replaced. Many people will think that wealthy friends did nothing to save Socrates. In the opinion of many, escape of Socrates is right. On the practical level, finance will be taken care of. Socrates can live a pleasant life even in exile. There are friends in some other city states who admire, finance and welcome Socrates.

2. If Socrates stays, he will be executed. In staying in prison, Socrates is helping his enemies in wronging him unjustly. Socrates is betraying his own life. Morally, Socrates is doing injustice to himself.

3. As a father, Socrates has responsibility to bring up his young children and to educate them. After the execution of Socrates his children will have to take their chances as orphans. Socrates is betraying the life of his own children which is morally wrong. Socrates refuses to run away from prison. He is a man guided by reason. By escaping, he would be breaking the Laws. The reasons that Socrates put forward are as follows—

1. If Socrates escapes, his friends would run the risk of punishment or worse for helping him.

2. The good friends of Socrates will take proper care of the children of Socrates.

3. Socrates would not be welcomed in any other city as he had broken the laws of his city where he lived peacefully for seventy years. He cannot live his old life because of the charges the state inflicted upon him.

4. Socrates had lived a just and pious life. If at all Socrates runs away, he has to live in a lawless land despised by his fellow citizens. He would suffer not only in this world but in underworld also for having acted unjustly.

5. Socrates questions Crito's first argument. He says that some opinions are right and some opinions are wrong. The opinions of wise are to be regarded. The opinion of the authority (One) should be followed against the opinions of many. In disobeying the One, the Athenian Law, the disobedient person will suffer evil.

6. Socrates in the Dialogue personifies the Laws of Athens. For the Greeks just or unjust actions are that one person does to other person. The escape from prison is unjust action done to the Laws of Athens. These Laws are 'One' authority and real entity.

7. In this Dialogue, Plato introduces a kind of Social Contract that binds the citizens to the Laws of State. This is not a contract between citizens; it is a contract between individual citizens and the Laws. By choosing to live in Athens, a citizen is implicitly endorsing the Laws and is willing to abide by the Laws.

8. Socrates has been wronged by the people of Athens and not by Laws.

9. Socrates will die a victim who has lived well, but has been killed unjustly. Socrates is willing to face the execution rather than to be inconsistent in his behavior or ways of life.

10. If Socrates returns this injustice and hurts the Laws, he will be acting unjustly and then the Laws of Hades will punish him accordingly. Thus by refuting the arguments of Crito, Socrates refuses to escape from the prison and chooses to face the death penalty. We must not forget that the Dialogue 'Crito' is written by Plato. Plato explains his views through the character 'Socrates'. Through the Dialogue 'Crito' Plato says that the Laws are just but the people have acted unjustly. The blame of imprisonment and execution of Socrates is not on the Law but on the people of Athens. Socrates would die a Victim of injustice. Plato distinguishes between the Laws and the Legislators. The Laws of the State are good and they are created for good purpose. If so the Laws must be obeyed absolutely. Thus Plato demands Absolute Obedience of the Laws. The problem is that, the just Laws are not carried out by the people in a just manner. If Socrates is imprisoned wrongly and if his imprisonment is in accordance with the Laws; Plato implies that the Laws are unjust and deserve to be broken. He says, "Unjust laws are not laws". Though the term 'Civil Disobedience' was coined by Thoreau in 1849, we see some characteristics of 'Civil Disobedience' in the behavior of Socrates. He publicly admits what he believes. He adopts the path of non-violence. He respects the Law and at same time he declares that he is not guilty of any charge and therefore will not pay any penalty. Socrates is willing to accept the punishment, but he is not willing to accept the crime/charge imposed by the authorities. The features of publicity, nonviolence and willingness to accept the punishment prove fidelity to the Laws. The name may be new, but wise men had always protested what they believed 'unjust'.

