

POLITICAL THEORY : LIBERAL TRADITION

STUDY MATERIAL

SECOND SEMESTER

CORE COURSE : PS2C06

For

**M.A.POLITICAL SCIENCE
(2017 ADMISSION ONWARDS)**



UNIVERSITY OF CALICUT

SCHOOL OF DISTANCE EDUCATION

Calicut University P.O, Malappuram, Kerala, India 673 635

496

UNIVERSITY OF CALICUT

SCHOOL OF DISTANCE EDUCATION

STUDY MATERIAL

SECOND SEMESTER

MA POLITICAL SCIENCE

(2017 ADMISSION ONWARDS)

CORE COURSE :

PS2C06 : POLITICAL THEORY : LIBERAL TRADITION

Prepared by :

*Module I, II, IV, V, VI : Dr. V. Rajendran Nair,
Associate Professor (Retd.)
Dept. of Political Science,
Mahatma Gandhi College,
Thiruvananthapuram.*

*Module III : Dr. Pavithran.K.S,
Professor & Head,
Dept. of Political Science,
University of Calicut.*

Layout: 'H' Section, SDE

©

Reserved

CONTENTS

MODULE	PARTICULARS	PAGE NO.
I	ENLIGHTENMENT, MODERNITY AND REASON: <i>The Philosophical and Socio-Economic Setting of Political Liberalism</i>	6 – 9
II	NICCOLO MACHIAVELLI - (1469- 1527 AD) <i>(Church- State Controversy, Modern Secular Nation State, Political Realism)</i>	10 – 19
III	THOMAS HOBBS JOHN LOCKE JEAN JACQUES ROUSSEAU	20 – 43
IV	BENTHAM: <i>Quantitative Utility</i> J.S. MILL: <i>Qualitative Utility, Liberty and Laissez Faire State</i>	44 – 54
V	REACTION TO LIBERALISM: EDMUND BURKE <i>(Conservative Reformism, Critique of French Revolution)</i> GEORG WILHELM FRIEDRICH HEGEL	55 – 69
VI	POSITIVE LIBERALISM HAROLD JOSEPH LASKI, JOHN RAWLS	70 - 83

POLITICAL THEORY: LIBERAL TRADITION

The word 'liberal' is derived from the Latin word *liber*, which means free men. Liberalis is also a derivative of liber. The central idea of all these words is freedom or liberty. Liberalism does not embody a particular meaning. It is a cluster of meanings, in different periods it has meant different conceptions. For example, it is an intellectual movement whose purpose is to curb the power and authority of state and to ensure freedom of individuals. As a doctrine liberalism was born in England during the middle of seventeenth century. Behind the birth of liberalism there was a very important role of John Locke. His Two, Treatise of Government, A Letter Concerning Toleration are regarded by many as potential sources of liberalism. Classical liberalism is often associated with the belief that the state ought to be minimal, which means that practically everything except armed forces, law enforcement and other 'non-excludable goods' ought to be left to the free dealings of its citizens, and the organisations they freely choose to establish and take part in. Modern liberalism is, on the other hand, characterized by a greater willingness to let the state become an active participant in the economy. This has often issued in a pronounced tendency to regulate the marketplace, and to have the state supply essential goods and services to everyone. Modern liberalism is therefore, for all intents and purposes, a profound revision of liberalism, especially of the economic policies traditionally associated with it. Such 'modern' views could be associated with nineteenth-century theorists such as Benjamin Constant and John Stuart Mill. More recently, John Dewey, William Beveridge, and John Rawls have articulated similar ideas. As 'the dominant ideology shaping our world today', neoliberalism wields, great power over contemporary debates concerning reforms of international trade and the public sector. Neoliberalism' is a revival of 'liberalism. Individualism, freedom, reason, toleration, consent, constitutionalism, equality and justice etc are the main elements of liberalism. The present paper **Political Theory: Liberal Tradition** analyses the development of the philosophy of political liberalism from the period of enlightenment to the present neoliberal age.

MODULE-I
ENLIGHTENMENT, MODERNITY AND REASON:
The Philosophical and Socio-Economic Setting of Political Liberalism

Introduction

Liberalism is the basis of every political philosophy. But, liberalism did not emerge as a developed political creed until the early 19th century. Liberalism was the product of the break-down of feudalism and the growth of a market or capitalist society. Early liberalism certainly reflected the aspirations of a rising industrial middle class. In its earliest form liberalism was a political doctrine. It attacked absolutism and feudal privileges and advocated constitutional and representative government. Europe in the middle ages was a single Christian society organized on the principle of 'Parallelism', of the two swords, the Papacy and the Holy Roman Empire. The principles like political obligation, sovereignty of the people etc were meaningless at that time. The supremacy of the church ie, Papal sovereignty and the Power of the Holy Roman Empire was a controversy at that time. It was a period of darkness as far as political thought was concerned. But, in the later part of the medieval period saw gradual change of the situation through the spreading of ideas of sovereignty, liberalism, obligation, representative government etc. The sparks of Political liberalism and humanitarianism can be identified in the medieval thoughts of conciliar movement and the concept of universal society propounded by thinkers like Cardinal Nicholas of Cusa, Dante Alighieri, Marsiglio of Padua etc. The conciliar movement was democratic and liberal in its outlook. It emphasized the notion that power was a trust and it should not be misused and the consent of the governed is the essence of government. The movement recognized the growing spirit of nationality and ultimate power of governance belongs to the people. Universalism was a corner stone of the medieval thought. The slogan of single universal society was recognized. Later the period of renaissance brought enlightenment replacing the dark ideas and conceptions of the medieval period and carried modernism and a sense of rationality towards society and politics.

The Philosophical and Socio-Economic Setting of Political Liberalism

Outstanding features of Medieval Political Thought

1. Various theories regarding **origin of state** were offered during this period.
2. Monarchy was considered as the best and normal form of governmental and political organization.
3. The concept of law also occupied an important position in the political thought
4. Concept of 'sovereignty' was unknown to the Medieval political thinkers and there existed only a concept of limited or constitutional sovereignty
5. Another notable feature was faith in universalism or the existence of a cosmopolitan society.
6. In the medieval political thought the church was accorded a significant position. The Supremacy of the Pope was asserted through the 'papal theory'.

7. The controversy regarding supremacy of church or state also constituted an important part of the Medieval political thought.
8. Theory of representation was another outstanding feature.
9. Scholasticism was another prominent feature. It was the result of the harmonization of the doctrinal traditions inherited from the early church fathers and the intellectual achievements of classical antiquity.
10. The Medieval thought and institutions were also molded by the institution of feudalism

The Medieval period in Europe was the period between the end of the classical antiquity and the renaissance ie, from about 500AD to 1450 AD. During this period the non-political activities predominated political activities. It was believed that during this period political thought did not make any progress and there was a general lack of intelligence among the rulers. Education was neglected and as a result not much of new ideas were emerged in the political field. It was in this historic situation that Niccolo Machiavelli began to intervene in the church- State controversy and contribute to the ideals of Sovereign Nation- State and propounded the principle of political realism.

Political thought was materially influenced by the growing spirit of the renaissance in Italy and there was deep impact on the thoughts of political thinkers like Machiavelli. Machiavelli was a product of renaissance. His native city, the Florence was the center of Italian renaissance. The renaissance movement not only revived the approach towards society and life and brought a new sense of liberty and humanitarianism. It impelled men to re-examine things from other than the ecclesiastical point of view. The situation made it possible to formulate political theories on a purely secular basis and Machiavelli is the chief exponent of this school of thought.

Enlightenment, Modernity and Reason

The origin of modernity is traced back to enlightenment. It was for the first time that the enlightenment thinkers put society and social relations under intense scrutiny. Enlightenment is a European intellectual movement of Seventeenth- and Eighteenth Centuries in which ideas concerning God, Reason, Nature and Man were synthesized into a world-view that gained wide assent and instigated revolutionary Developments in art, philosophy and politics. Enlightenment, which is broadly co-extensive with the eighteenth century, denotes a historical period in the same sense as the terms Reformation, Renaissance and Baroque denote. The core of this movement consists of scientific reasoning. The reasoning also needs to be supported by empirical evidence. Immanuel Kant wrote a short essay in 1784 entitled: "What is Enlightenment?" In this article, he argues that enlightenment is nothing but reasoning about what we do in the public life. This reasoning is exercised by the individual himself. Kant says that the nature and content of modernization depends on how we define enlightenment.

Perceptions on Positive Liberalism

After the Socialist and Marxist critique of the liberal view of the world the middle of the nineteenth century onwards and following the historic lacuna that capitalism in the classical liberal sense threw up in the closing decades of the nineteenth century and the early decades of the twentieth century (which peaked in the Great Depression of 1929), a new positive concept of liberty emerged which as explained above is also referred to as Positive Liberalism. The foremost thinkers of this new school of liberal thought were Green, Bosanquet, Barker and Harold J. Laski. In more recent times McPherson, John Gray and John Rawls have also made noteworthy contributions. The positive concept of liberty emphasizes the moral and social aspect of man and views liberty in relation to society, socio-economic conditions for the realisation of liberty, law, morality, justice and equality. Liberty according to the positive liberals is a positive thing and is not merely the absence of restraint.

The most influential of positive liberal thinking that emerged was that of H. J. Laski. He defined liberty as follows: 'By liberty I mean the eager maintenance of that atmosphere in which men have the opportunity to be their best selves. Liberty, therefore, is a product of rights... Without rights there cannot be liberty, because without rights men are the subjects of law unrelated to the needs of personality. Liberty, therefore, is a positive thing. It does not merely mean absence of restraint'.

Taking the opposite view of John Stuart Mill, he declared 'Liberty thus involves in its nature restraints, because the separate freedoms I use are not freedoms to destroy the freedoms of those with whom I live'. While he believed that personal liberty cannot be enjoyed in isolation from society he did nevertheless maintain that liberty should not be left at the mercy of the State because 'state action is action by government... Liberty, therefore, is never real unless the government can be called to account; and it should always be called to account when it invades rights'.

Laski classified liberty into three kinds – *private, political and economic*. He saw all of them as essential for the development of the human personality. By private liberty he understood mainly the personal individual liberty, which he saw essentially as negative like the negative liberals. Political liberty he defined 'means the power to be active in the affairs of the state. It means that I can let my mind play freely about the substance of public business'. He saw the need for two conditions to prevail for political liberty to be real. One, education and the other, provision of an honest and straight forward supply of news. Economic liberty he defined as 'the security and opportunity to find reasonable significance in the earning of one's daily bread... I must be safeguarded against the wants of tomorrow'. Thus he clearly sees political and economic liberty as meaningless without the necessary conditions being available for their realisation. The responsibility for creating these conditions Laski saw as principally a job of the government and hence Laski supported positive intervention of the state. Laski therefore put down three positive conditions that are required for liberty to be achievable and to be meaningful:

1. **The Absence of Special Privileges:** No person, family or class or group of persons in a society can be granted special privileges according to Laski for liberty to be achieved. Special privileges he opined are incompatible with freedom and search for freedom is a characteristic of all humans alike. Thus liberty is possible only when equality is there.

2. **The Presence of Rights:** Liberty can only be enjoyed in the presence of rights. There cannot 'be liberty where the right of some depends upon the pleasure of others' and it is the duty of the state to maintain equal rights.

3. **Responsible Government:** The government must be responsible which means it is responsible for creating the socio-economic conditions and political conditions so that all can realise liberty and rights in actual practice. Or in other words the government should be a welfare state.

Later in 1929 Laski reacting mainly to the rise of fascism changed his views somewhat. He wrote in the second edition of his book *A Grammar of Politics* in 1929: 'In 1925, I thought that liberty could most usefully be regarded as more than a negative thing. I am now convinced that this was a mistake and the old view of it as an absence of restraint can alone safeguard the personality of the citizens'.

In more recent times, the liberal thinker McPherson has forcefully argued for positive liberty and has preferred to rename it developmental liberty even though he has argued there is no division between negative and positive liberty. Not accepting the logic for the classification or division of liberties he has argued negative liberty is the absence of any extractive power and it is counter-extractive liberty. Counter-extractive liberty meaning that in which there is no exploiting force in the society and it is a precondition to developmental liberty. McPherson defined liberty to mean availability of life (or life's basics) and labour (or employment) to each member of society. He suggested that capitalist mode of production, based on private property, and should be replaced by some other system. Liberty cannot merely be the negative liberty he argued because the liberty of one individual (to trade and engage in accumulation of wealth through business for instance without any limit or bar of the state) can destroy the liberty of another individual (the worker for instance who becomes like a slave to his owner employer after some time). He comments since 'each individual's liberty must diminish or destroy another's, the only sensible way to measure individual liberty is to measure the aggregate net liberty of all the individuals in a given society'. By focusing on total liberty of all in a society Mc Pherson is giving importance to the social dimensions of liberty. John Gray put the same thoughts more clearly: 'The political content of the positive view of liberty is that if certain resources or amenities are needed for self-realisation to be effectively achievable, then having these resources must be considered a part of freedom itself'.

Exercises

1. Define Enlightenment and discuss the background and impacts of European renaissance and modernity.
2. What do you mean by Liberalism? Elaborate the setting of political liberalism.

MODULE-II

NICCOLO MACHIAVELLI - (1469- 1527 AD)

(Church- State Controversy, Modern Secular Nation State, Political Realism)

Machiavelli was an Italian Renaissance political philosopher and statesman. With Machiavelli the development of political philosophy entered a new phase and the middle ages come to a close. He was one of the three great writers produced by Italy in the 16th Century- Machiavelli, Aristo Ariosto and Tasso. In fact he was more a practical politician rather than a political philosopher. He was a man of very sensitive nature and keen observation and was much influenced by the intellectual and political tendencies of his age.

I. Early life

The father of modern political theory, Niccolo Machiavelli, was born at Florence in 1469 (Italy) and little is known about his early years and education. He was the son of a lawyer and he first entered public life as a chancellery clerk in 1494. In 1498, he becomes the second chancellor and secretary of the “Council of ten”, a body which had responsibility for war and interior affairs. But with the change of power Machiavelli was imprisoned and tortured on a charge of conspiracy against the new rulers (the Medici) because he had failed to side with the new ruling party. Machiavelli became an author for want of other occupation. His masterpiece the ‘Prince’ was written in 1513 and eight years later he wrote ‘discourses’.

II. Major influences on Machiavelli

(i). Conditions in Italy

At the time of Machiavelli the Italian peninsula was divided into a number of small bit independent states which were constantly at war. Italy at the time consisted mainly of five states of roughly equal power: Naples, Milan, Florence, Venice and the papal states. For the national unity of Italy these five would have to be unified and it was recognized that this unification could be accomplished only by force. More over there was a serious threat to their existence due to the presence of strong states like France and Spain on the borders. In Spain, England and in France the monarch was able to enforce unity and compel a degree of moral behavior. But Italy had no national monarch and consequently morality declined. The only possible solution was Italian unification which could be achieved only through the leadership of devoted Prince.

(2) The spirit of Renaissance:

Machiavelli was materially influenced by the growing spirit of the renaissance in Italy and he was very much a product of renaissance. His native city, the Florence was the center of Italian renaissance. The renaissance movement not only revived what was ancient but also created a consciousness of life, a new sense of liberty and new value of life. It impelled men to re-examine things from other than the clerical point of view. Now it was possible to formulate political theories on a purely secular basis and Machiavelli is the chief exponent of this school of thought.

(3) Emergence of strong Monarchies:

The emergence of strong monarchs who had concentrated the entire political powers in their own hands also left a deep impact on Machiavelli. In spite of the fact that such monarchies caused the death knell of the medieval representative institution, Machiavelli saw it as the only remedy for the unification of Italy.

(4) Influence of other thinkers

Machiavelli was highly influenced by Aristotle and Marsiglio of Padua. He learned the idea of Separation of Ethics and Politics from Aristotle. For his historical method of study also he was indebted to Aristotle. He borrowed from Aristotle the idea that the State was highest organization of human beings and the three fold division of the States as Monarchy, Aristocracy and Democracy. Machiavelli was also influenced by Marsiglio in his political philosophy. It was from him that he derived the idea of Secularism and political utility of religion.

III. Method of Machiavelli

Machiavelli was a modern thinker in the sense that his political philosophy was based on what was happening in his own times. He got his inspiration from Aristotle. Like Aristotle, he preferred to generalize from particulars i.e., he used the inductive method. He followed the empirical method of observation reinforced by historical method. He studied contemporary politics, analyzed, formed his conclusions and then summoned history to substantiate them.

Machiavelli was devoted to the historical method because he was pre-eminently a student of practical politics and not speculative politics. He was a realist in politics and cared little for political philosophy. His writings are more concerned with the actual working of the governmental machinery than with the abstract principle of the constitution. His political philosophies are not confined and are not meant for one state alone. He stood for a united and powerful Italy, but his philosophy has mostly a universal character. He kept the state over and above everything else.

