

S.Y.B.A. Semester II



SYLLABUS

Module 2 :Basic Political Values

1.1 Liberty

1.2 Equality

1.3 Justice

(Definition and Types)

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(Definition and Types)

QUESTION BANK

1. Give definition of Liberty.
2. Explain different types of Liberty.
3. Explain the concept of Equality.
4. Discuss the various aspects of Equality. (you have to discuss different types of Equality)
5. Explain the concept of Justice.
6. Discuss different types of Justice.
7. What do you understand by Social Justice?

LIBERTY - MEANING/ DEFINITION

- The concept of Liberty is a very important principle of political science. The word liberty is derived from the Latin word 'Liber' meaning freedom. The term liberty has been defined and interpreted differently by writers and thinkers using different perspectives.
- According to the Declaration of the Rights of Man adopted by the French Revolution (1789), 'Liberty consists in the power to do everything that does not injure others'.
- According to Columbia Encyclopedia(1956), 'Liberty is a word used to describe various types of individual freedoms, such as religious liberty, political liberty, freedom of speech, right of self defence and like'.

MEANING...

Absence of restraint was the definition of liberty put forward by the classical liberalism. It was argued that in order to allow maximum liberty to the individual, the state should restrict itself to minimum functions which are most essential. Liberty was seen as freedom of trade, freedom of enterprise, freedom of contract etc. but by the middle of the 19th century it became evident that the capitalist system supported by the negative liberty had brought about miserable conditions for workers and consumers.

MEANING...

Humanist writers, socialists, Marxists and positive liberals came forward to demand new definition of liberty. In the positive view, liberty or freedom is taken as enabling conditions in terms of socio economic requirements necessary for enjoyment of liberty. It is also related to self development or moral and self realization. Those who support the positive view of liberty seek interference by the state or authority for making provision and providing enabling conditions. In the latter half of 19th century and in 20th century principles of equality and justice were introduced as the defining elements for universal enjoyment of liberty.

NEGATIVE CONCEPT OF LIBERTY

In negative sense it means 'absence of restraints or interference' in the sphere of individual actions.

Liberal thinkers have developed different grounds to support negative liberty. The views and arguments in favour of negative liberty are as below –

1. Physiocrats a school of thought in France in the 18th century advocated non-interference of the state in the activity of the individual. Their main argument was that the individual left to oneself in a natural condition was the best producer and labour in land was the primary source of production. Physiocrats advocated policy of laissez-faire in agricultural activity of individual.

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2. Laissez-faire economists, **Adam Smith, Ricardo and Malthus** applied the non-interference argument to commercial and industrial activity. Smith's argument was that the economic man, in a situation of an invisible hand of competition, is the best producer and contributor to the wealth of nations, if left without interference from the state or external authority.
 3. On the political ground Social Contract theorists **Thomas Hobbes and John Locke** supported individual liberty. According to **Locke** liberty is part of natural rights of 'life, liberty and property'.
 4. **J.S. Mill** in his '**On Liberty**' provides significant arguments to defend the sphere of liberty of individuals. According to him liberty means being left to oneself as 'over himself, his own body and mind, the individual is sovereign.' Liberty is non-interference in an individual's liberty of action except to protect the similar liberty of other

5. **Jefferson, Thomas Paine, Sidgwick** and others have also argued for non-interference in individual liberty as the ground for liberty. Paine denounced state as a necessary evil and supported the concept of the natural rights of man. Liberty in a negative sense as being absence of restraint or coercion has been an important principle of liberalism.

In the contemporary times some of the neo-liberal thinkers like **Hayek, Berlin, Friedman and Nozick** have emphasized negative liberty. They have defined freedom as the absence of coercion of a man by his fellow men. They support a minimal state and argue that a free liberal order based on capitalist economy is the only guarantee of individual liberty. They oppose planned economy and distributive justice and believe that there should not be any state intervention in the name of equality and justice.

POSITIVE CONCEPT OF LIBERTY

Liberty in its positive sense means some kind of self development and moral development of the personality. Liberty can be positive only in presence of capability and ability to act or enjoy. Positive liberty is generally associated with welfare measures and distributive justice. Different perspectives regarding the positive liberty are briefly discussed below.

J.S. Mill is a liberal thinker who started with the conception of negative liberty but subsequently supported positive liberty and advocated the idea of a positive state. Mill advocated a positive role of state in supporting compulsory education, factory legislation, and good working conditions. He also supported the right of the

T.H. Green, defined liberty as, 'positive power or capacity of doing or enjoying something worth doing or enjoying in common with others' According to Green human consciousness needs liberty, liberty needs rights and rights need the state.

Earnest Barker, Tawney, Hobbhouse, Laski, Macpherson also put forward the concept of positive liberty. They feel that for liberty to be a means for moral and self development of an individual should be adjusted to the equal liberty of others.

C.B. Macpherson has also supported the concept of positive liberty but he calls it developmental liberty or creative freedom. According to him this is liberty to act as a full human being and achieve the fullest development and enjoyment of one's faculties. **Amartya Sen** has talked about expansion of capabilities as freedom.

LIBERTY - MEANING/ DEFINITION

The concept of liberty

implies the often

implies Liberty does freedom

not mean absolute freedom.

Liberty includes action, thought, attitude and being.

Liberty may be exercised by the individual, group and institution.