### **Mahatma gandhi's views**

Mahatma Gandhi's mission of life was to strive for justice for all men, freedom for all nations and for all individuals within nations. In his attempt to realize such a society, he devised a new moral strategy. Mahatma Gandhi revived the principle of Ahimsa (Non-violence) and applied it

to social, economic and political problems. He gave a new orientation to the problems that humanity face in the new ages. Mahatma Gandhi developed the technique of Satyagraha to fight against injustice. Satyagraha literally means holding onto Truth. Sometimes Gandhiji called it 'Soul-Force' or 'Love-Force'. The device of Satyagraha involved Truth, Non-violence and scrupulous regard for means. For Gandhiji, no God is higher than Truth. The pursuit of Truth is possible through Non-violence. To achieve desirable results moral means must be adopted. Satyagraha is the force or weapon that can be used by men, women, and children and even by communities. It can be used in political, social, economical and also in domestic affairs. Gandhiji used the phrase 'Civil Disobedience' to explain Indian struggle for freedom to the English readers. But he believed that the phrase 'Civil Disobedience' cannot convey the full meaning of the struggle. Satyagraha is a moral weapon which is based on compassion towards the opposite side. The follower of Satyagraha seeks to change the situation by sheer force of his moral character and sufferings. Satyagraha is not coercion but it is conversion. It does not have idea of harassing or injuring the opponent. Mahatma Gandhi applied the principle of Ahimsa to political, social and economic problems of life. Exploitation is the essence of violence. Violence breeds violence. It brings about chaos. Even hate is the subtle form of violence. Violence can only be destroyed by Non-violence. It is the positive state of love, doing good even to the evildoer. Love kills violence. Gandhiji used to say, hate the sin and not the sinner. All social, economic, political and religious evils are based on exploitation and exploitation is the essence of violence. These evils can be ended by Non-violence. Ahimsa is not only the moral weapon of individuals but it is the weapon of masses. The organized and well disciplined mass Non-violence is an infallible moral weapon against all kinds of evil including domestic and international. Satyagraha takes various forms. Agitation and Demonstration, Picketing, Dharna, Economic boycott, Non-payment of taxes, Emigration, Ostracism, Arbitration, Negotiation, Noncooperation, Civil Disobedience, Open Disobedience of law, Fasting, Direct Action, Passive resistance, Strike and Formation of Parallel Government are all varieties of Satyagraha.

According to Mahatma Gandhi the Satyagrahi that is the protester must observe the vows of Truthfulness, Non-violence, Non-stealing, Non-possession, and Sex-control. The soldier of Truth should have Tolerance, Honesty, Open-mindedness, Courage, Readiness to sacrifice, Selflessness and Faith in God. He must undergo the training in advance on how to react to arrest or to attack, so that they will do so in a manner that quietly or limply resists without threatening

the authorities. Mahatma Gandhi in *Young India* expressed his views on 'Civil Disobedience' in the following way— Non-violence is an active moral fight against wickedness. In the dynamic condition, Non-violence means conscious suffering. It is putting one's own soul against the will of the tyrant. We can effectively attack an evil system by non-cooperation with it in a nonviolent manner. India will rise out of her slavery by purifying herself through suffering. We must withdraw our support from a government that is ruling against our will. We must non-cooperate the wrongdoer, directly or indirectly. In India the nation at large has generally used passive resistance in all departments of life. We cease to cooperate with our rulers when they displease us. In Non-cooperation, there is an element of suffering- mental or physical. It is not possible to attain freedom without suffering.

Civil Disobedience is the rebellion without the element of violence in it. The civil protestor has to ignore the authority of the state and every unmoral law too. While disobeying the laws, the disobedient should never use force and should never resist the force used against him. The protestor will be inviting imprisonment or any form of penalty for the breach of law. When the government becomes lawless in an organized manner, the only remedy open to Indians (who had no hands in the making of laws) is 'Civil Disobedience'. It is a complete, effective and bloodless substitute for armed revolt. When a citizen voluntarily obeys the just laws of state, on rare occasions he is justified in disobeying them deliberately but non-violently and exposing himself to the penalty of the breach. Civil disobedience is the inherent right of a citizen to be civil, implies discipline, thought, care, attention and sacrifice. Gandhiji further added that, he himself, with thousands of other may be arrested. But rest of India must remain non-violent. The rest of India may respond by inviting arrests, imprisonments and even tortures. Non-cooperation must become universal in India. Any outbreak of violence or general lawlessness must be avoided. India's struggle for freedom must on the lines of Truthfulness and Non-violence. The means to achieve our goal, the freedom of India must be moral. Civil Disobedience then becomes a sacred duty of every Indian. The well organized Disobedience against the tyrant will bring about the permanent change that every Indian desired.