IV. Political ideas of Machiavelli

Machiavelli's conception of human nature:

Living in Italy of the 16th century it was natural that Machiavelli should have taken a very low idea of Human nature. Machiavelli did not believe in the essential goodness of Human beings and human nature. Men are generally, irrational and are led to actions by their emotions. He has given a very dark picture of human nature and even equated that with animal nature. He expresses his views on human nature in his major work "The Prince". In Machiavelli's Prince human beings are pictured as selfish, self-centered, greedy, aggressive, wicked, unscrupulous and opportunistic. He always cares for himself. According to him man is not social and always there to promote and protect his own vested interests. He may even resort to all foul means for, the men are wicked in the sense that they are even prepared to sacrifice the collective interest to promote their own interest.

He is of the opinion that by nature man loves private property more than their family. A person can more readily forgive the murder of his further than the confiscation of his property. A very individual interest in keeping what he possesses acquiring more which will in turn lead to struggle and conditions of anarchy. By nature every human being remains unsatisfied and he is always after domination. Men have love for novelty and change and by nature men are ambitious. They desire many things which they cannot get and remain dissatisfied leading to strife and quarrel among human beings. More over all human beings want maximum liberty and wish to be independent of others.

Criticisms

Major criticisms leveled against conception of human nature are the following :

- 1). Machiavelli does not make any philosophical or psychological study of human nature and his observations are based on the degenerated conditions prevailed at his time.
- 2). According to Machiavelli human beings are selfish and wicked. But the basic fact that man is so selfish is not an acceptable proposition. Human beings are also not completely wicked in the sense that they are neither completely good nor completely bad.
- 3). Another criticism leveled against Machiavelli is that he tried to build his state in an environment of fear or prohibition. But actually state is not based on fear but on the will of the people.
- 4). Machiavelli is also criticized as wrong so far as he did not permit any scope for improvement in human nature. And, he holds that human beings cannot be reformed at all.
- 5). Another criticism is relating to the people's love of property. Machiavelli believed that the people could easily forget their patrimony rather than their loss of property. In fact, people love their property, but have equally deep regard, love, and affection for the patrimony.
- 6). In fact the antisocial elements of human nature can certainly be mitigated if not completely eliminated, through education and improvement of socio-economic environment.

V. Church-State Controversy:

Machiavelli was against the papal supremacy. According to him religion and politics are two separate entities. He wanted to uphold the role of State over religion and church. State is, according to him, not a means to an end but the end in itself. Interest of the state justified everything. It is the highest form of human association. His political thought had brought an unbending controversy with the church.

Separation of politics from ethics and religion:

Machiavelli differed from earlier thinkers in his attempt of making a conscious and formal separation between Politics and morality. He broke away from the tradition molded by Plato, Aristotle and Medieval thinkers who considered the state in terms of ethical end and the main purpose of state is to make men happy and good. Machiavelli attaches more importance to the reason of state than the principle of morality. Machiavelli ignored the ethical purpose of the state. The state was not "a means to an end" but "an end in itself" with its own interests.

In Machiavelli's system moral judgments, religious precepts or ethical considerations are frankly subordinated to the exigencies of the political interests. Since the necessity of the

existence and the preservation of the state are an object of fundamental concern, Machiavelli subordinates every consideration to the interest of the State.

Moreover, Machiavelli not only separated politics from religion and ethics but also insisted that the 'Prince' should employ the norms of religion and ethics for the sake of his own interest. The consideration of religion and ethics has no intrinsic or objective value of their own rather they are valuable instruments of policy and the ruler should utilize them as tools whenever necessary.

Machiavelli suggests a theory of double morality- private and public. He clearly suggests that the conduct of the people and the state cannot be properly judged by the same canons of morality. For the sake of public welfare the ruled should always be ready to do dishonorable things.

As the state is the highest form of social organization and the most necessary element of all social institutions, it should be governed by the same standards of morality by which their actions are examined. Machiavelli also insists that the norms of private morality do not apply to the action of the state. However, Machiavelli maintains separation of politics from religion and ethics consciously as a sequel to his convictions that it corresponds most closely to the facts of human existence. Infact, Machiavelli's total separation of politics from Religion and ethics signifies his advocacy of the doctrine that "end determines the means! Nothing but consolidation of power ought to be the aim of the ruler; nothing but the realization of this aim ought to his commitment". He represents the tradition of Renaissance and corrects the medieval tendency of making- politics a mere congruence of moral and religion precepts. He made him in the fullest sense a student of modern politics.

VI. Modern Secular Nation State:

State is highest form of human association. It is indispensable for the promotion of human welfare. State is to be worshipped even by sacrificing the individual for the interest of the state. A ruler must remember that whatever brings success is due to power. For acquiring political power he can use any type of means. Political statesman plays important role in organizing state, and providing it with safety and security. Hence the major theme of the 'Prince' is the process of acquiring power. Modern power politics cannot be thought of without any reference to Machiavelli and his book 'The Prince`.

Machiavelli's justification of a 'powerful state'

Machiavelli strongly justified the need for a powerful state on the following reasons:

1. He acquired practical experience of politics of his time. He was born in Florence, Italy in 1469 in a well-to-do family, when Prince Medici was at the height of his power. At the age of 25, he entered the government service as a clerk chancery. Within a very short period he was appointed as an ambassador, After that he became secretary of the king. Thus he acquired practical experience of politics. His administrative and political experience determined his views about politics.
2. Machiavelli lived in the Renaissance Italy and was greatly influenced by the new spirit of Renaissance. The intellectual awakening injected rational scientific approach in every sphere of human life, renaissance replaced the faith by reason. Italy was the leader of Renaissance,

the most modern and urbanized country of Europe. But in Italy the wealth, intellect and artistic achievements were accompanied by moral degradation and political chaos. The worst aspect of the period during which Machiavelli lived was the rampant corruption and selfishness among the Italian rulers and the church officials. Machiavelli represents the culture which was undergoing a period of deep political crisis. Italy consisted of a very large number of small but independent states. Some of these states like Florence and Venice were republics, while others were ruled by despots. Internally these states were the home of fierce political rivalries and personal ambition and externally they were involved in a constant struggle with one another. This political division of Italy and the struggle between the states made the country weak and a prey for the ambitions of the powerful neighbouring states of France, Prussia and Spain. France invaded Italy and defeated the Medici rulers. Machiavelli was witness to this tragedy. It was out of this traumatic experience, that made Machiavelli conclude that unless Italy was united under a strong central government, the country would always remain under the threat of conquest and annexation by neighbouring countries.

3. Suggested remedies on the plight of Italy, Machiavelli was a true patriot, thinking on the plight of Italy and to find remedies for this. He suggested a strong and unscrupulous prince for the Italy. He did not recommend the republican form of government for Italy, as it presupposes virtuous, honest and patriotic citizens, whereas the sixteenth century Italians was corrupt and selfish. Hence Machiavelli suggested a strong and powerful ruler for Italy.

4. Machiavelli was not interested in idealistic conception of the state. His chief interest was concentrated in the unity of body politic and power. He adopted an empirical method. He seriously studied the past-from 4th century to 15th century of the medieval age. This age was characterized by the Feudal state. In this order king divided his dominions into many parts. Each part granted to a noble or tenant chief. There were no common laws and central authority. In short feudal system was confusion. Out of this confusion church emerged as the superior authority. Result was continuous conflict between the spiritual and temporal authorities. Pope claimed superiority over all the princes. State (civil authority) was merely the police department of the church. Thus a true national life could not grow in such a system. He X-rayed the entire Italian society. The feudalism and the church no only destroyed the identity and importance of the state, but the state was considered sub-ordinate. But Machiavelli completely divorced religion from politics. He broke the medieval tradition that the political authority is under the control of church. He made the state totally independent of the church by saying that the state has its own rules of conduct to follow, state is highest, supreme and autonomous. He said the state is superior to all associations in the human society. He rejected the feudal system and propounded all powerful central authority, who is supreme over all institutions.

5. The central theme of Machiavelli's political ideas is power. He highlighted power as an essential ingredient of politics. According to him moral code of individual prescribed by the church cannot provide guidelines to the ruler. According to Machiavelli a ruler must remember that whatever brings success is due to power. For acquiring political power he can use any type of Means. He said politics is a constant struggle for power. All politics is power

politics. 6. For Machiavelli absolute state was the End; and for this Means was power. He said the sole aim of the 'Prince' was to make the country strong and united, establish peace and order and expel the foreign invader. To achieve this end any means would be satisfactory.

VII. Political Realism

Machiavelli was a student of practical and non-speculative politics. He thought and wrote on the political realities around his contemporary Italy. A realist in Politics, he cared little of political philosophy as such. Instead, he preferred understanding of the real conditions of statecraft and how government is really working. He concentrated on the preservation and strengthening of the state and not in the excellence of its constitution. He writes about the means by which the state ought to be strong and about politics by which the ruler could expand his territory and power and factors that cause political decay and destruction. His political realism is apparent in his classical work, 'The Prince'. He advises the Prince how his statecraft should be excellent and how power should be maintained effectively. The central theme of 'The Prince': 'The discourses' and 'The art of war' were Machiavelli's famous books. They contain analysis of the body politic. 'The Prince' is a handbook on the 'Art of government' and 'State craft'. Hence it is said that 'The Prince' is not an academic work on political-science but it is a book on the art of governance. It is in the form of advice and addressed to any ruler.

VIII. Machiavelli's Advice to the Prince:

Machiavelli, in his 'Prince' wanted to establish a powerful King who is capable of ruling a powerful state. The state power is absolute and it cannot be questioned by any other authority within and outside. Some significant aspects of his advice to the Prince/ruler are as follows:

1. Machiavelli elaborates the doctrine of 'Raison D 'Etat'.
2. End Justifies the Means.
3. State is sovereign, autonomous and non-religious.
4. A prince must combine the qualities of a lion and a fox.
5. Use a double standard of morality.
6. Favour despotic rule.
7. Maintain strong army.
8. Human nature is low and ungrateful, so Prince must consider this nature of man.
9. He should win the popularity of his people, must not touch the property of the people.
10. A prince must have council of wise men and not of flatterers.
11. Separate politics from religion.
12. Remain free from emotions, and
13. Ordered state

1. The Doctrine of 'Raison D Etat'

It means 'Reason of state'. It implies actions and policies promoting safety and security of the state. Because the state must preserve itself before it promotes the welfare of

its people. For preserving and safeguarding itself all means adopted by the state are justified by Machiavelli. According to him in politics, one is guided by the harsh realities of political life which is a struggle for power and survival. The actions of the state must be judged only on the basis of 'Raison D 'Etat'. i.e. independent, self-sufficient and well-ordered and well maintain state. Machiavelli advised the prince in preserving and safeguarding this type of state all means adopted by the state are justified. Prince should give priority to power. Morality and ethics have different spheres. It cannot be mingled with the reason of the state. To a prince power of state is of supreme importance. Self sufficiency of the state means the state will have its own army, a strong and unified government, unity and integrity among the people and solid economic foundation.

2. End justifies the Means:

It is a very famous statement of Machiavelli which he justified for the "Reason of state". He assumed that state is highest form of human association. State is to be worshipped like a deity even by sacrificing the individual. A ruler must remember that whatever brings success and power is virtuous even cunningness, shuredness is justified. Politics is the most precarious game. It can never be played in a decent and orderly manner. The state has some primary objectives and responsibilities like protection of life, maintenance of law and order and looking after wellbeing of its members. Hence state must have adequate means at its disposal.

3. State is sovereign, autonomous and non-religious:

Machiavelli said the state is superior to all associations in the human society. It is sovereign and is autonomous, Moral and religious considerations cannot bind the prince. He is above and outside the morality. He can use religion to realize his ends. Religion cannot influence politics and the church cannot control the state. In fact sovereign state enjoys absolute power over all individuals and institutions. State is must necessary of all institutions. It stands on a wholly different footing and therefore be judged by different standards. State power is the end and religion is its organ and instrument. Nothing is unearthy in the state, State came into being to satisfy material interests of the people. He divorced politics from theology and government from religion. He did not view the state as having a moral end and purpose but gave importance to man's worldly life. He said politics is an independent activity with its own principles and laws.

4. A Prince must combine the qualities of a lion and a fox:

Machiavelli advised the prince he should imitate the qualities of fox and lion. The imitation of the fox (cunningness, foresight) will enable him to visualize his goal and means to achieve it. The limitation of the lion will give him necessary strength and force to achieve that goal. A fox might have shrewdness and foresight, but he is powerless without necessary force of a lion. Similarly a lion without shrewdness and prudence of a fox would be reckless. Hence a ruler who wants to be very successful must combine in himself the qualities of both fox and lion. He must possess bravery of lion and cunningness of fox, physical force is necessary when there is anarchy and indiscipline. But law and morality is essential to check selfishness of people and to generate civic virtues.

5. Use double standard of politics:

One for the ruler and another for his subjects. He said morality is not necessary for the ruler. He is creator of law and morality hence prince is above the both. A ruler has primary duty of preserving the state. For this purpose he may use instruments of lie, conspiracy, killings and massacre etc. Because absolute morality is neither possible nor desirable in politics. He insisted that morality is essential for people. Only moral citizens willingly obey laws of the state and sacrifice their lives for their nation. It cultivate civic sense and patriotic spirit. Thus Machiavelli prescribes double standard of morality.

6. Favoured despotic ruler:

Machiavelli did not recommend the republican form of Government, because republican form requires virtuous, honest and patriotic citizens. He also advised the prince to convert his monarchy into a republic. If his heirs are corrupt and misuse their power for evil purposes. According to Machiavelli foundation of Government is the reason of state Government is not created by God to punish men for their sin. Machiavelli says that the government is founded upon the weakness and insufficient capacity of men. If in a society men are corrupt and selfish and the law is powerless, then normal administration is not possible at all. A superior power is essential for bringing the society into order. The government with absolute power stop the excessive desires and control the behaviour of the people.

7. Maintain strong army:

He recommended constant military preparedness for the preservation of the state. Prince should organize a strong army to meet any internal and external threat to his power. Strong and regular army was must for a state for its own defense. The state try to build up its own independent, regular and faithful army. Such an army should consist of its own citizens and be prepared not only to defend its national borders but also to expand. The citizens must be trained for army service and there should be compulsory military training for all able persons.

8. Human nature is low and ungrateful, so prince must consider this nature of man:

According to Machiavelli rational analysis of politics must begin with an account of human nature, Machiavelli viewed the activities of man with special interest and explained human nature. He viewed men to be a compound of weakness, ungrateful, fear, lust for power and assumed all men are bad. Prominent traits of human nature are

(1) There is no limit to human desires. He is selfish and aggressive. Hence there is strife and competition.

(2) The masses are interested in security. They realize that only laws of the state can ensure security hence they co-operate with the state and obey the laws. Hence a ruler who wants to be successful must ensure security of life and protection of people.

(3) People must be restrained by force because force breeds fear. Only force and repression can keep control and check on the evil tendencies in man. Hence the method of government should be force and not persuasion.

(4) By nature every human being is ambitious and remains unsatisfied. No human being is content with his position. He is always after domination. The enmities and wars are the outcome of this desire. Thus human nature is selfish, power hungry, quarrelsome and guided by materialistic considerations. Only fear of punishment is a powerful bond and it never fails.

9. Should try to win popularity of his people:

Prince should try to win popularity, goodwill and affection of his people. He should keep his subjects materially contented by not taxing them. The prince should not interfere in age old customs and traditions of his people because by nature people are conservative. He should not have craving for wealth and women of his own subjects. He should keep a watchful eye on his dissidents

10. A prince must have council of wise men and not of flatterers:

Powerful government and internal unity were essential for any state. Prince must choose wise men in his council and should give them full liberty to speak the truth to him. He must ask them about everything and hear their opinion and afterwards deliberate by himself in his own way.

11. Separate Politics from Religion:

Before Machiavelli medieval political philosophers believed that the religion was the basis of the state. But Machiavelli emancipated the state completely from the control of the church. He denied medieval philosophy of religion. He repudiates the theory of Aquinas that man needs the guidance of the divine law. Machiavelli said that only end which man can place before himself is the pursuit of his well-being in his material values in life. Moral and religious considerations cannot bind the prince, state is above and outside the religion. Machiavelli does not ignore religion and morality. In the opening chapter of the „Discourses“ he says princes who want to maintain themselves respect all religions preserve the purity of all religions. He said religion is useful only as an organ of the state. He gave only an instrumental value to religion. He advised the ruler that religion play important role in the life of a community. According to him religion is necessary for unity and integrity of the people within the state. Common religion creates a sense of unity among people. Religious rites, beliefs establish social harmony. It also cultivate civic sense and patriotic spirit. Decline of respect for religion among the people is a sign of ruin for the state. He said religion cannot influence politics and the church cannot control the state. In fact the sovereign state enjoys absolute power over all individuals and institutions. As such the church is subordinate to the state. Thus Machiavelli separated religion from politics and paved way for emergence of the secular state. He was not against the religion and morality. According to Machiavelli state is the highest form of social organisation and the most necessary of all institutions. It stands on a wholly different footing and must therefore be judged by different standards. He said politics is an independent activity with its own principles and laws. State is non-religious and secular. It has its own rules of conduct to follow. Machiavelli sanctioned the use of immoral means by the ruler whenever it was necessary to do so to save the state. Thus the separation of politics from ethics is the essence of Machiavellian.