Liberty is the product of rights. It is usually

SAFEGUARDS OF LIBERTY

- ❑ Democracy
- ❑ Fundamental Rights
- ❑ Separation of Power- Legislature, Executive and Judiciary
- ❑ Rule of Law
- ❑ Independent Judiciary
- ❑ Enlightened Public Opinion and Freedom of Media
- ❑ Effective opposition Parties
- ❑ Eternal vigilance is the price of liberty

CLASSIFICATION OF LIBERTY/ KINDS OF LIBERTY

1. **Natural Liberty**: It implies complete freedom for a man to do what he wills. It existed in 'the state of nature' as described by the social contract theorists Hobbes, Locke and Rousseau. The state of nature existed before the creation of the state. There was no law or institutions. After the creation of state natural liberty or the freedom to do anything does not exist.
2. **Civil Liberty**: According to Barker civil liberty is the liberty of man in the capacity of an individual person-his personal liberty. It includes –
 - Physical Liberty** – Freedom from injury or harm, right to life, health and movement of the body
 - Intellectual Liberty** – Freedom of thought, expression(speech, writing etc) and belief
 - Practical liberty** – Freedom to decide for oneself in general field of contractual action and relations with other persons

CLASSIFICATION OF LIBERTY/ KINDS OF LIBERTY

Civil liberties in the modern times are guaranteed by the state through the constitution and laws – freedom of religion, movement, speech and expression, freedom against exploitation etc. Civil liberties are subject to reasonable limitations put by law.

3. **Political Liberty** – It is available only to citizens and not to aliens(people of foreign nationality). It means freedom to choose their government, participate in the discussion and direction of the common affairs of the state. Political liberty implies the existence of a democratic form of government. Leacock calls political liberty. '**constitutional liberty**'. It includes:

- ❑ Right to vote and elect their representatives.
- ❑ Right to contest election and hold any public office.
- ❑ Right to be well informed about public matters and to discuss and criticize the policy of government.

CLASSIFICATION OF LIBERTY/ KINDS OF LIBERTY

4. **Economic Liberty** – Economic liberty must precede political liberty. According to Laski , “By economic liberty I mean security and opportunity to find reasonable significance in the earning of one’s daily bread.” It means freedom from hunger, starvation unemployment etc. people’s economic rights may be secured in the following manner:

- ❑ By including economic rights in the constitution.
- ❑ By giving Right to work and providing for adequate employment opportunities.
- ❑ By enacting a Minimum Wages Law which will prevent economic exploitation of employees by employers.
- ❑ By ensuring Equal wages for equal work for both men and women.
- ❑ By providing for social security schemes such as pension, sickness and disability relief, maternity benefit etc.
- ❑ By granting employees representation on management boards of their company.
- ❑ By preventing child labour and ensuring universal education.

All liberty therefore must be built on a foundation of economic liberty.

CLASSIFICATION OF LIBERTY/ KINDS OF LIBERTY

5. **National Liberty** – The term liberty is implied to nations as well as individuals . A nation is free when it is internally independent and subject to no foreign control. It is another name for national independence or national sovereignty. India did not enjoy national liberty before August 15, 1947. It is always a free nation which allows to its people real and maximum liberty.

DEFINITION/MEANING OF EQUALITY

Equality like liberty is an important political ideal. The French Revolution was fought for 'Liberty, Equality and Fraternity.' The American Declaration of Independence also proclaimed that 'All men are created equal.'

However, nature has not created all men equal. As long as men differ in their needs and capacities equality in its popular sense is not possible. The modern idea of equality is derived from the theory of rights that man must be treated as equals and should have equal rights. Large inequalities of wealth, status, power have existed in our social structure throughout history. These are not natural but manmade. Equality in the modern times means a principle of correcting the unjust inequalities in society.

DEFINITION/MEANING OF EQUALITY

Equality means the special privileges of all kinds should be abolished. There should be no discrimination on the basis of birth, colour, caste, race, language, gender, wealth etc. According to Laski equality is a leveling process.

Equality in the positive sense means that everyone should have equal rights, privileges and adequate opportunities to develop oneself according to their capabilities.

Equality cannot be absolute. This is impossible as all human beings fundamentally differ in their capacities. State should provide suitable opportunities for all citizens without any discrimination for the full development of their abilities.

Negatively equality means absence of special privileges.

Positively it means that adequate opportunities should be made available to all.

CLASSIFICATION/ TYPES OF EQUALITY

Equality may be classified as legal equality, political equality, social equality and economic equality. These types of equality have been examined below:

1. **Legal Equality** – The principle of equality was first put forward as the demand for legal equality. It means all should be equal before law and same set of laws should apply to all. For example Article 14 of the Indian Constitution guarantees equality before law and equal protection of law to all.
2. **Political Equality** – Political equality started as the progressive idea and led to the establishment of democracy in the West. It implies all citizens should have equal political rights like right to vote, right to contest elections, right to hold public offices etc. it means there will be no privileged class in society entitled to rule like in Monarchy.

CLASSIFICATION/ TYPES OF EQUALITY

3. Social Equality – it implies absence of discrimination in respect of social status of different people on the basis of caste, colour, sex, religion race etc. for example article 17 of the Indian Constitution abolishes untouchability and makes it a punishable crime. Women have same rights as men according to the constitution and laws . However in practice there are caste distinctions gender based discrimination in our society.
4. Economic Equality – Political, legal and social equalities will be meaningless without economic equality. Wealth is a great source of power. It should not be concentrated in few hands. Economic equality can be ensured when there is reduction of inequality in distribution of wealth, provision of employment, provision of satisfaction of the basic needs of the people, provision of education fair wages , provision of health services, right to education etc.