**MAHATMA GANDHI'S Influence on MARTIN  
LUTHER KING (Jr)**

Martin Luther King was an American clergyman, activist and prominent leader in Afro-American civil rights movement. His mission was to secure progress on civil rights in the United States of America. He was the first president of Southern Christian Leadership Conference. Inspired by Gandhi's success with non-violent activism, King visited in India in 1959. The trip to India affected King in a profound way, deepening his understanding of Civil Disobedience and his commitment to America's struggle for civil rights. In a radio address Martin Luther King said, "The method of nonviolent resistance is the most potent weapon available to oppressed people in their struggle for justice and human dignity. In a real sense, Mahatma Gandhi embodied in his life certain universal principles that are inherent in the moral structure of the universe, and these principles are as inescapable as the law of gravitation. Bayard Rustin counseled King to dedicate himself to the principles of non-violence. On December 1, 1955, Rosa Parks was arrested for refusing to give up her seat. The Montgomery Bus Boycott urged and planned by Nixon and led by King, soon followed. The boycott lasted for 385 days and the situation became so tense that King's house was bombed. King was arrested during this campaign, which ended racial segregation on all Montgomery public buses. His "Letter from Birmingham Jail", written in 1963, is a "passionate" statement of his crusade for justice. This letter gives a detailed account of King's views about Civil Disobedience. In this letter, King argues that it is unfortunate that the demonstrations for Civil Rights are going on in Birmingham. He further says, "It is even more unfortunate that the city's white power structure left the Negro community with no alternative." King maintains that the non-violent movement of Civil Disobedience has Four basic steps----

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

principle of the protest. Martin Luther King explains how a law can be unjust. A law is unjust when it is inflicted upon a minority without allowing the minority to enact or devise the law. The law that is imposed by some people in power with an intention to exploit and to deprive of the privileges of some other people is unjust law. The law that authenticates discrimination is unjust law. For example, the right to vote was denied to black people.

He further adds that sometimes a law is just on its face and it is unjust in its application. King was arrested on the charge of parading without a permit. When the law maintains segregation in its citizens, it becomes unjust in its application. The unjust laws must be broken. But it should be done openly, lovingly and with a willingness to accept the penalty. King maintains that an individual who breaks the law which is unjust law as per his conscience and who willingly accepts the penalty of imprisonment; is in reality expressing the highest respect for law. This is Civil Disobedience. However, Civil Disobedience is not a new technique. King argues that this technique is ancient. It was used by Socrates, by the early Christians against Roman Empire. In America itself, the Boston Tea Party was a massive act of Civil Disobedience. Martin Luther King had an intensive influence of Mahatma Gandhi. The success of Civil Disobedience in the form of Indian Independence was an open secret. Martin Luther King had a hope that the clouds of racial prejudice will soon pass away. The deep fog of misunderstanding will be lifted from our fear-drenched communities and the radiant stars of love and brotherhood will shine over America. Mahatma Gandhi's nonviolent techniques were useful to King's campaign to correct the civil rights laws implemented in Alabama. King applied non-violent philosophy to the protests organized by him. King's organized, nonviolent protest against the system of southern segregation had extensive media coverage. The Civil Rights Movement was the most important issue in American politics in the early 1960s. King organized and led marches for blacks' right to vote, desegregation, labor rights and other basic civil rights. The struggle for black equality and voting rights was noticed by the American citizens. The publicity of the daily deprivation and indignities suffered by southern blacks, and of segregationist violence and harassment of civil rights workers and marchers, produced a wave of sympathetic public opinion. Most of the demanded rights were successfully enacted into the law of the United States. The Albany Movement mobilized thousands of citizens for a broad-front nonviolent attack on every aspect of segregation within the city and attracted nationwide attention. The Birmingham campaign was a strategic effort to promote civil rights for African Americans. During the protests, the

Birmingham Police Department used high-pressure water jets and police dogs to control protesters, including children. At the end of the protest, public places became more open to blacks.