12. Prince must be free from emotions:

Prince should exploit emotions of his people for the purpose of the state. He should be cool, calculating and opportunist. His suggestion is that a prince must know how to act as a beast.

13. Ordered state:

In “The Prince” Machiavelli advocated absolutism and an effective government. This advocacy of absolutism was due to the fact that he had witnessed anarchy, lawlessness, corruption and misrule that prevailed in Italy of his times. He had witnessed how king Charles VIII of France had captured Florence without being offered resistance. Therefore Machiavelli advocated a well-organised, ordered and militarily strong state. Without a strong state, any country had no hope of survival in international politics. He believed that an ordered state was the only security against forces of external aggression and internal chaos.

An Estimate of Machiavelli:

Machiavelli was a product of the age of prolific change and of a period that marked a definite reaction against the authority of the Pope and his preaching of spiritualism. Machiavelli's methods were historical but he was a political realist, more concerned with the actual working of government than a theory of the state. He built his theories on the premise that men are essentially wicked and selfish. According to him, state is the highest form of human association and an indispensable instrument for the promotion of human welfare. A successful ruler or 'Prince' should be a perfect embodiment of shrewdness and self-control, making full use of his virtues and vices. Two basic means of success for a 'Prince' are judicious use of law and physical force. The ruler is creator of law and of morality. Machiavelli is sometimes seen as the prototype of a modern empirical scientist, building generalizations from experience and historical facts, and emphasizing the uselessness of theorizing with the imagination. He emancipated politics from theology and moral philosophy. He undertook to describe simply what rulers actually did and thus anticipated what was later called the scientific spirit in which questions of good and bad are ignored, and the observer attempts to discover only what really happens. Machiavelli is the only political thinker whose name has come into common use for designating a kind of politics, which exists and will continue to exist independently of his influence, a politics guided exclusively by considerations of expediency, which uses all means, fair or foul, iron or poison, for achieving its ends—its end being the aggrandizement of one's country or fatherland—but also using the fatherland in the service of the self-aggrandizement of the politician or statesman or one's party. Machiavelli's ideas had a profound impact on political leaders throughout the modern west, helped by the new technology of the printing press. The 20th-century Italian Communist Antonio Gramsci drew great inspiration from Machiavelli's writings on ethics, morals, and how they relate to the State and revolution in his writings on Passive Revolution, and how a society can be manipulated by controlling popular notions of morality.

Exercises

1. Enumerate the main features of Machiavelli's thoughts on politics and state.
2. Critically analyse Machiavelli's political ideas.
3. Why is Machiavelli considered the “father of modern political thought” and absolutism.

MODULE III

1. THOMAS HOBBS

Thomas Hobbes (1588 – 1679) is the first Englishman who wrote comprehensively on political theory and made valuable contributions to it. The political theory of Hobbes, based on will and artifice is a departure from the ‘rational natural’ tradition of Plato and Aristotle. It is also different from medieval natural law theory which view law as a product of reason. He built up a systematic theory of state taking his stand neither on theology nor on tradition, but on his study of human nature. Like Machiavelli Hobbes subordinated ethics and religion to politics and was in fact the first prophet of unlimited sovereignty. The basic features of his thought were absolutism, tinged with individualism, materialistic rationalism and hedonistic utilitarianism.

Hobbes wrote during a time in which the foundations of future greatness of England were laid in science, philosophy and political thought. The turning point was marked by the Puritan revolution and two civil wars – 1642 and 1649. Hobbe’s efforts in turmoil was to exert influence upon the side of the King. The important political writings of Hobbes are:

1. *De – Corpore Politico (1640)*
2. *De – Civie (1642)*
3. *The Elements of Law (1650)*
4. *Leviathan (1651)*
5. *De – Homine (1659)*

Hobbesian Materialism

According to Michael Oakeshott “the Leviathan in the greatest, perhaps the sole master piece of political philosophy written in the English language.” Hobbes gave his thought a basis of mechanical psychology, materialist behavioralism and utility. His theory was a plan for assimilating psychology and politics to the exact physical sciences. Hobbes substantiate his ideas with reason or with rationalism. In this sense he was the ancestor of all modern materialists. To him the whole universe is reduced to matter that also homogeneous matter. Hobbes rejected teleology and explained human action in terms of motion of matter. Motion of matter is the only reality. Thus, all knowledge comes though self experience or through the experience of senses. In this sense knowledge is the consequence of interaction between mind and external world. The external world is reality. Hobbes argued that the nature of society and state are the results of human constitution and not the result of ideas or moral codes. The science of Politics is therefore built upon psychology, and the mode of procedure is deductive. Hobbes was the first materialist because materialism as a basis of political philosophy was used firstly by him.

According to Hobbes, all our complex emotion of life can ultimately be reduced to be attraction and repulsion. Man tries to get those things which attract him and avoid those things which he feel repulsion. There is nothing inherently good or bad about these attractions and repulsions. This is because there is nothing good or bad about the motion of physical bodies. Morality and moral judgements are products of civilization. Thus

materialist theory of knowledge and of happiness forms the basis of Hobbesian political theory. Upon the foundation of this theory Hobbes proceeds to write the nature and function of the state.

Hobbes on Human Nature and State of Nature

The political theory of Hobbes is explained by his general theory of human nature. Hobbes regards mind as decaying matter or a kind of extremely refined matter, and starts with the mechanistic doctrine of sensation. Everything in man, including his thought, is derived from his senses. Thus the behaviour of man is a product of external forces operating upon the organs of sense. This is based on the forms of desire or aversion.

The desire for security, the really fundamental need of human nature, is for all practical purposes inseparable from the desire for power. Thus, life is a “perpetual and restless desire of power after power that ceases only in death.” The individual whom Hobbes has thus described is completely self-centered. To him every single man is an absolutely solitary individual. Such a man and his world must be one and different from the world of other men. Thus, according to Sabine, “Hobbes was frequently portrayed as the great absolute, is perhaps the greatest individualist in the history of political thought.”

In the nature of man we find three principal causes of quarrel – competition, diffidence and glory. The acquisitive instinct as a result of which man uses violence to make himself master of other men, persons, cattle, properties and even wives and children. The possessive instinct is the corollary of the first. Because of these, man attempts to prevent his neighbours from securing those things which he himself possesses. As a result of love of glory men seek to praise and envy of his fellow beings. Upon the foundation of this philosophy, Hobbes proceeded to write the nature and functions of the state. At the root of all his political doctrines, is his idea of man and human relations in the state of nature.

In the state of nature man possesses both freedom and equality. By nature they are equal in the faculties of mind and body. If one is superior in physical strength another will be superior in intellectual matters. Therefore, difference is not considerable since individuals are roughly equal in strength and cunning, none can be secure. Thus, the state of nature is a “war of every man against every man.” In the state of nature man is not a social being at all, because he cannot be so by nature. There was no authority to check this natural instincts, there must be continual fear and the danger of violent death. The life of man is “solitary, poor, nasty, brutish and short.” Such a condition is inconsistent with any kind of civilization. There is no industry, navigation, cultivation of the soil, art or letters. Equally there is neither right nor wrong, justice nor injustice. This is because, there is no common power. There is no law and where there is no law there can be no justice. Force and Fraud are in war the two cardinal virtues.

In the Hobbesian state of nature, there can be no private property, no dominion, no mine and thine distinct. The rule of life is “only that to be everyman’s that he can get; and for so long as he can keep it.” When there is an authority to check and to hold these instincts in restraints, they continue to exist underneath the surface of human society. This continuance is evident from the conduct of even respectable citizens in a civilised state.

However, the Hobbesian concept of human nature suffers from the fact that it is based on the isolated individual. As Sabine points out, ‘the historical accuracy of the description was of no importance to him, (Hobbes) his purpose was not history but analysis. Thus the whole assumption of the state of nature is a frick or fancy.’ The fact is that the natural man as conceived by Hobbes is radically anti-social.

Hobbes Views on Natural Rights and Natural Laws

Hobbes like his contemporaries believed in natural rights and natural laws. To him, in the state of nature man enjoyed natural rights. Hobbes disagreed with Jean Bodin and Hugo Grotius regarding their view point that natural law is essentially moral law, which commands man to do good and avoid evil. To him there is nothing intrinsically good or bad and reason tells us which actions tend towards self-preservation and which toward self-destruction. In disobeying this laws man is not wicked but foolish.

Hobbes made a clear distinction between natural right and natural law. Natural right signifies simply the liberty possessed by every man of doing what seems best for the preservation of his existence. Liberty here means the absence of external impediments. Natural, laws on the other hand implies primarily restraint rather than liberty. This a set of principles which reason desires for making life secure. While equal natural rights of all men make the state of nature a state of war.

Hobbes bases the observance of there laws of nature on utility and not on moral considerations. Utility or self interest is an internal restraint. it suits people to violate the laws of nature but make others respect them. Therefore, utility alone is not enough and he suggests a common coercive power to enforce these rules in the common interests of all. This is because Men’s passions based on fear and self interest can be checked only on the basis of greater fear and greater self-interest.

The Social Contract

The laws of nature are the postulates by which Hobbe’s rational constructions of society is to take place. Natural laws do not imply that there in such a thing as a common good. The desire of man for power and glory may tempt him to break moderation from fear of death. Here, Hobbes argues that, unless there is a restraining power strong enough to keep him to moderate, then “covenants’ without the sword, are but words, and of no strength to secure a man at all.”

In fact, what Hobbes really means is an entire absence of right in any legal or moral sense. There is no such thing as common felicity. However, to make the counsel of prudence, born of the fear of death, issue in effective peace, a sovereign authority – one man or an assembly of men – must be created to whom all power is transferred. A mutually agreed transfer of right is normally called a contract. In this case it will be a contract between each man and every other man, in which each transfers his right to a beneficiary, who is not himself a party to the contract. But in a contract there are two stages, there is first convenient and secondly performance. The form of the convenient here is one made by convenient of every man with every man, in such a manner, as if every man should say to every man; “I authorise and give up my right of governing myself to this man, or to this assembly of man,

on this condition, that, thou give up the right to him, and authorise all his actions in like manner.” Thus the social contract of Hobbes is made between subjects and sovereign.

The covenant is supported by the fear of death and conclusions of reasoning. At the same time, it is contrary to every other human possession, virtue and defect. Under the covenant, the recipient of the natural right of each man must be the representative of each man and a representative is an artificial person. He is one who impersonates a number of natural persons. In the operation of this authority the multitude of conflicting wills is replaced, not by a common will, but by a single representative will. This single representative will is the sovereign. This sovereign is the Leviathan, the mortal God to whom individuals owe their peace and preservation. This sovereign power may be created by institution, when men of their own impulse unite or by acquisition, when impulse to union comes from without. In the former case, the motive of force is fear of one another; in the latter the fear of the sovereign. Thus to Hobbes, political society is an institution founded upon social contract, in order to escape the reign of violence.

Hobbesian contract was a contract of subjection to the sovereign and not of any limitations on the sovereign. Hobbes thus used the contract theory in favour of unlimited absolutism, which was the reverse of what the theory stood for during the 16th century. Hobbesian contract is a unilateral one in which the contracting individuals obligate themselves to the resultant sovereign. The sovereign himself is no party to the contract. Thus, Hobbesian contract is absolute end irrevocable.

Another, feature of the Hobbesian contract is that it is social and not governmental. It is between the people themselves. The ruler is no party to it. Consequently, it is a contract that justifies all forms of government – monarchy, aristocracy and democracy. This is because at the time of contract the individual’s could surrender their rights to one man or one assembly of men as they liked. Again, here, the state is not a growth or an organism but an artifice or manufacture calculated to serve the specific end of maintenance of peace and order. It is therefore a mean to an end, which leads to the concept of individualism. But in so far as the people surrender all their rights, except that of life, to the sovereign and have no right of revolution, it leads to absolutism.

It may be added that the Hobbesian contract creates simultaneously the state society and government. In fact, Hobbes does not distinguish between state and society and between state and government. He also does not distinguish between ‘De – jure’ and ‘De-facto’ sovereignty. The state of Hobbes is not the outcome of man’s sociability as held by Aristotle, but of his anti-social nature. In the Hobbesian state, no conditions explicit or implicit can be imposed on the sovereign, for his power is unlimited. There can be no constitutional checks for the sovereign. The actions of the sovereign cannot be illegal, because he himself is the source of laws and the laws are subject to his interpretation.

The sovereign has to protect his people externally and internally for peace and preservation were basis of the creation of the Leviathan. He has the right to appoint and dismiss all officials, both civil and military. He can declare war and give judicial decisions. No one has any hereditary right to any office. Sovereign is the fountain of honour. The

Leviathan represents the ultimate supreme and single authority in the state and there is no right of resistance against him except in case of self-defence. Every act of disobedience of a subject is unjust because it is against the covenant. Hence if resistance is successful and the sovereign loses his power, he ipso facto ceases to be sovereign and his subjects cease to be subjects.

The law of nature can never be pleaded against Leviathan, for the purpose of the law of nature is the creation of the Leviathan, who alone can interpret it. The law of God can never be pleaded against Leviathan, for of that also Leviathan is the sole interpreter. If the sovereign ignores the pact, the subjects cannot do so, because the pact made all individuals joining it to give up their natural rights. But the sovereign is no party to the contract and therefore retains his natural rights. Conscience can never be pleaded against Leviathan for “the law is the public conscience by which man hath already undertaken to be guided.” In short the sovereign is the creator of morality. Thus, the Hobbesian sovereign and his creative law are the source of all distinction between good and bad, just and unjust, legal and illegal, moral and immoral. The attributes of the sovereign are indivisible and inalienable. Thus, very properly does Hobbes call his sovereign a “mortal god” and write in his hands the sword and the crozier. For him, there is no choice except between absolute power and complete anarchy.

Hobbes on Political Obligation and Rights

In the Hobbesian view point, might and right are not the same thing. Right is always absolute, power is a variable quantity. To him, to be obliged is to be bound, is to be forbidden to suffer impediment. In the first place, such impediments may be either external or internal, and may be seen not to affect natural right itself, but only the exercise of it. Men are said to be ‘obliged’ to will the mutual convenient; it is a course of action dictated by fear and reasoning. We may call these two kinds of obligation as ‘physical’ and ‘rational’ obligations.

Another and entirely, different kind of obligation is the moral obligation. It is an obligation that curtails natural right itself and not merely the power to exercise it. This kind of obligation is not the effect of superior power of the rational perception of the consequences of actions, but of authority. Now authority is a right and therefore, springs from a will. The sovereign authority is come into being by a voluntary act of those who are to be morally obliged or bound by the commands of the authorised will. Thus voluntary act of authorisation is a surrender of the natural right of each man. This single act creates and endows with authority an artificial representative man or body of men, who is called sovereign. The exercise of the will of the sovereign is called legislation. Moral obligation is the will of this sovereign authority. There is no other law independent of this law, and no other moral obligation independent of this obligation.

Finally, there is political obligation. This is mixed obligation consisting of physical, rational and moral obligation, combined to serve one end, but never assimilated to one another. To sum up, there is the moral obligation to obey the authorised will of the sovereign. There is the external physical obligation arising from force of power and there is

the internal rational obligation of self interest arising from fear of punishment and desire of peace.

Hobbes distinguished between liberty of the commonwealth and the liberty of the individual. The liberty of the individual must be understood in terms of the state. Liberty of the state is unqualified but that of the individual is regulated by the laws of the commonwealth. Liberty of the individual consists in what the laws of the state do not forbid. This includes right of self defence and self preservation. But the liberty of the subject is no limitation on the rights of the sovereign. If there is a civil war and the sovereign cannot protect his subjects, then the subjects have the liberty to choose a new sovereign or accept a new defacto sovereign. However, rights of the individuals cannot be quoted against the state.

Hobbes adopts the legal theory of rights and maintains that an individual is best in the state. He distinguishes between the legal and natural rights of the individual. The rights of the individual to liberty property etc. are legal or civic rights. They emanate from and are regulated by the state and are neither absolute nor inviolable. Rights of associations of man, like those of individuals are legal rights. The right to life is a natural right which was not surrendered at the time of contract. In short in Hobbes's political theory as Dunning points out, "the liberty of the subject can properly be thought of only in relation to the laws of the commonwealth.

Hobbes on Law

According to Hobbes, "Law in general is not counsel but command." Hobbes distinguishes between different kinds of law such as the law of nature civil law and divine law. "The laws of nature are 'conclusions or theorems and not laws. Law proper "is the word of him that by right hath command over others" and that is the sovereign. The law of nature is a part of the civil law in all commonwealths of the world. Reciprocally also, the civil law is a part of the dictates of nature. Therefore obedience of the civil laws is part also of the law of nature. To Hobbes "law was brought in to the world for nothing else but to limit the natural liberty of particular men in such manner as they might not hurt, but assist, one another and join together against a common enemy. The qualification introduced by Bodin in the original theory of sovereignty are avoided by Hobbes. Moreover, the pains taken by Grotius, to hedge, in the sovereign by the 'jus gentium' are rendered negatory. To sum up, Hobbes defined law as the command of a sovereign legislator, and equated right and wrong with legal and illegal, so that natural law was not really law at all.