The Washington March made specific demands: an end to racial segregation in public school; meaningful civil rights legislation, including a law prohibiting racial discrimination in employment; protection of civil rights workers from police brutality; the minimum wage of two dollars for all workers. King's "I Have a Dream" speech was so influential that it is regarded as one of the finest speeches in the history of American oratory. King began to speak of the need for fundamental changes in the political and economic life of the nation. He frequently expressed his opposition to the Vietnam War and his desire to see a redistribution of resources to correct racial and economic injustice. On October 14, 1964, King became the youngest recipient of the Nobel Peace Prize, which was awarded to him for leading non-violent resistance to racial prejudice in the United States. King's main legacy was to secure progress on civil rights in the United States, which has enabled more Americans to reach their potential. He is frequently referenced as a human rights icon. On the international scene, King's legacy included influences on the Black Consciousness Movement and Civil Rights Movement in South Africa. Martin Luther King (Jr) followed the footsteps of Mahatma Gandhi in his mission of life to secure Civil Rights of Black people. He wanted justice and dignified life for all the people. King followed the footsteps of Mahatma Gandhi at the time of his death too. Like Mahatma Gandhi, he was the soldier of Non-violent movement. Like Mahatma Gandhi, King too, was shot dead on 4<sup>th</sup> April 1968 in Memphis. The assassination led to a nationwide wave of riots in more than 100 cities. The same thing happened in India after the assassination of Mahatma Gandhi.

## CHAPTER 11

### Liberty

#### Definition of liberty

**Liberty** is defined as freedom from restraint and the power to follow one's own will to choose a course of conduct. Liberty, like freedom, has its inherent restraint to act without harm to others and within the accepted rules of conduct for the benefit of the general public. Liberty is the state of being free; enjoying various social, political, or economic rights and privileges. The concept of liberty forms the core of all democratic principles. In expanding the concept of liberty, it is important to also consider that there may be prior needs that must be fulfilled before a society can enjoy—or even desire—liberty. In *A Theory of Justice*, John Rawls argues for the principle of the “priority of liberty” in which “liberty can be restricted only for the sake of liberty itself.” However, Rawls does admit that there may be certain social conditions that must be satisfied prior to a society being able to enjoy its liberty. According to Rawls liberty can be sacrificed for a short while in order to satisfy other needs of a society before liberty can be pursued. Liberty should not be confused with license. In this sense, liberty simply means the freedom to do absolutely anything one wants, whenever one wants, without facing any restrictions or potential punishment. But it is obvious that liberty amounting to nothing more than license could in fact lead to a reduction in liberty. Mill views liberty as encompassing both civil and social liberty, which he defines as "the nature and limits of the power of which can be legitimately exercised by society over the individual." Mill argues that society can only exert authority over behavior that harms other people, anything else is an abrogation of individual freedom. Freedom is the sum of what one can accomplish. According to the Swiss Philosopher Jean-Jacques Rousseau, one has a certain set of freedoms granted by nature and defined by the actual physical capabilities of our bodies. He said that we should give up that natural freedom for a set of freedoms within society. While we do lose some of our liberty, like the right to drive on the sidewalk or kill and eat people, we gain the capacity to live in a lawful and just society. In trading one set of rights for another, we can improve our lives. Liberty is term used to describe various types of individual freedom, such as religious liberty, political liberty, freedom of speech, right of self-defense, and others. It is also used as a general term for the sum of specific liberties. Fundamental perhaps is



personal liberty, the freedom of a person to come and go as he or she pleases without unwarranted restraint . The word *freedom* implies an individual is unfettered in *any* manner to act. Freedom implies no boundaries to limit human actions. The concept of boundaries, however, transforms the word freedom into the word *liberty*. Whereas the concept of freedom ignores the concept of obligations, the concept of liberty implies *potential* obligations. The word freedom ignores interactions with other humans; the word liberty acknowledges those interactions. The word liberty describes specific freedoms of action without obligations toward others, but recognizes that obligations might exist. The concept of boundaries introduces obligations toward other people. The concept of freedom implies unrestricted movement and actions regardless of boundaries, but the concept of liberty implies restrictions on actions *because of* boundaries. Liberty acknowledges possible boundaries and merely is freedom from those boundaries.

### **Liberty as a value**

Of all values associated with humanity, liberty value is the most closely associated with human beings. As a moral concept, liberty is considered a value and could even be considered the primary and fundamental value. This implies that the set of preventing conditions should be as small as possible and the only limits for the liberty of a person or a group of people should be derived from the liberty of other people or other groups of people. Thus, the analysis of the concepts of liberty as value leads directly to the question of the possibility of *structural limits* for human liberty. Liberty value for the first time was proclaimed in 1215 in the English Magna Carta and it marked historical turn from slavery. In 1789 the Great French Bourgeois Revolution proclaimed liberty by the highest value priority of an industrial society. The social contract theory, invented by Hobbes, John Locke and Rousseau, were among the first to provide a political classification of rights, in particular through the notion of sovereignty and of natural rights. The thinkers of the Enlightenment reasoned the assertion that law governed both heavenly and human affairs, and that law gave the king his power, rather than the king's power giving force to law. The divine right of kings was thus opposed to the sovereign's unchecked *auctoritas*. The conception of law as a relationship between individuals, rather than families, came to the fore, and with it the increasing focus on individual liberty as a fundamental reality, given by "Nature and Nature's God," which, in the ideal state, would be as expansive as possible. The Enlightenment created then, among other ideas, *liberty*: that is, of a free individual being most

free within the context of a state which provides stability of the laws. The modern conceptions of democracy, whether representative democracies or other types of democracies, are all found on the Rousseauist idea of popular sovereignty. However, liberalism distinguishes itself from socialism and communism in that it advocates for a form of representative democracy, while socialism advocates a direct democracy. According to liberalism liberty is a political value as humans are by default in a state of freedom to act as they like without asking permission from others. Thus normatively, freedom is the basic fundamental liberal principle. From a historical perspective, liberalism has attempted to uphold the values of freedom of choice, reason and tolerance in the face of tyranny, the absolutist system and religious intolerance in the West since the seventeenth century. Liberalism has endeavored to free the polity from religious control and to free civil society from political interference. Central to the development of liberalism is the doctrine that individuals should be free to pursue their own preference in religious, economic and political affairs. Therefore, liberalism is committed to the issues of liberty, freedom and autonomy while emphasizing individual freedom rather than the liberty of society. Liberty as a social value is accorded primary place in a just society. The main aim of law in society is to assure liberty for every one and ensure that individual rights and peoples pursuit of happiness is protected. In fact democratic polities are based on the liberty of every person to choose those actions needed to influence public policies. Liberty has played a colossal positive role in a history of humankind. It has freed individuals, groups and nations from slavery and dependence and enabled them to have a free play of their creative abilities. National, corporate and international legislations have ensured that liberty is a standard value priority of an industrial society. John Stuart Mill, in his work, *On Liberty*, was the first to recognize the difference between liberty as the freedom to act and liberty as the absence of coercion. The next section deals with his views on liberty in detail.

### **John stuart mill's views on liberty**

“*On Liberty*” ,considered to be one of the great classics of liberal political thought, is an enormously influential philosophical work by 19th century English philosopher John Stuart Mill, first published in 1859. The ideas presented within it remain the basis of much political ideologies since. It deals with the nature and limits of the power which society can legitimately exercise over the individual and defends individual liberty against the threat of “tyranny of