Hobbesian Individualism

Individualism has drawn its inspiration from many sources. But as a theory of society it has its roots in the so-called nominalism of late medieval scholasticism. Hobbes inherited this tradition of nominalism and passed it on to the modern world. The eleven, chapters, of his 'Leviathan entitled on man emphasize the importance of the individual and describe the psychology of the individual. The focus is on man, the discrete individual apart from associations or society. Thus Hobbesian individualism is empirical and secular, not based on scriptures or apriori assumptions.

It is clear-cut individualism that makes Hobbes political theory the most revolutionary theory of age. He starts with individualism but ends in a sort of collectivism although his collectivism is different from that of Rousseau. Hobbes was writing at a period near the end of the feudal pattern of society. Feudalism was essentially collectivist. No one is supposed to think of his own interest. Hobbes argued that human beings are essentially selfish and each person looks his own interest. To him the state is our individual telescoped. Individual is the indivisible basic unit of the state. To run a state we need to understand its structure which means we should understand the nature of individuals. Therefore, the study of the state must be based on the study of the nature of man.

Individual is essentially selfish. His nature is composed of two parts; reason and passion. The real force which moves man is passion. Ambition of power and fear of defeat are naturally the driving motives of selfish man in the society. Hence, the state of nature has made men equal, to be controlled by another is unnatural. Each one is an independent separate entity free to do as he likes. To do in accordance with his reason is natural. Therefore, there is no questions of right and wrong. Individual in the state of nature has natural rights. Fulfilment of these rights is the justification of the state. The independent freedom loving individual dictated by his own reason, created to state to preserve his existence and promote his interest. That means the state is not the creation of God. It is human creation and secular in character. Its purpose is material and not spiritual, it is for the individual.

By the creation of the state individuality is not destroyed. Because the state is a collection of individuals united in one sovereign representative, that, does not compromise the individuality of its components. In the Hobbesian social contract, the agreement must be for each individual to transfer his right of willing to a single artificial representative. The artificial representative thenceforth authorise to will and to act in place of each individual. In that society there is no general will and no common good. Its unity lies solely in the singleness of the representative in the substitution by individual acts of will of his one will for the many conflicting wills. Thus created a sovereign. He is a representative and authorised to make a choice for the individual. This does not destroy or compromise one's individuality. Leviathan does not destroy the individual. It is the minimum condition of any settled society for the individual. Sovereign is absolute only in two respects and none of them is destructive of individuality;

- 1) Sovereign is absolute because the surrender of natural right to him is absolute and his authorisation is permanent and exclusive.
- 2) He is absolute because there is no appeal from the legitimacy of his command. The natural right surrendered is the absolute right, to exercise one's individual will in the pursuit of felicity.

Hobbes is a through going individualist because to him the individual is the only social reality and is the measure of all social reality and is the measure of all social institutions. Hobbes even allowed his individual the right to resist his sovereign, if the individuals life is endangered, implies that the individual is the judge as to when his life is

endangered. On Hobbesian view of human nature the individual misuse this right and resist the sovereign as often he can. This would destroy what Hobbes wanted to create – unlimited absolutism of the sovereign.

Hobbes is an individualist since his entire system is based on the individual psychology of desire and aversion. He is no liberal or democrat but an individualist not because he believes in the society of individual man, but, because for him the world is and must always be made up of individuals. The state is not the end of the individual but the individual is most certainly the end of the state.

Criticism of Hobbesian Postulates

For Hobbes there is no idle terms between anarchy and absolutism. In Hobbes state of nature life is wretched. It is difficult to agree with him that men were motivated by self interest alone. However Hobbes argue that in the absence of a sovereign, men would behave in a manner as he did in the state of nature. Hobbes failed to grasp the fact that the unit of primitive society was not the individual but the family or some other group. With Hobbes the only remedy for the good behaviour of man was the coercive power of sovereign. Thus, Hobbe's society is monitored by Leviathan.

It is also pointed out that social contract is unhistorical. Examining lives of primitive societies critics say that men moved from status to contract and not vice versa. The solitary, nasty and brutish life of the state of nature suddenly transforms into one of prudent reasoning and co-operative effort. The social contract by which it is achieved, therefore, reflects a defective logic. However, Hobbes employs the concept of social contract as a legitimate device for analytical purpose.

Finally, Hobbes fails to distinguish between state and government. He confounded the legal absolutism of the state with governmental absolutism. he does not say how change of forms of government affects existence of the state. Further, the worst part of Hobbe's system is that it allows the state no positive function. Its sole duty is the maintenances of order. Thus the Hobbesian state is a necessary evil. It is an instrument which defend men against their savage instincts, and not to archive the free and progressive civilization.

Hobbe's Contribution to Political Theory

Hobbe's positive influence was not fully developed until 19th century when his ideas were incorporated in the philosophical radicalism of utilitarians and John Austin's theory of sovereignty. In the opinion of C. C. Maxey, Hobbes did much to pave the way for Benthan and the great movement for scientific legislation of which he was a guiding genius. In the Hobbesian political theory we find the assimilation of psychology and politics. He was at once a complete utilitarian and the complete individualist. He justified the power of the state and authority of law because they contribute to the security of individual human being. There is no rational ground for obedience for respects of authority except the anticipation that these will yield a larger individual advantage. It is the clear cut individualism that marks his political theory and it served the end of middle class liberalism. With Hobbes the power of traditions for the first time fully broken by a clear headed and cold hearted rationalism. Hobbes relieved sovereignty completely from its disabilities.

2. JOHN LOCKE

John Locke (1632-1704) is called the theorist of the Revolution of 1688 in England. The Glorious revolution established the first constitutional monarchy in a major European country. The forces of Liberalism of his period had a profound influence on his thought. We find in Locke a fine blending of some of the finer elements of traditional thinking and the liberal conditions of the revolutionary period. Locke attacked both the divine right theory of Anglicans end of Filmier and the theory of absolutism of Thomas Hobbes. His notion of what men are was confirmed and indicated by the glorious revolution. It proved that men possessed of a social sense; ability to rule themselves and sufficiently reasonable. The principal works of John Locke are:

1. A Letter on Toleration (1689)
2. Two Treatises of Government (1690)
3. A Second Letter on Toleration (1690)
4. A Third Letter on Toleration (1692)
5. A Fourth Letter on Toleration (Posthumous)
6. The Fundamental Constitutions of Carolina, (written in 1673, but published in 1706.
7. Essay on Human Understanding (1690)
8. Thoughts on Education (1693) and
9. Reasonables of Christianity

Locke's request was of rich and varied. It touch religion both in its practise and in its principles. It tests particularly politics; it tests the theory of knowledge and the principles of Metaphysics. The Letter Concerning Toleration, set forth a theory of the particular relations between church and state. Locke's philosophical defense of religious liberty, is in the opinion of A.C. Fraser "the most far-reaching of his contribution to social policy."

The glorious revolution denied divine rights and accepted constitutional popular sovereignty. Overthrow of government or abrogate a constitution or replace it by another is an important part of Locke's theory. But his theory is not revolutionary because he was not preaching another revolution that would overthrow the new class. He wrote to protect the interest of the new class. For this purpose, Locke subordinated the executive to the legislative. It is said that Locke is the theorist of the merchant class because his theory provided justification for the British colonies in other countries.

In his 'Essay Concerning Human Understanding', Locke argued that knowledge is neither innate nor revealed. To him it consists of the perception of relations among ideas. Ideas are all born of experience, without which they are empty words. Agreeing with Hobbes as to the fallibility of human nature both in its mental and moral aspects, Locke insisted that it was improper to deduce from this premise either the reasonableness or the necessity of absolute authority." Locke made a case for toleration. His empiricism could not be met in the open field of fact and reason.

The political theory of Locke was contained in his 'Two Treatises of Government.' Of this the first, argues that heredity cannot be accepted as the basis of legitimate political

power. He was against the natural power of Kings. The second, The Civil Government contains the substance of his political theory. In this, Locke presents a systematic and constructive theory of state and government. It also deals with natural law and natural rights, especially of the right to life, liberty and property.

Locke on Human Nature and State of Nature

Locke's view of human nature is summed up in his 'Essay on Human Understanding.' To him, man is a rational and a social being and as such capable of recognising and living in a moral order. He is not selfish competitive or aggressive. He feels sympathy, love and tenderness towards his fellow beings and wants to live in peace and harmony with others. Locke believed that men are morally equal and are orderly, society loving and capable of ruling themselves. Hence the state of nature is not a state of war. Men have equal natural rights and thus the state of nature is an ideal moral order. Locke did not take a dark picture of human nature as Hobbes did, because his times were more peaceful and settled than those of Hobbes. He wrote after the Glorious revolution whereas the Leviathan of Hobbes came after the violent civil war.

The Lockean state of nature is a state in which men are equal and free to act "as they think fit within the bounds of law of nature." In contrast to the Hobbesian state of nature, Locke's state of nature is pre-eminently social in character, because the instinct of sociability is inherent in man. Further, Locken state of nature was not a war all against all. Individual sociability prevents quarrels. Abundance of land and plenty of natural provisions in the world left little room for quarrels. It was a state of perfect freedom" and also of "peace, good will, mutual assistance and preservation." It was the state of equality, wherein "all power and jurisdiction is reciprocal." However, Locke does not mean all sorts of equality because men are not equal in virtue or mental ability. The equality is in the equal right that every man had to his natural freedom without being subjected to the will or authority of any other man. At the same time each individual must recognise and respect the equality of every other. From, this equality are born men's natural rights, which Locke identifies with life, liberty and property.

According to Locke "the state of nature has a law of nature to govern it." It is a body of rules which governs, at all times and all places, the conduct of men. Its arbiter is reason, and reason shows as that men are equal. Thus the state of nature was explained as a condition of right and reason; non-political, but not non-social. It is said that, Locke's state of nature is very like civil society without government. Unlike, Hobbes, Locke does not give a clear enunciation of the law of nature nor a systematic exposition of human psychology.

Locke on Natural Rights

According to C. C. Maxey, the doctrine of natural rights is Locke's "greatest contribution to political thought and one of the most explosive ideas that ever found lodgment in the human mind." Locke identifies natural rights with life, liberty and property. The right to private property is to him the most important and the other natural rights are analogous to it. Like Hobbes he regard that the instinct of self-preservation is deepest of human impulses and whatever is reasonably directed to this end is everyman's privilege by the law of nature.

As to liberty on the other hand Locke departs from his predecessor. By liberty he means the liberty of men to dispose as they please of their goods and persons. It also means order their actions by freely follow their own will and not be subjected to the arbitrary will of another. The end of law is not for restraining but to enlarge individual freedom.

In the Lockean political theory, Commonwealth was created for the protection of natural rights. Locke talks of rights as natural and inherent in the individual. Rights are born of human reason and human needs. In this sense Locke's insistence on rights bring natural to man has led to the conception of a system of fundamental rights of the individual which calls for a limited government.

Locke held strong views on the institution of property and on the sacredness of the right to property. To him there is a natural right of property because property is the extension of ones own personality. Locke argues that property right is prior to state. Locke argued for a natural and inherent right of property, because labour is inherent in every individual. While to Hobbes right to property, like all other rights of the subject is the creation of government, the society and state, instead of being creators of property are creatures of it. Man created them to protect the prior right of property. the business of political society was to preserve, not invade, men's natural rights of life, liberty and property. The existence of state is justified because it protects the rights of property.

Locke was defending the Whig revolution and it according to Daniel Webster was a revolution in defense of property as well as natural rights. However, Locke's ideas regarding property are not applicable in the complex industrial society of today. His theory of property is that of the rising bourgeoisie. Locke emphasize the right of property above the other rights, and thus this theory of property is of the propertied and privileged class to which he himself belonged. Thus the natural man of Locke is a propertied gentleman insisting on his own rights and respecting the rights of others. In short, Locke's view that property is a natural and inviolable right is the key stone of modern individualism and used in defense of capitalism.

Locke on Social Contract

According to Locke, the state of nature was a state of peace, goodwill and mutual assistance. Men were living together according to reason without a common superior on earth with authority to judge between them. So the state of nature is one of innocence and goodwill, but it has its inconveniences. It is not a state of war, but a state in which peace is not secure. It is constantly, upset by the "corruption and viciousness of degenerate men." In it the individual is guided by the law of nature only. It is therefore a "condition which however free is full of fears and continual dangers," which threaten to become worse. The three inconveniences attending the state of nature, were;

1. the want of an established, settled known law.
2. there did not exist a known and impartial judge with authority to determine differences according to established settled law, and
3. inadequate force for the execution of judgement.

There was no adequate power to put the just sentence on the guilty in the state of nature. Very often men could not carry out a just punishment against an offender and had to put up with injustice. Thus, according to Locke, three things were needed to remedy these imperfections. They are;

- i) a legislature to lay down uniform rule of judgements.
- ii) a judiciary to administer law impartially, and
- iii) an executive to enforce the decision of the judiciary impartially.

It is here that the social contract emerged. In fact, while the social contract of Hobbes is a necessity, that of Locke is a convenience. According to the Lockean contract each individual agrees to give up not all his natural rights but that one of interpreting and executing the law of nature and redressing his own grievances. This is not surrendered to any person or group of persons but to the community as a whole, on condition to safeguard the natural rights of life, liberty and property. “The contract is thus” as Laski pointed out “not general as with Hobbes, but limited and specific in character.”

In Locke’s political theory, the social contract does not create any absolute and unlimited power. The contract is not, as with, Hobbes, made with the ruler but with the community which becomes the common political superior, ie., the state, to interpret and execute the law of nature. Locke does not distinguish between the community and the state. To him, the government is a trust, breach of which would call for a revolution. To Locke, the contractual origin of civil society is a historical as well as a logical fact. Hobbes put two checks up on the state. They are:

1. It has to respect the three fundamental rights, and
2. It has to abide by the Law of nature.

However, the Lockean theory of social contract is hardly logical. Locke fails to synthesize the ideas and institutions, on which he build up his theory into a definite and rational theory. Further, it is not clear whether his original compact creates society or only government. Further, his conception of social contract postulates four things;

1. an individual with innate and indefensible rights.
2. a society as a trustee of the rights of the individual.
3. a government which is a trustee for a society, and
4. a legislature which is the all important organ of government.

According to Wayper, Locke’s idea of social contract is closer to Rousseau’s than to Hobbes. Both believe that the contract does not remove the supreme power of the people.

Locke on Government

According to Locke, the social instincts of man gives origin to various social units and political society is last among them. To him the state is a political agency, and therefore has no jurisdiction outside the political sphere. Thus, here we can see the germs of pluralism in Locke. Locke makes consent the basis of government and authority. No man can be subjected to the authority of another without his own consent. A man is a member of a civil society by his own consent which is express and tacit. Thus the government cannot take

away from anyone his property without his consent. This lead to the principle of no taxation without representation. While Locke insists that the true state must be founded on consent, in actual practice consent of representation is an adequate substitute for the consent of all. It means constitutional government.

Lockes contract also implies the rule of majority. To him common consent does not mean unanimous consent. The majority have the right to act for the whole community. Further, the people have the power to remove a government that betrays its trust or is inefficient. People have the right to remove or alter the legislature also. The power of the people to remove a government is revolutionary and extra legal. Thus, the idea of unrestricted power in any human hands finds no place in Lockes theory. He does not build up a conception of legal sovereignty. He is for a government based on division of powers and subject to a number of limitations. It is limited by natural law and by natural rights of the people. To him civil laws is merely the restatement of Natural law in detail and by authorised legislation. Civil law can never conflict with natural law.

Locke followed the Aristotelian classification of government into monarchy, aristocracy or democracy as the legislature power was in the hands of one, few or many. He also believed in the possibility of mixed government. Further, Locke also emphasised the need for separation of powers into legislature, executive and federative. Through this separation the intolerance and the consequent drives of men to escape from it can be avoided. Further, to him the government is a board of trustees. The best way of preventing the trustees from abusing their powers is to divide them and their functions. Besides, concentration of powers is dangerous and may lead to tyranny.

Individualism in Locke

Locke was a through going individualist and placed his individual before his state and society. So to him the state is a means and the individuals the end. This is because, in the Lockean political theory, the concept of individual has certain innate and inviolable rights, ie., the rights to life, liberty and property. The individual enters the state as a rational and a moral being and does not owe the state his rational or moral development. The state is created to safeguard his natural rights, especially property. Thus the state of Locke is an individualist state with a minimum of functions but plenty of restraints and limitations.

Critics points out that, Locke has overstated his case in favour of a sovereignty of the individual. Locke holds that the consent of the individuals is necessary for the foundation of the state and dissolution of governments. But this is belied by history. He reduces the regulative functions of the state to the minimum. He does not realise that the individuals are unequal from the point of view of natural endowments. A policy of non-interference on the part of the state would put the weak individuals at the mercy of the strong.