majority” Apart from the popularity of the ideas themselves, it is quite short and its themes easily accessible to a non-expert. It has remained in print continuously since its initial publication. Perhaps the most memorable point made by Mill in this work, and his basis for liberty, is that "Over himself, over his own body and mind, the individual is sovereign". The scope of Mill's essay is limited to Civil or Social Liberty. Mill's introduction contains the basic structure of his argument, as well as some of his major presuppositions. Describing civilization as a struggle between society and the individual about who should have control over the individual's actions, Mill rejects the idea of society having far more power over the actions and thoughts of an individual than an individual has over himself. Mill argues that society should have control over only those actions that directly affect it, or those actions that harm some of its members. And an individual harming himself or acting against his own good is no reason for others to interfere. Mill details his argument in five chapters. In his first chapter, Mill provides a brief overview of the meaning of liberty. He also introduces his basic argument in favor of respecting liberty, to the degree it does not harm anybody else. His next two chapters detail why liberty of opinion and liberty of action are so valuable. His fourth chapter discusses the appropriate level of authority that society should have over the individual. His fifth chapter looks at particular examples and applications of the theory, to clarify the meaning of his claims. The following is the gist of his ideas. Mill traces historically the struggle between "liberty and authority." Initially, that battle focused on the power of oppressive rulers, and the defenders of liberty argued for limiting the power of monarchs and oligarchs by rules or rights. Eventually, the view emerged that oppressive power is best constrained by subjecting rulers to popular control. According to Mill in ancient Greece, Rome and England, liberty implied "protection against the tyranny of political rulers," and rulers and subjects were often thought to have a necessarily antagonistic relationship. Patriots tried to limit the leader's power in two ways:

- 1) They gained immunities called "political liberties or rights." The leader was thought to have a duty to respect these immunities, and there was a right of rebellion if these rights and liberties were infringed.

- 2) Constitutional checks developed, under which the community or their representatives gained some power of consent over important acts of governance. Mill divides the appropriate sphere of human liberty into three categories, claiming that any free society must respect all three. First, there is the domain of the conscience, and liberty of individual thought and opinion. Second,

there is planning one's own life, and the liberty of tastes and pursuits. Third, there is the liberty to unite with other consenting individuals for any purpose that does not harm others. These liberties reflect the idea that true freedom means pursuing one's own good in one's own way, as long as it does not prevent others from doing the same. These ideas directly contradict society's increasing tendency to demand conformity, and unless moral conviction turns against this tendency, the demand for conformity will only increase. Mill writes that if a person causes harm to others actively or inactively, it is appropriate for society to condemn him legally or through general disapprobation. Individuals can even be compelled to do good for other people, such as to save someone's life, because to do otherwise would be to cause evil to another person. In contrast, society only has an indirect interest in what a person does to himself or to other freely consenting people. Mill states that the argument that a certain law or public opinion might be for an individual's own good or welfare does not suffice to justify that law or public opinion as a coercive force; coercion by the many toward the individual is only acceptable when an individual poses a threat to others. It is fine to argue with a person about his actions, but not to compel him. Mill is of the opinion that the right of liberty does not apply to children, or to "backward" societies. It is only when people are capable of learning from discussion that liberty holds; otherwise these people must be taken care of. Also Mill notes that liberty cannot be claimed as an abstract right, but it is grounded in its utility for the permanent interests of mankind. Mill offers insight into the notions of *soft tyranny* and *mutual liberty* with his *harm principle*. According to Mill the "tyranny of the majority", through control of etiquette and morality, makes society an unelected power that can do horrific things. Mill's work could be considered a reaction to this social control by the majority and his advocacy of individual decision-making over the self. The famous 'Harm Principle' is also articulated in this work: people can do anything they like as long as it does not harm others. All branches of liberalism—as well as other political ideologies—consider this to be one of their core principles. However, they often disagree on what exactly constitutes *harm*. Mill rejects attempts, either through legal coercion or social pressure, to coerce people's opinions and behavior. He argues that the only time coercion is acceptable is when a person's behavior harms other people--otherwise, society should treat diversity with respect. Mill does not absolve individuals completely from obligations to society, however. He does acknowledge that in exchange for the protection that society offers, individuals should have a modicum of respect for their fellow members of society. However, if

they don't choose to do this, they are eligible to be punished either in legal or social circles. It is the duty of society to warn others about a person who is harmful to others; coercion is allowed when it is meant to assist others in protecting their liberty. The idea of progress is central to Mill's essay. Believing that individuals and society as a whole can improve themselves, he considers different societies to exist on a value hierarchy: barbaric societies are childlike, without the necessary tools of self government. They must be governed like children, so that they can eventually become capable of exercising their liberty. Although progress and civilization are good, they may lead to conformity which could impede individual and social development. Mill justifies the value of liberty through a Utilitarian approach highlighting the positive effects of liberty on all people and on society as a whole. He links liberty to the ability to progress and to avoid social stagnation. The majority opinion is often faulted because it is biased with self-interest and personal convictions. There is no way for the majority to know that they are right and they owe it to the whole of society to listen to all arguments because it is clear that human opinion is fallible. Liberty of opinion is valuable for two main reasons. First, the unpopular opinion may be right. Second, if the opinion is wrong, refuting it will allow people to better understand their own opinions. Liberty of action is desirable for parallel reasons. The nonconformist may be correct, or she may have a way of life that best suits her needs, if not anybody else's. Also these nonconformists challenge social complacency, and keep society from stagnating. A person should have the right to act as he wishes as long as the negative consequences of such actions are only felt by that person. However, if a person's act is not self-regarding and adversely affects others, a person should be held accountable for that act. Mill thinks that individual autonomy is opposite to the instincts of society, he asserts that society encourages and rewards conformity. Mill thinks that society, highly liable to be influenced and wrong, should not serve as the impetus for the government's actions. Public opinion is a dangerous basis for the government to act upon because there are countless numbers of citizens who are not able to have their voices heard. Mill refutes the claim that religion should play a role in determining the weight of an individual's opinion, stating that the greatest moral leaders often did not believe in Christianity, but their work was just as valuable. Following a religious doctrine, according to Mill, does not make a person morally sound, as an individual must strike a balance between religion, faith and their own personal morality. Mill believes that human desires are not to be suppressed and molded to fit a doctrine or societal ideal, but rather followed and

explored. He abhors anything that suppresses the ability of humans to be unique, whether it is a code of conduct or a religion. The original thought and spontaneity that people can have are immeasurably important for new discoveries and new truths. Geniuses are products of this spontaneous thought, they are not conformists, but those that have been allowed to wander with their ideas and explore the possibilities. Eccentricity, something that is often frowned upon by society, is the key to genius behavior. It is that departure from the normal that allows new perspectives to be seen and a happier society to exist.

If a member of society refuses to abide by self-regarding principles, then Mill asserts society cannot coerce that person to reform or coerce other society members to avoid that person. Society can hold individual negative opinions of a such a person and advise others of that person's faults. This is the only punishment inflicted on a person who does harmful things to themselves - the penalty of public opinion. Mill contends such a person is obviously already receiving punishment as a result of the action they have inflicted on themselves. Society is not exempt from its duty to the individual, either. Mill contends that society has the responsibility to develop its children into rational and moral human beings. If a society finds itself with a preponderance of incompetent, immoral citizens, then it only has itself to blame. After a person's developmental adolescence phase, however, society's responsibility to influence the individual stops and society has no right to tell the individual what are the correct decisions. Mill applies his principles to real life situations as well. He states that trading is a public act while consuming is not; therefore selling of certain products can be regulated more than the actual use of them. In competitive situations, Mill states that the harm principle should not be enforced at all times because when there is a winner, there will inevitably be a loser who is harmed. However, the winner should not be punished for winning and harming the losing party if all measures taken to win were indeed moral. As far as the practice of taxing goods that are harmful, Mill concedes that this is okay because it is better to tax nonessential goods than essential ones. Mill does not ascribe to the principle of complete self-ownership as some may suspect he would his idea of the importance of liberty supersedes individual rights in the case of a person who would want to sell himself into slavery. On the subject of education, Mill believes in universal education standards for all children and a parent's inherent duty to ensure that their child receives an excellent education. The basic underlying theme in Mill's work is the lack of trust that can be placed in the government. He cannot condone any measures that would give the government the power of