Lockes views on Revolution

Locke does not create any determinate human sovereign with unlimited law making authority. If the government believe its trust or overact its powers, resistance to it is the natural right of the people. In such a situation the people have the right to resume their original liberty. In otherwords, failure to fulfil the 'trust' calls into action the supreme power

of the people to remove or alter the legislature. By the establishment of a new legislature they can provide their safety and security, which is the end for which they are in society. To Locke, “the true remedy of force without authority is to oppose force to it.” But this overruling power of the people or the community of the civil society becoming active only when the government is dissolved. Thus, according to W.W. Dunning “it is a cardinal point in his system that government may be dissolved while society remains intact.” Locke is logical in ascribing to the latter an authority above that of the former. But he does not clear about the ground and manner in which the society or “the people” is to supersede the government.

In the case of the executive, if a ruler acts arbitrarily puts himself in a state of war with the people, the whole society has then the right of resistance. Locke, thus justifies the right of revolution. He made a distinction between the dissolution of the society and the dissolution of the government. In civil society, government approaches dissolution whenever the legislators “endeavour to take away or destroy the property of the people, or to reduce them to slavery under arbitrary power.”

Similarly, government may be destroyed from within by the chief executive if he overrules the laws of the legislature by his own arbitrary will. To Locke, the legislature is the supreme branch of government, but its powers are limited to those given up by the individual. It must not be arbitrary in its enactments, for behind it stands, “a superior and final embodiment of power, the people.” Locke concedes the right of revolution when the government does not fulfil its end of securing the rights of individuals. In short, Locke was defending not the Puritan revolution, but the Whig revolution. The Whig revolution was a revolution in favour of property as well as other rights. This is true because Locke repeatedly affirmed, that the protection and preservation of property was the chief object of political society.

Conclusion

A closer analysis of Locke’s theory reveals a number of logical difficulties. This is mainly due to two things. Firstly, Locke takes up a multitude of issues for his analysis and tries to combine them all. Secondly, the logical structure of his theory is not elaborate enough to contain them all. Though a defender of revolution, Locke was not radical. His political theory was an effort to combine the past and the present, but he did not synthesize all that he combined.

The intellectual climate within which Locke wrote was such that conception of religious toleration were more widely accepted. He considered the church as voluntary society without the right of coercion. He emphasised individualist aspect of the social contract idea. He stood for limited government and was against absolute authority. While emphasising the separation of church and state, Locke stood for consent of the governed and thus pre-eminence of the state.

Locke was the ideal spokesman of the emerging middle class, justified the right to property and thus represents the propertied class. Locke represented the modern spirit of independence and individualism in the revolutions of 17th and 18th centuries. His theory

found supporters in France and Holland. Montesquieu was influenced by Locke's idea of separation of powers. His influence was also seen in the American and French revolutions. In short, political democracy owes John Locke a debt of incalculable magnitude. Never before had a political thinker made so clear and cogent a case for the proposition that the rule of man over man, unless founded on the consent of the subjects, is without legal basis a justification. Thus to Maxey the imperishable achievement of Locke as a political thinker lies in that "he gave the world a systematic rational and eminently realizable philosophy of individualism, popular sovereignty and constitutional government."

3. JEAN JACQUES ROUSSEAU

Jean Jacques Rousseau (1712 – 1778), the apostle of the 'Noble Savage' and 'General Will,' is at once a famous political thinker and a disconcerting figure in the history of political thought. He differed from his contemporaries in everything. His character, his outlook of life, his scale of values, all differed essentially from what the enlightenment regarded as admirable. Rousseau's writings were extremely effective because of his passionate assertion of popular sovereignty. His appeal to the masses were aimed at a solution of the ills from which the body politic of France was suffering at the time. He did not agree with the ideas of moderate reform in France. He was for the total abolition of privileges and wanted equal rights to be extended to the middle and lower classes. His ideals aimed at direct democracy and equality. Through his writings, Rousseau demanded a radical reconstruction of the social and political order and led logically to the French revolution. The important works of Rousseau include:

- 1) A discourse on the Moral Effects of the Arts and Sciences (1751).
- 2) Discourse on the Origin and Basis of Inequality among Men (1755).
- 3) Political Economy (article 1755)
- 4) The Nouvelle Heloise (1760)
- 5) Emile (1762)
- 6) Social Contract (1762)

Rousseau closed his literary career by writing his 'Confessions', 'Dialogues' and 'Reveries'. The social contract is a short work divided into four books. In the second chapter of the book, he makes the famous phrase 'Man is born free, and everywhere he is in chains.' Despite his years of not uncongential vagabondage, Rousseau represented in taste and morals the sentimentability of the lower middle class.

Revolt against Reason

Rousseau did not appeal to reason. On the contrary he turned the contrast into an attack upon reason – Against intelligence, the growth of knowledge and the progress of science. To him, what gives value to life is the common emotions, perhaps one might say instincts. To him 'a thinking man is a deprived animal.' All his moral valuations turned upon the worth of these common feelings; the affections of family life, the joy and beauty of

motherhood, the satisfactions of the family arts like tilling the soil. Above all the sense of common lot and the sharing of common life – all that men learned after him to call the realities of everyday living. By contrast science is the fruit of idle curiosity, philosophy is mere intellectual frippery; the amenities of polite life are tinsel. To Rousseau, intelligence is dangerous because it undermines reverence, science is destructive because it takes away faith; reason is bad because it sets prudence against moral intuition. To him, the morality of the plain man, however much of the goodwill it may embody, is inevitably the morality of his time and place. Thus a Sabine remarks, “the enormous importance of Rousseau lies in the fact that, broadly speaking, he carried philosophy with him against its own tradition.” In the age of reason Rousseau revealed the surpassing value of moral will.

Human Nature and State of Nature

In the ‘Discourse on the origin and basis of Inequality,’ Rousseau undertook to show what was the nature of man and State of Nature. He agrees with Plato in believing that human nature is essentially good. According to him nature has endowed man with two primal instincts – self interest and pity. The individual, therefore, in the State of Nature could not be ‘good or bad, virtuous or vicious’. But he adjusts the possibility of a clash or conflict between these two instincts by developing a sentiment known as conscience. But conscience needs a guide which comes into man in the shape of reason. Reason guides conscience by determining what is right and what is wrong. Reason and conscience enable a man to establish harmony between his self-regarding and other regarding instincts.

It is man’s destiny to perfect his nature through reason and society. So long as man follows his natural instincts he is good and when his primal instincts are distorted or suppressed, he becomes bad. Bad social environment makes a man let his self-love to degenerate into pride. Therefore, pride overpowers a man’s reason and perverts his true nature. To go back to nature, a man must renounce pride. Pride is generated by the degenerate art and culture of an artificial society. Thus to Rousseau, “a thinking man is a depraved animal.” Liberty or freedoms of choice is nature’s gift and by a price choice man can transform his nature and realise his true nature or real will.

To Rousseau, the Natural State was always better than the civil state. He specifically rejects Hobbe’s views of the state of Nature in which man must be wicked. He asserts that man’s sense of compassion is the original sentiment from which all later virtues follow. Against Hobbes, Rousseau brought the pertinent point that men fight not as detached individuals but as citizens and subjects. Rousseau’s natural man, his noble savage, lived a solitary, happy and carefree life. His life was one of idyllic felicity. To him the men in state of nature lived “free, healthy, honest and happy lives.” All they needed to know, nature taught them; and all they needed to possess or use, nature provided. He felt free and equal, independent, contented and self-sufficient. He was a non-social being, unknown to good or evil or fear. He has no family and property, and is free from the corrupting influence of

commerce and industry. Living in this state of happy savagery, man enjoyed substantial equality.

The noble savage was in a state of paradise before the entrance of the serpent – private property. The institution of private property attended the institutions of family. This created jealousy among human beings and gave rise to inequality. This further led to the rich persuading the weak to set up state to protect the weak. But really, this was to perpetuate and legitimise the domination of the rich over the poor. This is the origin of rights and slavery etc. and the enactment of laws and the setting up of government. The civil society thus brings inequality and slavery and this domination of one man over another. The only salvation from this state is not ‘back to nature’, but to find principles of political obligation which would reconcile authority and liberty. It also remove inequality and furnish a basis for pure justice and natural right and bring the benefits of pre-political state of nature.

The Social Contract

In social contract Rousseau is pointing to the way to the transformation of contemporary society. So that men will be free and equal as they were in the state of nature. To Rousseau, perfection of man’s nature by his reason and through society is man’s destiny. Reason not only harmonises instinct but also develops them. However, by the time, Rousseau, came to write the ‘Social Contract’, he recognised the impossibility of a return to nature in civil society. Thus, he sets himself a form of association in which each while uniting himself with all may still obey himself alone, and remain as free as before.

According to Rousseau, reconciliation between man’s liberty and the authority of the state could be accomplished. To him equality was preserved by each gave himself unreservedly to the whole community – surrendered all his rights and liberties. But in giving himself to the community as a whole each gave himself to nobody in particular. Thus was liberty preserved. Coming to Political Society, therefore, each member “puts his person and all his power in common under the supreme direction of the ‘General Will’. In their corporate capacity they receive each member as an individual part of the whole. Thus, C. C. Maxey observes, blending the social contract theories of Hobbes and Locke, following Hobbes in the doctrine of complete alienation and Locke in the doctrine of popular consent, Rousseau had “evolved a theory that logic could easily refute but could not demolish.”

In Rousseau’s idea of social contract, the people by mutual contract had alienated all their liberties, but not to any definite human superior. They had transferred their freedom from themselves as individuals to themselves as a collectivity. Each was an equal and indivisible part of the corporate entity and the sovereign was the General Will. In Rousseau’s opinion, the individual though utterly absorbed in the state, remains free because of the very fact that the state and the individual are inseparable. To him, through the social contract man does not surrender completely to a sovereign ruler, but “each giving himself to all, gives himself to nobody.”

According to Rousseau, each contracting individual enters into two relations, i.e., as a member of the sovereign he is bound to other individuals who are co-sovereign, and as a member of the state he is bound to the sovereign. In order that the social contract may not prove an empty formula, it includes the tacit understanding that, whosoever refuses to obey the General Will shall be compelled to obedience or in his words, “forced to be free” by the whole body of citizens.

Rousseau’s conception of social contract leads to sovereignty of the people. It distinguishes between state and government and locates sovereignty in the General Will. The social contract turns the individual into a citizen and substitutes justice for instinct and right for appetite. It changes possession into property and natural liberty into civil liberty. To him, the contract is not a single isolated occurrence, but a continuous process involving a continuous participation in the General Will. Therefore, it involves the continuous consent of the individual to acts of the state. It changes man from “a stupid and limited animal” into an “intelligent being and a man” by constant participation in the formation of the General Will.

General Will

The concept of General Will is Rousseau’s most characteristic and most original contribution to Political Philosophy. In the words of Maxey, “It is the crux of Rousseau’s system and probably his most distinctive contribution to Political Thought.” According to Rousseau the General Will is the will, which “must both come from all and apply to all” what makes it general is less the number of voters than the common interest writing them.” The General Will must not be confused with the totality of individual wills because individual wills take account of private and particular matters, whereas the General Will only takes account of common concerns. Here, we may distinguish between ‘actual will’ and ‘real will.’ The actual will of the individual is his impulsive and irrational will, transient and conceives of the present only. It is based on selfishness and is not related to the societal interest. The sum total of this individual wills is the will of all. On the other hand, the real will of the individual is the rational will, which is based on the general welfare of the society. It is not transitory and it is purged of selfishness. The habit of self criticism of the average individual points to the reality of the real will. An average man has both an actual and a real will. The General Will, then would seem to be the will of the people functioning as a body politic – the will of society viewed as a living and rational political organism. In other words, it is the sum total or rather the organization and synthesis of the real wills of the individuals in society. In some sense as Sabine points out “it lives its own life, fulfills its own destiny and suffers its own fate.

Rousseau is ambiguous in speaking of the General Will, he gave no clear definition of it and admits the General Will is difficult to realise and is more a ‘moral’ than an ‘empirical’ fact. To him it represents the common consciousness of the common good. It is the voice of all for the good of all. It may be defined as a group mind, and is something other than and bigger than the sum of the individuals composing – ‘a common me’. To Rousseau, most

General Will “is always the most just also.” The General Will is the source of all law, and also to be an attribute of the state itself. The General Will alone is the judge to decide what is general and what is private interest. The General Will moreover cannot allow anything to stand between it and the complete loyalty of its citizens. It is only “the voice of the people.”

The General Will of Rousseau is a rational will and is not self-contradictory. It is therefore unitary and gives a unity to national character and institutions. It is indivisible, because if it were divided it would not remain general. It is not eternal but permanent and imparts stability to national institutions. It is always right and tends to the public good. It is indestructible and being a collective being cannot be represented and thus leads to direct democracy. The power may be transmitted but not the will. General Will and sovereignty are inalienable just as life of an individual is inalienable. The General Will and not force which is the basis of the state and which sustains the state. The omnipotence of the sovereign is quite compatible with the liberty of the people. Sovereign and liberty are in fact two aspects of the same.

With his fiction of the General Will, Rousseau provides an ethical basis for democracy. As a reality the General Will does not exist – could not, any more than the corporate will or any other collective will.” Rousseau supplies rational and moral sanction for the acts of democratic government because in his theory, obedience is due and can justly exacted simply and solely because it speaks for society as a whole and decrees for the individual what is willed for him by supreme power emanating from all individuals. “By introducing the concept of General Will points out William Ebenstein, “Rousseau fundamentally alters the mechanistic concept of the state as an instrument (Hobbes & Locke) and revives the ‘organic’ theory of the state, which goes back to Plato and Aristotle.”

While Rousseau recognises that in direct popular government, unanimity is, in practice impossible and that the vote of the majority binds the minority obeying the General Will is the expression of moral freedom of the individual and if he refuses to obey; he may be compelled to do so”. This means nothing less than that he will be forced to be free.” Here Rousseau revives his basic distinction between the apparent liberty of man in the State of Nature, which actually is enslavement to selfish appetites and his moral liberty in civil society. “This extreme formulation of Rousseau – that man can be forced to be free” remarks Ebenstein, “could easily be used later by Hegel and the modern worshippers of the state.”

Rousseau attributes the people inalienable sovereignty. To him the General Will must be sovereign. The General Will “is the only authority that can legitimately course me, for it is my own will coming back to me eventhough. I do not always recognise it as such. In following it I am fulfilling myself and am thus finding true freedom. Deviation from the acceptance of General Will once accepted should be an offence punishable with death.”

Criticism of the theory of General Will

Rousseau’s enunciation of the theory of General Will is incomplete and not very clear, because in actual practice, it is difficult to distinguish the General Will from the will of

all. In societies of irreconcilable groups no General Will is possible with reference to the whole state. In actual practice to be free is to be forced to obey. Force is the negation of liberty, therefore Rousseau fails to reconcile individual freedom with the authority of the General Will representing the community. Further his concept of General Will is rather abstract and narrow. In actual practice it is nothing if it does not mean the will of the majority and lead to tyranny of the majority.

Rousseau's concept of General Will leads to a conception of the state as a super entity distinct from its organic elements, the individuals, at whose altar the latter must sacrifice themselves. It is a case of means becoming an end. His belief that a small community like the city state is the best example of the General Will made it impossible for him to discuss contemporary politics with much point. Again to Rousseau the resistance of associations like church, trade unions, etc. is an obstacle in the realization of the General Will. This makes the General Will theory inapplicable in a modern society with a multiplicity of associations who are diverse and powerful and who have conflicting interests of their own, rendering difficult the emergence of a common good.

Rousseau's contention that General Will be unrepresentable and rules out representative government has lost its force because of instructed representation, an efficient party system, the press and devices like recall referendum etc. Further there is a universal disharmony of interests; but it can be answered by pointing out that what is good for the state is often good for the individual.

In Rousseau's thought, the sovereign should not command his subjects more than what is necessary. But the sovereign is the sole judge; i.e. he who wills the end wills the means. Contracting parties must be prepared to render all services to the General Will. Even the sacrifice of their life, if considered necessary to Rousseau every man attacking a social right becomes a forfeited rebel or traitor to his country. By violating the laws he ceases to be a member of it. He even makes war up on it. In such a case the preservation of the state is inconsistent with his own and one or the other must perish. Hence the state can kill or ask him to sacrifice his life.

According to Hobhouse "So far as it is will it is not general and in so far as it is general it is not will". Even the worst tyrant can justify his action in the name of common good which is very difficult to define. An individual wills the corporate thing one complete whole. It cannot be divided into particular and real will. Rousseau fails to reconcile individual freedom with the authority of the General Will. To him sovereign is a more or less metaphysical entity not fully embodied in any of the visible organs of the state. Thus General Will cannot be realised in actual practice. It cannot be wholly actualised in any state.