prevention or undue influence over individual lives. He believes that adding any power to the structure of the government is a dangerous act and most of his ideas can be seen as extensions of his desire to make the government more of an advisory and organizational body. For Mill, the ideal government would be a central body that while respected, simply gives strong advisories to local officials who are committed to upholding the interests of their constituency and hearing all opinions expressed. Mill firmly believes that the strength and capability of a citizenry is linked to the success of a state and instead of exterminating the desires and abilities of its citizens, the government should not be afraid to cultivate a strong state with intelligent individuals who can make their own decisions. Individuality, as seen by Mill, is the only way to allow a person to truly self-develop. He is very critical of government intervention in people's affairs. No government structure allows people the necessary freedoms to achieve individuality, including democracy, which he ascertains is not the will of the people but simply the will of the majority of the active governed people. This type of tyranny, **tyranny of the majority**, is just as evil as any other type of political despotism. The freedoms Mill would grant to people would protect against the tyranny of prevailing opinion. Individuals are more capable of making appropriate decisions concerning the actions they take in their life, than any government is. Liberty as a medium between anarchy and autocracy, would ensure freedom for people which otherwise is denied to them in these polities. All citizens in society should be granted: freedom of opinion, freedom to plan one's own life and the freedom to associate with whomever one chose. If persons are afforded all of these rights then they have essentially been contracted the freedom to be an individual. Mill highlights numerous flaws within current governmental structures that should be examined carefully. For instance, that democracy is really just tyranny of the majority imposing their will on the rest of society. He bases his own theoretical ideas on the assumption that happiness can best be achieved through individuality. For a person to be autonomous there must be a government in place that does not impose itself on an individual's private sphere. He introduces many ideas on how truth should be discovered, how people can attain happiness, and how the harming of other individuals can be prevented. The end result of his theories is that he is able to convincingly relate liberty to happiness. Although his ideologies are not practical they can be used to form the foundation of practical political ideologies. To conclude, Mill's essay has been an inspiration for civil libertarians around the world. It examines the relationship between the rights of the individual and the power of the state. Mill argues for freedom of

thought and expression, asserting that the only valid restrictions on the rights of individuals are those that protect the rights of others. Mill's essay has been criticized for being overly vague about the limits of liberty, for placing too much of an emphasis on the individual, and for not making a useful distinction between actions that only harm oneself, and actions that harm others. But the fact remains that Mill provides an impassioned defense of nonconformity as a positive good for society.

## **Bibliography**

The Oxford Handbook of Comparative Politics offers a critical survey of the field of empirical political science through the collection of a set of articles written by forty-seven scholars in the discipline of comparative politics. Part I includes articles surveying the key research methodologies employed in comparative politics (the comparative method, the use of history, the practice and status of case-study research, and the contributions of field research) and assessing the possibility of constructing a science of comparative politics. Parts II to IV examine the foundations of political order: the origins of states and the extent to which they relate to war and to economic development; the sources of compliance or political obligation among citizens; democratic transitions, the role of civic culture; authoritarianism; revolutions; civil wars and contentious politics. Parts V and VI explore the mobilization, representation, and the coordination of political demands. Part V considers why parties emerge, and the forms they take and the ways in which voters choose parties. The text then includes articles on collective action, social movements, and political participation. Part VI opens with essays on the mechanisms through which political demands are aggregated and coordinated. This sets the agenda to the systematic exploration of the workings and effects of particular institutions: electoral systems, federalism, legislative-executive relationships, the judiciary and bureaucracy. Finally, Part VII is organized around the burgeoning literature on macro-political economy of the last two decades. This Handbook is one of The Oxford Handbooks of Political Science a ten-volume set of reference books offering authoritative and engaging critical overviews of the state of political science.



“The lesson content has been compiled from various sources in public domain including but not limited to the internet for the convenience of the users. The university has no proprietary right on the same.”



# Rai Technology University

ENGINEERING MINDS

**Rai Technology University Campus**

Dhodbhallapur Nelmangala Road, SH -74, Off Highway 207, Dhodbhallapur Taluk, Bangalore - 561204

E-mail: [info@raitechuniversity.in](mailto:info@raitechuniversity.in) | Web: [www.raitechuniversity.in](http://www.raitechuniversity.in)