Merits of the theory of General Will

The General Will of Rousseau puts social interest before individual interest. Rousseau is the first modern writer to attempt to synthesise good government (of Hobbes) and self government (of Locke) in the key concept of the General Will. "The realization of

what is best for the community is not enough; it must also be willed by the community. His theory of the General Will reconciles the absolutism of Hobbes with the constitutionalism of Locke. It also provides the 'continuous participation (an consent) of the individual in the government of his country by his participation in the General Will. This turns a citizen from a passive into an active citizen. The General Will also reconciles the liberty of the individual with the authority of the state because his liberty is regulated by laws in the making of which he is himself a party. Thus it integrates the individual with the state and transforms political obligation from a legal in to an ethical obligation.

Rousseau on State and Government

“The principle of political life is the sovereign authority. The legislative power is the heart of the state; the executive power is its brain” –Rousseau.

Rousseau like Locke distinguishes state and government. To him the state is the common wealth as a juristic whole. It is sovereign and supreme. The government is merely an “intermediate body set up between the subjects and the sovereign, to secure their mutual correspondence, charged with the execution of laws and the maintenance of liberty, both civil and political.” The legislative power belongs to the people and is no part of government. In Rousseau’s opinion representative bodies may serve as stewards of the people, but cannot represent the General Will. Sovereignty being inalienable does not admit of representation. No act of a representative body can be law in fact until it has been ratified by the people.

To Rousseau the government refers only to the chief executive or supreme administration. “Thus a state denotes the community as a whole created by the social compact and manifesting itself in the supreme General Will.” Where as “a government denotes merely the individual or group of individuals that is designated by the community to carry into effect the sovereign will.” To him the excellence of a government lies in properly realising the General Will of the people and since different peoples have different varieties of General Will no form of government is ideal. An individual can resist a bad government but not the state. The social contract creates not the government but the state or sovereign. The government is created by the degree of the sovereign. In the opinion of Rousseau the executive government is only a delegated power. It does not make laws which emanate from the sovereign, but only administers them.

In his attitude towards the government Rousseau seems to have been affected by the unbearable and irresponsible autocracy of the ancient regime and the anti-monarchic philosophy of the 16th and 17th centuries. Rousseau’s theory has been described as the substance of Locke developed by the method of Hobbes. It may be said that Rousseau’s teaching is only a broadening of the channel dug by Locke because, he is influenced by Locke’s theory of consent. Through his concept of the General Will, Rousseau provides for continuous consent and provides against majority tyranny. Further, Rousseau, like Locke, believes in a limited government. And while Locke is for liberty of the individual, Rousseau reconciles the liberty of the individual with the authority of the state.

To Rousseau, every form of governments originate in direct and pure democracy, and that no government can have an indefeasible foundation in law. According to him the sovereign people assembled to institute the government, firstly vote that a certain form of government shall be instituted and then vote that certain individuals shall be appointed to the offices thus created. He distinguishes the two acts by saying that the first vote expresses the General Will and is law, while the second vote represents a mere governmental decree.

Rousseau adopted the usual method of classification of governments in to monarchy aristocracy, democracy and mixed forms. He believed with Montesquieu that the social, economic and physical conditions of a country had much to do with its form of government. To him a democracy, was one in which the sovereign assembly was the legislator as well as the administrator. He did not believe that any particular form of government was absolutely the best one because he held that each form of government might be particularly suited for a particular set of conditions. Rousseau was influenced by the current economic theories as to believe that a growing population was a good index to a good government.

Rousseau holds that in practice in a democracy the will of the majority represents the General Will and the minority is free in following the General Will. Because at the time of legislation what is asked is not whether a particular law is or is not approved by the minority but whether the law conforms to the General Will or not. To Rousseau the decline and death of the body politic are inevitable because the government tends incessantly to invade the sphere of sovereignty; ie., to substitute the will of the magistrates for the General Will. There is also the tendency of the government to change from democracy to aristocracy and from there to monarchy. “The body politic, as well as the human body, begins to die at its birth and carries within itself the causes of its destruction,” he said.

Before Rousseau, the classical doctrine of Plato and Aristotle emphasized good government at the expense of self government. In this sense, “Rousseau is the first modern writer to attempt, not always successfully, to synthesize ‘good government with self government in the key concept of the General Will; the realization of what is best for the community is not enough; it must also be willed by the community.’”

Rousseau on Liberty and Individual Rights

“To him Liberty is to renounce being a man, to surrender the rights of humanity, and even its duties to remove Liberty, from his will is to remove all morality from his acts.”

- Rousseau

Rousseau adopts the personality theory of rights. The individual is free in the state because he does not surrender his rights to an outside authority but to a corporate body of which he is a member. Any restrictions on the liberty of the individual are self-imposed. To him “Obedience to a law which we prescribe to ourselves is liberty.” The rights of liberty equality and property are rights of the citizen and not as with Locke, the innate and inherent rights of the individual. To Rousseau liberty is civil liberty, and not natural liberty. Men are equal by law and not by nature. “In the community men first gain civil liberty, which is a

moral right and is not merely the “natural liberty” which by a figure of speech might be attributed to a solitary animal” (Sabine).

Rousseau – Liberal or Totalitarian?

According to Vaughan, “a stern asserter of the states on the one hand, a jury champion of the individual on the other, he (Rousseau) could never bring himself wholly to sacrifice the one ideal to the other.”

Rousseau a Liberal

1. His answer to the problem “Have the arts and sciences conferred benefits on mankind?” - Rousseau pointing out how it corrupted the individual – individualism.
2. ‘Discourse on Inequality’
3. ‘Emile’ – the pupil is to be educated for his own sake. He is to be taught to regard himself always as an end and never as a means.
4. It is never right to harm a human soul for the benefit of others.
5. Criticism of Hegelian view, “all becomes legitimate even virtuous on behalf of public safety. According to Rousseau “public safety is nothing unless individual enjoys security.”
6. Criticism of Aristotle’s view; Man can only be slaveshy nature if they have first been made slaves against nature.
7. His Love of Liberty.
8. His assertion of popular sovereignty and direct democracy “Laris the expression of the general cult.”
9. The true basis of Political obligation is consent government is an agent, people the source of political authority.
10. Why was society formed?

According to Morley, Rousseau is the extreme individualist, the latest and greatest of the individualist political theorists.”

Conclusion

On the side of pure theory the most distinctive service of Rousseau was that due to his doctrine of sovereignty. But dunning also points out that Rousseau failed to prove that the sovereignty of the community was any more compatible with individual liberty than the sovereignty of a monarch or an oligarchy.

In the field of politics, wrote proof. *Dunning* “Rousseau’s teaching was suggestive rather than conclusive; but the stimulating force of his suggestions long remained a cardinal fact of literature and history His spirit and his dogmas, however disguised and transformed, are seen everywhere both in the speculative systems and in the governmental re-organizations of the stirring era that followed his death.”

Prof. *G.D.H. Cole*, after pronouncing the ‘Social Contract’ to be “still by far the best of all text books of political philosophy” declares that “Rousseau’s political influence, so far from being dead, is everyday increasing; and as now generations and new classes of men

come to study his work, his conceptions, often hazy and undeveloped, but nearby always of lasting value, will assuredly from the basis of a new political philosophy, in which they will be taken up and transformed this philosophy is the work of the future; but rooted up on the conception of Rousseau, it will stretch far back into the past. Of our time, it will be for all time; its solutions will be at once relatively permanent and carelessly progressive.”

“In the sphere of Political thought wrote Maxey, Rousseau performed one service of incalculable importance. That was his formulation of a plausible and largely realizable theory of popular sovereignty.” Political authority could find no more impregnable foundation than the sovereignty of the masses expressed through General Will. So long with solidarity of the body politic is maintained, perverted and distorted though it be, the sovereignty of the people cannot be denied. It is for men on this earth, the absolute of absolutes. Maxey further writes that “unscientific and unlearned, not philosopher, not even a student of passable attainments, he was a theorist of matchless appeal and unquestionably the most powerful propagandist who ever draw quill. He was not merely the people’s advocate, he was bone of their bone and flesh of their flesh.”

Rousseau is the key figure in the development of democratic thought. Political thinkers from Plato onwards, had regarded democracy with suspicion. They considered democracy as the rule of the mob. It was Rousseau, who developed the concept of the sovereignty of the people. Thus, he profoundly changed the way we think of ourselves as human beings.

Rousseau provided an excellent analysis of human nature in politics. He rejected the idea of both natural sociability and selfishness of human nature. The individual and state were two themes in Rousseau’s political theory. Both were simultaneously sovereign. To see Rousseau as an individualist or totalitarian would be to do injustice to the complex nature of his political Philosophy. What emerged was a radical individualism on the one hand and uncompromising authoritarianism on the other. His individualism was not in the sense of an immunity from the state but one that was coextensive of the state. In this sense, we could say that Rousseau understood the pivotal problem that faced individuals in society – how to reconcile individual interests with that of society. There was no denying the fact that Rousseau’s Political theory was one of the most innovative, original and brilliantly argued theories in the entire history of political Philosophy. He was a powerful exponent of human equality and naturally become the apostle of the great French Revolution of 1871. His thought is complex subtle and original, and he is among the most influential thinkers of modern times.

MODULE IV

Bentham: Quantitative Utility

J.S. Mill: Qualitative Utility, Liberty and Laissez Faire State

JEREMY BENTHAM (1748-1832)

Jeremy Bentham, the fathers of utilitarian school of thought was born in a well- to- do family of England in 1748. His father was a learned lawyer and wanted his son to follow his profession. Bentham was more interested in the problems of social welfare than practice of law, he gave up the practice and devoted himself to the study of defects of the legal system with a view to effect necessary reform in the system. He was a prolific writer and his best works are 'Fragments of govt. 'Essays on Political factices, 'discourses on civil and penal legislation', The theory of punishments and rewards etc.

Influences:

Bentham lived and wrote at a time when the people of England did not enjoy any political rights. The life of laborers and prisoners was quiet miserable. The emergence of Britain as a leading colonial power had resulted in new outlook. But it was the American War of independence and the French Revolution of 1789 which exercised maximum influence on him, his philosophy and thought. Among the political thinkers who influenced Bentham, Hume and Priestley exercised profound influence on him. He drew the concept of 'utility' mainly from Hume's 'Treaties of human nature' and Priestley's 'Essays on Government' Bentham was also greatly influenced by Mill. His love for democracy and democratic institutions bear a testimony to this influence.

Principle of 'utility':

Bentham is generally given the credit of being the first to emphasize the principle of 'utility'. However, it is not exactly true to say that he has originally propounded of this principle. Hume and priestly in England, Helvetius in France and Beccaria in Italy have already discourses on it. Bentham simply emphasized the significance of this principle and made it the basic principle of his political thought.

Bentham wanted to remove the defects present in the English law and judicial procedure. He insisted that the old laws must be judged on the basis of their utility. If any existing law did not contribute to the happiness of the individual it should be discarded. According to Bentham, all the actions of man were motivated by the considerations of "pleasure and pain" and every man naturally try to get pleasure and avoid pain. He tried to formulate and classify a scale of values for the various kinds of pleasures. He believed that the pleasure and pain could be measured with the help of seven factors namely. 1). Intensity 2). Duration 3). Certainly 4). Propinquity 5). Fecundity 6). Purity and 7). Extensiveness.

On the basis of these principles, Bentham himself classified these pleasures. He gave a list of 14 simple pleasures and 12 simple pains. He argued that all other pains and pleasures were the compounds of these. The fourteen simple pleasures enumerated by Bentham include

sense, wealth, skill, amity, good name, power, benevolence, malevolence, memory, imagination, expectation, association and relief. The 12 simple pains enumerated by Bentham include, privation, sense, acquiredness, ill name, enmity, expectation association etc. The goodness and badness of an act was to be determined on the basis of these pleasures and pains. Thus an act was good or right if it produced a surplus of pleasure over pain and bad or wrong if it produced more pain than pleasure. Bentham made the principle of utility or “greatest happiness of the greatest number” as the sole criteria for judging all the actions. To Bentham the principle of utility was the criteria through which all actions could be judged.

The principle of utility propounded by Bentham exercised profound influence on the legislatures and statesmen in the 19th Century. Bentham’s theory of utility provided them the Yard-stick by which they could measure the usefulness of a particular law.

Criticisms:

Bentham theory of utility has been severely criticized. The following are important among them:

1. Bentham is guilty of oversimplification. His concept of utility if put to actual practice falls down. He simply says that some super added pleasure induces the individual to sacrifice his own pleasure for the sake of pleasure of others.
2. His theory of utility does not attach any importance to the moral and immoral action of a person and judges their actions purely on materialistic grounds.
3. His theory of utility is based on wrong premises in so far as it treats the individual as the center of all actions and completely ignores the importance of society. Bentham completely forgets that human beings are social animals and must depend on society.
4. Bentham does not provide us with any firm yardstick to find out whether pleasure has been achieved or not and if achieved, to what extent. In the absence of such yardstick the whole super structure of his theory is bound to collapse.
5. His theory is considered as impracticable because it is impossible to achieve greatest happiness at the greatest number of people. It is really impossible to measure pleasure or pain in purely mathematical terms. Further the concept of pleasure differs from person to person and place to place and hence it becomes all the more difficult to realize it in actual practice.
6. Bentham has wrongly asserted that the people always act under the influence of pleasure and pain. Many a time people become addict to bad habits and act without bothering for the pleasure or the pains resulting from action.

Bentham on Natural law and Natural rights

As Bentham rejected the social contract theory, he also discarded the concept of natural law and natural rights. He conceived the law as an expression of the sovereign will in the form of a political society which is naturally obeyed by its members because of utility. Therefore, he conceived the law merely as an expression of will possessed by God and man. Accordingly, there could be only two types of law the

- (1). Divine law and
- (2). Human law

Since the divine law cannot be ascertained there is only one type of law that is the human law which is the product of human will, which is sovereign in a political society. He asserted that as nature was a very vague term so naturally the concept of 'natural law' and 'natural rights' were also equally vague, uncertain and undependable. Secondly, he rejected natural rights as a simple nonsense because the rights are created by the law of the state. It is difficult to conceive how natural right could exist outside the state.

Reforms of law and Judicial Administration

Bentham played great attention to the reform of existing judicial administration in England and classified the laws after discarding the useless laws. He tried to judge the laws from the view point of those who were subjected to them. He insisted that law should be in the knowledge of every one. He criticized the highly technical and obscure nature of existing law and demanded that laws should be plain and simple. He also insisted on the need to the codification of laws and was keen to undertake this task himself.

Bentham was highly critical of the existing judicial administration. It involved unnecessary expenses and delays. People could not have direct access to the judges and had to approach them through Attorneys and Barristers who charged heavy fees. Bentham insisted that the welfare of the society should be the chief criteria. His contributions in judicial administration may be summarized as follows:

1. Classified the laws after discarding the useless laws
2. He tried to judge law from the view point of those who were subjected to them
3. He insisted that the law should be the knowledge of everyone.
4. He criticized the highly technical and obscure nature of existing laws and demanded that laws should be plain and simple.
5. He also insisted on the need of the codification of laws and was keen to undertake this task himself.

Jeremy Bentham: An Estimate

Bentham's ambition in life was to create a "Pannomion", a complete utilitarian code of law. He not only proposed many legal and social reforms, but also expounded an underlying moral principle on which they should be based. This philosophy of utilitarianism took for its "fundamental axiom", *it is the greatest happiness of the greatest number that is the measure of right and wrong*" Bentham claimed to have borrowed this concept from the writings of Joseph Priestley although the closest that Priestley in fact came to expressing it was in the form "the good and happiness of the members, that is the majority of the members of any state, is the great standard by which everything relating to that state must finally be determined". The "greatest happiness principle", or the principle of utility, forms the cornerstone of all Bentham's thought. By "happiness", he understood a predominance of "pleasure" over "pain". Bentham was a determined opponent of religion. Crimmins observes: "Between 1809 and 1823 Jeremy Bentham carried out an exhaustive examination of religion with the declared aim of extirpating religious beliefs, even the idea of religion itself, from the minds of men."

Bentham's *An Introduction to the Principles of Morals and Legislation* focuses on the principle of utility and how this view of morality ties into legislative practices. His principle of utility regards "good" as that which produces the greatest amount of pleasure and the minimum amount of pain and "evil" as that which produces the most pain without the pleasure. This concept of pleasure and pain is defined by Bentham as physical as well as spiritual. Bentham writes about this principle as it manifests itself within the legislation of a society. He lays down a set of criteria for measuring the extent of pain or pleasure that a certain decision will create.

Bentham's opinions about monetary economics were completely different from those of David Ricardo; however, they had some similarities to those of Henry Thornton. He focused on monetary expansion as a means of helping to create full employment. He was also aware of the relevance of forced saving, propensity to consume, the saving-investment relationship, and other matters that form the content of modern income and employment analysis. His monetary view was close to the fundamental concepts employed in his model of utilitarian decision making. His work is considered to be an early precursor of modern welfare economics.

Bentham was the first person to aggressively advocate for the codification of *all* of the common law into a coherent set of statutes; he was actually the person who coined the verb "to codify" to refer to the process of drafting a legal code. He lobbied hard for the formation of codification commissions in both England and the United States, and went so far as to write to President James Madison in 1811 to volunteer to write a complete legal code for the young country. After he learned more about American law and realized that most of it was state-based, he promptly wrote to the governors of every single state with the same offer.

Bentham is widely regarded as one of the earliest proponents of animal rights, and has even been hailed as "the first patron saint of animal rights". He argued that the ability to suffer, not the ability to reason, should be the benchmark, or what he called the "insuperable line". If reason alone were the criterion by which we judge who ought to have rights, human infants and adults with certain forms of disability might fall short, too. In 1789, alluding to the limited degree of legal protection afforded to slaves in the French West Indies by the Code Noir, he wrote:

Bentham has a clear thought on Gender and sexuality. Bentham said that it was the placing of women in a legally inferior position that made him choose, at the age of eleven, the career of a reformist. Bentham spoke for a complete equality between sexes. Bentham thought women inferior to men regarding such qualities as "strength of intellectual powers" and "firmness of mind". The essay *Offences Against One's Self*, argued for the liberalization of laws prohibiting homosexual sex. The essay remained unpublished during his lifetime for fear of offending public morality. It was published for the first time in 1931. Bentham does not believe homosexual acts to be unnatural, describing them merely as "irregularities of the venereal appetite". The essay chastises the society of the time for making a disproportionate response to what Bentham appears to consider a largely private offence – public displays or forced acts being dealt with rightly by other laws. When the essay was published in the

Journal of Homosexuality in 1978, the "Abstract" stated that Bentham's essay was the "first known argument for homosexual law reform in England".

Bentham and his ideas can nonetheless be seen as having inspired several of the actual founders of the University of London. He strongly believed that education should be more widely available, particularly to those who were not wealthy or who did not belong to the established church; in Bentham's time, membership of the Church of England and the capacity to bear considerable expenses were required of students entering the Universities of Oxford and Cambridge.

Bentham was a prolific writer. Important works published in Bentham's lifetime include *Short Review of the Declaration* (1776). An attack on the United States Declaration of Independence, *A Fragment on Government* (1776) an unsparing criticism of some introductory passages relating to political theory of William Blackstone. *Commentary on the Commentaries*, which remained unpublished until the twentieth century, *An Introduction to the Principles of Morals and Legislation* (printed for publication 1780, published 1789), *Defence of Usury* (1787), in which Bentham wrote a series of thirteen "Letters" addressed to Adam Smith.

JOHN STUART MILL (1800-1878)

John Stuart Mill, who is considered as the last of the utilitarians and foremost of the individualists, was the eldest son of James Mill. He learned Greek, Latin and French languages and was and French Languages and was greatly influenced by the dialogues and dialectical methods of Plato. He also studied the history of Roman Government and felt its influence. The maximum influence on Mill was exercised by the utilitarian philosophy of Bentham. His association with various societies like utilitarian society, speculative debating society and the Political Economy Club greatly influenced his thoughts. The other thinkers and writers who exercised profound influence on Mill were Coleridge and Wordsworth. Above all his own wife Mrs. Taylor with whom he discussed most of his ideas greatly stimulated him. Mill himself acknowledged that she was the originator of most of his ideas. Mill wrote a large number of books, pamphlets and book articles. Important works include 'System of Logic', Principles of Political Economic Enfranchisement of Women, On Liberty, Thoughts on Parliamentary Reforms, Considerations on Representative Government, Utilitarianism, Women Suffrage etc.

Mill and Utilitarianism

During his youth, Mill was a great supporter of Bentham's Doctrines and radical politics. In his later years, he made modifications in the principles of utilitarianism. Mill restated the doctrine of utilitarianism in his famous essay 'utilitarianism' and introduced many new elements. He greatly softened down the harshness of Bentham's ethics and harmonized utilitarianism with common sense. The main modifications made by Mill in utilitarianism can be summed up as follows.

- 1) He asserted that pleasures differed not only in quantity but also in quality. He drew a distinction between higher and lower pleasures. He asserted that pleasures differ in quality and we should prefer a smaller amount of a superior pleasure to a large quantity of the lower quantity of pleasure.
- 2) Mill did not agree with Bentham that pleasure was the only cause and motive for individual's actions. He held that individual pleasure did not give him maximum pleasure; on the other hand it was the collective pleasure which gave maximum happiness and joy to the individual. He believed that pleasure comes from outside and not from within. This was in complete contrast to Bentham's view that pleasure comes from within.
- 3) Mill greatly narrowed down the gulf between self interest and general happiness. He held that the utilitarian standard is not the only agency on greatest happiness, but the greatest amount of happiness altogether.
- 4) Bentham considered personal happiness as the state criteria for all human actions. Mill introduced the concept of good life and placed the moral ends above the individual happiness and tried to promote virtuous life. He also transformed the state into a moral entity.
- 5) Mill's conception of liberty also differed from Bentham's concept of liberty. Bentham did not attach any importance to the liberty because it did not in any way contribute to the greatest happiness of the greatest number of people. He attached more importance to security than liberty. But Mill considered liberty essential for the attainment of the principle of utility and asserted that minority rights could be protected only when all enjoyed liberty.
- 6) Bentham tried to establish identity between public and personal interest through the concept of super added Pleasures and pains. Mill asserted that the pleasure and pain concept when confined to oneself alone were external and therefore wanted to find this relationship on the basis of some internal sanctions and sentiments of conscious.
- 7) In many other respects Mill took a different stand:
 1. He stood for public voting as against secret voting advocated by Bentham.
 2. Like Bentham Mill favoured special treatment of woman.
 3. Mill was more, concerned with the social and economic problems facing the society.
 4. Both of them justify democracy but for different reasons.
 5. Bentham justified democracy because of nature of man. But Mill justified it because of the condition at man. Bentham was in favour of unicameral legislature while Mill favored bicameral system.

Mill on Individual Liberty:

Mill was a great champion of the individual liberty and stood for restricting government interference in the life of the individual to the minimum possible. He held that democracy, public opinion and collectivism were dangerous to individual liberty and must be kept within their sphere of activity. He believed that if every individual was allowed to develop his personality as he liked, it would enrich the world by providing a variety of characters. This way alone the human beings shall be able to get the maximum happiness. He argued that individual should be left free to provide variety. Any effort on the part of the government was bound to lead in monotony which was no sign of the progress of society.

Mill argued that so long the actions of an individual concerned him alone and did not in any way prejudice the interest of the others, he should be free and there should not be any limitations on him. However, he permitted the state to impose restrictions on the liberty of the individual if it resulted in an injury to the interest of other members of the community.

However Mill divides the Individual's actions into two parts. *Self-regarding* and *other-regarding*. He permits that individual complete freedom with regards to action falling with in the first category. But he permits the state or the society to vest necessary restrictions on those actions of an individual which affect other members of the communities. This division of human actions is defective in so far as it is indeed difficult to draw a line between the self regarding and other regarding actions of man. Further there is hardly any action of individual actions does not affect other members of the society. Even Mill permits the state to interfere in the self-regarding actions of the individual in his own interest. For example, it can prevent a person from crossing a bridge which is dangerous. In doing so Mill argues the state actually promotes the self interest of the individual and this action does not constitute denial of liberty in any way.

Mill's views on liberty have met with severe criticism at the hands of scholars like Barker, who describes him as the prophet of empty liberty. This charge is leveled against Mill chiefly because he hedged his doctrine of liberty with many restrictions. Criticisms on Mill's concept of liberty include:

1. His doctrine applies only to human beings in the maturity of the faculties and not to children or young persons below a certain age.
2. Though Mill considers absolute freedom of thought and expression as necessary for the development of civilization, he did not favour grant of absolute liberty in the field of action. It cannot be denied that it would be improper to give the same degree of unlimited freedom to the individual in the sphere of action as in the domain of thinking.
3. The free play of individual is likely to give rise to inequality among men

Mill on Representative Government

According to Mill the best form of Government was not one which was most efficient but the one which services in highest degree the purpose of a school of citizenship for the

political education and training of the citizens. He asserted that the first important criteria of a good govt. is that it must promote the virtue and intelligence of the people. He says that the govt. is not only a set of organized arrangement for public business but also great influence acting on the human mind. Its value should be judged by its action. The main criterion of a good government is the degree to which it tends to increase the sum of good qualities among the governed collectively and individually rather than efficiency at its administrative body.

Mill considered the representative government as the best government because it was a means of bringing the general standard of intelligence and honesty existing in the community. Mill favoured representative government only for the advancing nations and not for the backward and colonial people. Since he was aware of the shortcomings of the English representative governments, he suggested a number of reforms to improve their working.

- 1) He was quite unhappy in the inadequate representation awarded to the minorities and the tyrannical attitude of the majority. He therefore advocated a system of proportional representation to ensure that each section of the society get representation in proportion to the voting strength.
- 2) Though Mill wanted to give the right to vote to all without distinction, he was also equally convinced that all were not competent to exercise this right properly and intelligently. He pleaded for greater weightage in voting for persons with better abilities and capabilities. He insisted on property and educational qualifications for the voters.
- 3) Mill advocated open or public voting in contrast to secret Ballot. He argued that the value and effectiveness of voting depended upon the manner in which the franchise was exercised. Secret ballot was likely to encourage selfishness.
- 4) Mill stood for equal treatment of women and favoured similar postern for them as was enjoyed by men. He argued that sex alone should not be a disqualification because the differences based on sex were solely due to external circumstances which could easily be removed.
- 5) Mill was against payment to the members of the Parliament. He asserted that membership of parliament was an honour and service for which the members need no payment. He insisted that the elections should not be a charge on the candidate. Once elected, he wanted the representative to be completely free to guide and instruct the state. Though Mill's political thought suffers from numerous inconsistencies and logical contradictions, his contributions may have been assigned a very high position among the political philosophy.

Mill on Laissez Faire and State

The eldest son of economist James Mill, John Stuart Mill was educated according to the rigorous expectations of his Benthamite father. But later in his life he departed from his Benthamite teachings to shape his own view of political economy. In *Principles of Political*

Economy, which became the leading economics textbook for forty years after it was written, Mill elaborated on the ideas of David Ricardo and Adam Smith. He helped develop the ideas of economies of scale, opportunity cost and comparative advancement in trade.

Mill was a strong believer in freedom, especially of speech and of thought. He defended freedom on two grounds. First, he argued, society's utility would be maximized if each person was free to make his or her own choices. Second, Mill believed that freedom was required for each person's development as a whole person. In his famous essay *On Liberty*, Mill enunciated the principle that "the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection". He wrote that we should be "without impediment from our fellow-creatures, so long as what we do does not harm them, even though they should think our conduct foolish, perverse, or wrong."

Although, Mill was not a consistent advocate of laissez-faire, his biographer, Alan Ryan, conjectures that Mill did not think of contract and PROPERTY RIGHTS as being part of freedom. Mill favored inheritance taxation trade protection and regulation of employees' hours of work. Interestingly, although Mill favored mandatory Education, he did not advocate mandatory schooling. Instead, he advocated a voucher system for schools and a state system of examinations to ensure that people had reached a minimum level of learning. Although Mill advocated universal suffrage, he suggested that the better-educated voters be given more votes. He emphatically defended this proposal from the charge that it was intended to let the middle class dominate. He argued that it would protect against class legislation and that anyone who was educated, including poor people, would have more votes.

Mill spent most of his working life with the East India Company. He joined it at age sixteen and worked there for thirty-eight years. He had little effect on policy, but his experience did affect his views on self-government.

Mill's diversity in economic theory carries over to his views on economic and social policy. His writing is such a strange admixture of opinions that he defies classification as an advocate of laissez faire, of intervention, or even of socialism. Possibly the best way to characterize such a complex thinker as Mill is to say that in terms of public policy he represents a midpoint between classical liberalism and socialism. His socialism was not Marxian, and Mill evidently had little contact with Marx. Yet, he did distinguish between revolutionary socialists and philosophic socialists, his own views being more closely allied with the latter. The distinction that is usually made between left (revolutionary) and right (evolutionary) socialists is based on the strategy that they consider appropriate to achieve the goals of socialism. However, Mill's preference for the right-wing evolutionary position of the philosophic socialists was based on their conception of the good society.

In his essay *On Liberty* (1859), Mill tried to state his view of the proper relationship between government and the people. A strong dose of classical liberalism is contained in his

statement that the only rightful exercise of power by a government over an individual against his will is "to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant". In his discussion of practical social actions, however, Mill was forced to abandon this strong liberal position and found exception upon exception to the general rule. At one place, he makes a forceful liberal statement such as "Laissez-faire, in short, should be the general practice: every departure from it, unless required by some great good, is a certain evil." At another, he backs away from a strict laissez-faire position and asserts that "it is not admissible that the protection of persons and that of property are the sole purposes of government. Mill acknowledged that the absence of government intervention does not necessarily result in maximum freedom, for there are many other restraints on freedom that only legislation or government can remove. Mill did not emphasize the existence of a class conflict between labor and the rest of society, particularly the capitalists. Yet his entire social philosophy and the major programs he advocated include as universal education, redistribution of income through inheritance taxes, the formation of unions, the shortening of the working day, and the limitation of the rate of growth of population etc.

Mill's treatment of private property reflects his blend of classical liberalism with social reform. Property rights are not absolute, and society can abrogate or alter these rights when it judges them to be in conflict with the public good. Indeed, in his chapter on property, in which he discussed communism as an alternative economic system, he said: Just as he rejected the socialists' argument that private property was a major cause of the evils of society, Mill also failed to accept their argument that competition was a cause of social difficulties. In this regard Mill followed the tradition running from Adam Smith to modern orthodox theory that sees competition as beneficial and that predicts misallocation of resources in markets where monopoly power prevails. Competition is beneficial to society; "every restriction of it is an evil, and every extension of it, even if for the time injuriously affecting some classes of labourers, is always an ultimate good."

J.S. Mill: An Estimate

John Stuart Mill (1806-1873) profoundly influenced the shape of nineteenth century British thought and political discourse. His substantial corpus of works includes texts in logic, epistemology, economics, social and political philosophy, ethics, metaphysics, religion, and current affairs. Among his most well-known and significant are *A System of Logic*, *Principles of Political Economy*, *On Liberty*, *Utilitarianism*, *The Subjection of Women*, *Three Essays on Religion*, and his *Autobiography*. Mill's liberalism provided the first major framework of modern democratic equality by extending the logic of the defense of liberty to end the subjection of women. James Mill and Jeremy Bentham led the "Philosophic Radicals," who advocated for rationalization of the law and legal institutions, universal male suffrage, the use of economic theory in political decision-making, and a politics oriented by human happiness rather than natural rights or conservatism. In his writings, Mill argues for a

number of controversial principles. He defends radical empiricism in logic and mathematics, suggesting that basic principles of logic and mathematics are generalizations from experience rather than known *a priori*. The principle of utility—that “actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness”—was the centerpiece of his ethical philosophy. *On Liberty* puts forward the “harm principle” that “the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.” In *The Subjection of Women*, he compares the legal status of women to the status of slaves and argues for equality in marriage and under the law. He stressed on the need to protect the rights of the minority within a democracy. He understood the shortcomings of classical utilitarian liberalism and advocated vigorously for important state actions in providing compulsory state education and social control.

Mill’s criticism of traditional religious doctrines and institutions and his promotion of the “Religion of Humanity,” also depended largely on concerns about human cultivation and education. Though the Benthamite “philosophic radicals,” including Mill, took Christianity to be a particularly pernicious superstition that fostered indifference or hostility to human happiness, Mill also thought that religion could potentially serve important ethical needs, elevates our feelings, cultivates sympathy with others, and imbues even our smallest activities with a sense of purpose. Mill’s intellect engaged with the world rather than fled from it. His was not an ivory tower philosophy, even when dealing with the most abstract of philosophical topics. His work is of enduring interest because it reflects how a fine mind struggled with and attempted to synthesize important intellectual and cultural movements. He stands at the intersections of conflicts between enlightenment and romanticism, liberalism and conservatism, and historicism and rationalism. In each case, as someone interested in conversation rather than pronouncement, he makes sincere efforts to move beyond polemic into sustained and thoughtful analysis. That analysis produced challenging answers to problems that still remain. Whether or not one agrees with his answers, Mill serves as a model for thinking about human problems in a serious and civilized way.

Exercises

1. Compare and contrast the utilitarian philosophy of Bentham and Mill
2. Enumerate the contribution of Jeremy Bentham to political theory
3. Define Liberty and analyze J.S. Mill’s contribution to Liberty

MODULE V

REACTION TO LIBERALISM: EDMUND BURKE (Conservative Reformism, Critique of French Revolution)

GEORG WILHELM FRIEDRICH HEGEL

EDMUND BURKE (1729 – 1797)

Edmund Burke was an Irish statesman born in Dublin, as well as an author, spokesman, political theorist and philosopher. He moved to London in 1750 and served as a member of parliament (MP) between 1766 and 1794 in the House of Commons with the Whig Party. Burke was a proponent of underpinning virtues with manners in society and of the importance of religion in moral life. In 1744, Burke started at Trinity College Dublin. In 1747, he set up a debating society, "Edmund Burke's Club", which, in 1770, merged with TCD's Historical Club to form the College Historical Society; it is the oldest undergraduate society in the world. The late Boling brook's *Letters on the Study and Use of History* was published in 1752 and his collected works appeared in 1754. His first published work, *A Vindication of Natural Society: A View of the Miseries and Evils Arising to Mankind*, appearing in 1756. In 1757, Burke published a treatise on aesthetics 'A Philosophical Enquiry into the Origin of Our Ideas of the Sublime and Beautiful' which attracted the attention of prominent thinkers such as Denis Diderot and Immanuel Kant.

Thoughts on the Cause of the Present Discontents (1770), Burke's first major political essay, was largely a defense of the necessity of political parties to channel oppositional thought, check the power and prerogatives of the Crown, and secure balanced legislation. In his *Speech on American Taxation* (1774) Burke eloquently urged his peers to reconsider retaliatory measures aimed at the colonists for their militant opposition to the Crown's tax policies. In his *Speech on Moving His Resolutions for Conciliation with the Colonies* (1775) Burke appealed to reason and circumstance by using historical data to shore up his arguments for the benefits of British-colonial trade. Burke's most famous essay, *Reflections on the Revolution in France and on the Proceedings in Certain Societies in London Relative to That Event* (1790) was a passionate criticism disapproving the radical ends of French revolutionaries. In *An Appeal from the New, to the Old Whigs* (1791) Burke addressed critics of his anti-revolutionary tracts by reiterating his contention that all members of civil society live with an incumbent duty to constitutional fidelity, and that other moral obligations are not a matter of choice in a divinely ordered world.

Burke was not a political philosopher like Machiavelli or Montesquieu. He was a practical politician and a literary genius. Many of his political thoughts and ideas reflect in his great work like "Thoughts on Causes of the present Discontents: Reflection on Revolution in France". All his writings letters and pamphlets are much concerned with his conservative political philosophy. John Boul remarks that Edmund Burke was the prophet of a dying order.

Edmund Burke represents the mixture of liberalism and conservatism. It is more correct to say that he is not the founder of a regular system of political philosophy. He evaluates the evolutionary nature of institutions and reforms. He is against any abstract political speculation. To him, government is an art and its success and efficiency depends in its history. He was a blind supporter of the glorious revolution and American Revolution.

Burke was against the social contract theory of origin of state and according to him it was a paper theory. To him state is the result of gradual evolution of ideas and it is a immensely complicated organism. He never makes any distinction between state and society. To Burke, society is a partnership, a partnership of those who died and those who lives. Society is thus organic and it is a biological organism beyond the control of man. Burke also criticizes the theory of natural right of Locke and to him those can be no rights in the absence of state. To him, rights and privileges are granted to an individual by the state. Burke makes distinction between civil and political rights. Civil rights must be enjoyed equally by all men. But regarding political rights he holds that they should not be granted to all. If incapable persons are granted political rights, it would badly affect the society.

Burke's Theory of Conservatism

Burke is rightly regarded as the founder of Political Conservatism. He was a reformer not a revolutionary and always a conservative. He was basically against revolution but believes in evolution. He hated the destruction of old institutions, old customs and old traditions. It is easy to destroy, but impossible to create. Changes in governments and administration should be granted. Burke always praises the English constitution. He believed that the English constitution was not only working satisfactorily but also that it was an ideal constitution. It respects all old institutions like crown ship, the leadership and the conventions. He opposes the French revolution because it never respects old institutions and traditions. It was sudden bloody revolutionary. It was a revolution of passion rather than reason and intelligence. The revolution of France in 1789 resulted in utter confusion, disorder and anarchy. The ultimate goal of the revolution according to burke was nothing more than the absolutism of Napoleon Bonaparte. The following facts clearly indicated burkes conservative outlook.

- a. He believed in the organic growth of the society than the social contract theory.
- b. His defense on the British Constitution proves his conservatism.
- c. He was the leader of the opposition in the British Government and also a blind supporter of conservatism,
- d. iv. Burke denies equal political rights of individuals; natural equality is a social fiction.
- e. His condemnation of French revolution as mad, bloody and tragic reveals of his conservatism.
- f. Burke favours changes to government only to a little extent, at a time.

- g. Burke opposes democracy. According to him in democracy the masses always stand for changes and that is bad.

Burke on French Revolution

Unlike many other contemporaries, he refused to draw any parallels between the French events and the Glorious Revolution of 1688. Burke's *Reflections* was written during the revolutionary years. Macpherson pointed out that one should not overlook the second part of the title of the book, because it was very significant, i.e. his immediate concern was the perceived danger of the French revolution's impact on England and in other parts of Europe. In *Reflections*, Burke made a detailed criticism of both the theoretical and practical aspects of the Revolution. He pointed out the dangers of abstract theorizing, but was realistic enough to provide for an alternative mode of social progression. Unlike Joseph de Maistre and Louis Gabriel de Bonald, who out rightly defended orthodoxy and absolutism, Burke provided a framework for change with continuity. "A state without the means of some change is without the means of its conservation. Without such means it might even risk the loss of that part of the constitution which it wished the most religiously to preserve".

As Burke pointed out, these two principles of conservation and correction operated in England during the critical periods of the Restoration and the Revolution, when England did not have a king. But in both these critical times, a totally new one did not replace the entire edifice of the old order. Instead, a corrective mechanism was achieved to rectify the deficiencies within the existing constitutional framework. Burke argued that the period of the Magna Carta to the Bill of Rights was one of slow but steady consolidation, reflecting continuity and change. This enabled the British constitution to preserve and provide unity within the context of diversity. Inheritance was cherished as a political necessity, for without it both conservation and transmission were not possible. While there was a process of gradual change in Britain the French made an attempt to achieve a complete break with the past and create afresh with emphasis on equality and participation. With this inherent belief in natural aristocracy, he debunked the very attempt to create a society of equals.

Burke emphasized the necessity of well- ordered state, to be ruled by a combination of ability and property. Such an order would be inherently based on inequality. He linked the perpetuation of family property with stability of a society. There was no place for either proportionate equality or democratic equality in his preference for aristocratic rule. Like Adam Smith, he stressed the importance of preserving and protecting property. He favoured accumulation of wealth, rights of inheritance and the need, to enfranchise property owners. While Burke was socially conservative, he was a liberal in economics, the two being fused together uneasily.

Even as the most influential and eloquent spokesman of conservation, he was criticized on the following background. First of all, the theory of conservatism of Burke is more technical in nature to support evolutionary changes. Secondly, his criticism of French

revolution was a uni-lateral attempt to glorify the British Revolution. Thirdly, he never believes in the natural equality of man and never believes in the system of democracy.

'Reflections on the Revolution in France' is a political pamphlet written by Edmund Burke and published in November 1790. One of the best-known intellectual attacks against the French Revolution, *Reflections* is a defining tract of modern conservatism as well as an important contribution to international theory. Academics have had trouble identifying whether Burke, or his tract, can best be understood as "a realist or an idealist, Rationalist or a Revolutionist". In the twentieth century, it greatly influenced conservative and classical liberal intellectuals, who recast Burke's Whiggish arguments as a critique of communist and revolutionary-socialist programmes.

Edmund Burke served in the House of Commons of Great Britain, representing the Whig party, in close alliance with liberal politician Lord Rockingham. In Burke's political career, he vigorously defended constitutional limitation of the Crown's authority, denounced the religious persecution of Catholics in his native Ireland, voiced the grievances of Britain's American colonies, supported American Independence, and vigorously pursued impeachment of Warren Hastings, the Governor-General of British India, for corruption and abuse of power. For these actions, Burke was widely respected by liberals in Great Britain, the United States, and the European continent. *Reflections* has become the most eloquent statement of British conservatism favoring monarchy, aristocracy, property, hereditary succession, and the wisdom of the ages. He did not like abstract thinking, he believed freedom and equality were different, he also believed that real equality was not real unless it was when God judged, and he saw liberty as something within the law and not as an excuse to do whatever one would like.

In the *Reflections*, Burke argued that the French Revolution would end disastrously because its abstract foundations, purportedly rational, ignored the complexities of human nature and society. As a Whig, he expressly repudiated the belief in divinely appointed monarchic authority *and* the idea that a people have no right to depose an oppressive government; however, he advocated central roles for private property, tradition, and "prejudice" (i.e., adherence to values regardless of their rational basis) to give citizens a stake in their nation's social order. He argued for gradual, constitutional reform, not revolution emphasizing that a political doctrine founded upon abstractions such as *liberty* and the *rights of man* could be easily abused to justify tyranny. He predicted that the Revolution's concomitant disorder would make the army "mutinous and full of faction", and then a "popular general", commanding the soldiery's allegiance, would become "master of your assembly, the master of your whole republic".

Historically, *Reflections on the Revolution in France* became the founding philosophic opus of Conservatism when some of Burke's predictions occurred: the Reign of Terror under the new French Republic executed thousands from 1793 to 1794 to purge counter-revolutionary elements of society. That, in turn, led to the political reaction of Gen.

Napoleon Bonaparte's government, which appeared to some to be a military dictatorship. Burke had predicted the rise of a military dictatorship and that the revolutionary government instead of protecting the rights of the people would be corrupt and violent. Historians however have regarded Burke's arguments as inconsistent with the actual history of the events. Alfred Cobban, despite being the most respected conservative historian of the events, acknowledged that Burke's pamphlet, in so far as it "deals with the causes of the Revolution...they are not merely inadequate, but misleading" and that its main success is as a "violent partipris". Cobban notes that Burke was extremely well informed on America, Ireland and India but in the case of the French Revolution, relied on weak information and poor sources, and as a result his thesis does not cohere to the ground reality of France at the onset of the Revolution, where the situation was indeed dire enough to sweep existing institutions.

An Estimate of Burke

Edmund Burke was a statesman and political thinker who dominated debates in the British Parliament during the late 1700s. His principled stands on such controversies as the American and French revolutions inspired modern political conservatism. *Edmund Burke* British statesman, parliamentary orator and political thinker, played a prominent part in all major political issues for about 30 years after 1765, and remained an important figure in the history of political theory. Burke also wrote in his *Reflections* about the superiority of the British Constitution. In this part of his book, Burke summarized the essence of his political conservatism. Burke acknowledged that changes and reforms might be necessary, but not the complete destruction of the inheritance from a nation's forefathers. He cited the English Glorious Revolution of 1688. It preserved England's ancient laws and liberties by making the will of Parliament superior to that of the monarchy. Burke celebrated the British Constitution, which contained the inherited "rights of Englishmen," not some theoretical notion about the "rights of man." He therefore criticized many Enlightenment writers such as Rousseau who believed in "natural rights" and creating the perfect society. Burke was not enthusiastic about democracy. He defended the English monarchy based on inherited succession. He consistently opposed expanding the right to vote beyond property owners, who made up only a minority of the English population. Moreover, Burke warned, "democracy has many striking points of resemblance to tyranny," including the "cruel oppression" of the minority.

Burke split with the leadership of the Whig Party when he spoke in favor of war against revolutionary France. Britain declared war in 1793 when it joined other European monarchies already fighting the French army. But no longer supported by the Whig Party, Burke decided to retire from Parliament the following year. He continued writing about the French threat. He also wrote in favor of the free market setting wages and opposed government support for the poor. This was the job of private charity not government, he said. He argued that burdensome taxes would lead only to the poverty of all. Taxes, he declared, should mainly be limited to funding the nation's established religion, courts, and military.

GEORGE WILHELM FRIEDRICH HEGEL (1770-1881)

Hegel, one of the most influential thinkers in the history of modern political thought was born in 1770 at Germany. German philosopher, Hegel developed a dialectical scheme that emphasized the progress of history and of ideas from thesis to antithesis and thence to a synthesis. Hegel was a product of German Idealism, which drew considerable inspiration from Rousseau and Kant and integrated it with contemporary popular desire for German unification leading to the rise of the nation states in Europe. Freedom played an important role in Hegel but Hegelian version of freedom was associated with rationality unlike the thrust of British liberalism, which associated freedom with liberty and individuality.

Influences on Hegel:

As Hegel passed his youth during the days of French Revolution, he was greatly influenced by the events of French Revolution. This was largely responsible for making him conservative and thereby to appreciate the nationality of the existing institutions. Among the political philosophies influenced him important are Hume's concept of natural law, Rousseau's romantic individual and Kant's science and morals. He tried to bring about a synthesis of these three ideas in his political philosophy. Although Hegel felt the impact of Kant, Hume and Rousseau, he did not fully support their philosophies. Hegel developed a comprehensive philosophical framework, or system to account in an integrated and developmental way for the relation of mind and nature, the subject and object of knowledge and psychology, the state, history, art, religion and philosophy. In particular, he developed a concept of mind or spirit that manifested itself in a set of contradictions and oppositions.

Hegel published only four books during his life: "The Phenomenology of Spirit" in 1807; "The Science of Logic" in 1811, 1812, and 1816; "Encyclopedia of the Philosophical Sciences", published in 1816 and revised in 1827 and 1830; and "The Elements of the Philosophy of Right", his political philosophy, published in 1822. In the latter, he criticized Von Haller's reactionary work, which claimed that laws were not necessary. He also published some articles early in his career and during his Berlin period. A number of other works on the philosophy of history, religion, aesthetics, and the history of philosophy were compiled from the lecture notes of his students and published posthumously. Among Hegel's contributions to political philosophy the most important are his theories of Idealism, Dialectics, View on State, concept on Freedom & Critique of Civil Society.

1. Hegel as an Idealist Philosopher:

Hegel is considered as the founder of idealism in the modern period. His philosophy has deep impact and influence among modern thinkers who consider idea supreme over matter and what is universally right is not the matter but idea. Hegel's idealism formed the basis of the Absolute Idealism of many philosophers (including F.H. Bradley and Bernard Bosanquet), who made **Absolute Idealism** a dominant philosophy of the 19th century. Hegelian idealism is often referred to as Absolute Idealism because it provides us with a set

of categories in terms of which all human experiences of the past and the present can be understood.

Idealism for Hegel meant that the finite world is a reflection of mind, which alone is truly real. He held that limited being (that which comes to be and passes away) presupposes infinite unlimited being, within which the finite is a dependent element. In this view, truth becomes the relationship of harmony or coherence between thoughts, rather than a correspondence between thoughts and external realities. As one proceeds from the confusing world of sense experience to the more complex and coherent categories of science, the Absolute Idea, of which all other abstract ideas are merely a part, is approached. Hegel also held that this increasing clarity is evident in the fact that later philosophy presupposes and advances from earlier philosophy, ultimately approaching that to which all things are related and which is nevertheless self-contained—i.e., the Absolute Idea.

Hegel followed a type philosophy different from the classical English philosophers who were empirical to a certain extent. But Hegel followed abstract reasoning, Instinct or intention and tradition. To Hegel the “rational is the real and real is the rational”. He means that the rational is always good and the good is always rational. Whatever the things exist is reasonable to the spirit of the people and hence acceptable. To him “thought and being are one” or in otherwords “thought was the only, ultimate reality in this world”. All problems stand solved by thought. Hegel, following Kant and Fichte, based his philosophy from logic, study of the laws of thought and metaphysic. His philosophy has the following basic features:

- 1) Throughout the whole course of human history, action is dominated by thought. The spirit or jean is supreme over matter. This is in contrast to the materialist philosophy.
- 2) Hegel introduced the notion of “Zeitqueist” (Spirit of the times) and “Volksqueist” (Spirit of the people). The former represent the complex of idea and thoughts dominating the minds of men at a given time and the latter represent the ideas dominating the people constituting a whole nation.
- 3) The whole universe is a creation of reason or thought or spirit. The history is really **“the march of God up on Earth”**. God represent the right reason and the ultimate reality of the universe.
- 4) The ultimate reality or spirit or reason is not static but dynamic. Reason is a principle of growth and development. Hence, no one of its manifestations is intelligible unless it is studied along the lines of continuous development. This theory is district from Platonic ideal philosophy. Plato believed that the world of appearance is full of change, growth and decay and the true world of idea of pure reason is unchanging with no growth or evolution. To Hegel, the world of idea or spirit or thought is not fixed or rigid or motionless. Change, growth development and evolution constitute important stages of the continuous world process undergone by mind.
- 5) **Universal Dialectic** – The rational process of development of universe was a logical pattern. In this process the first is motionless matter, ie, the inorganic world. The next

is the organic world of plants, animals etc. The third stage is man in whom the universal mind becomes conscious of itself.

2. Hegelian Dialectics

The idea of dialectics was at first emphasized by Hegel and in this idea he was influenced by the Greek political philosophers particularly Plato. The dialectics of Hegel explain the evolution of reason in human mind rather than material conditions. He insists on the emergence of 'thesis', and 'anti-thesis' based on idea and reason. In the universe the only reality is the idea, spirit or the divine mind. The History of the world is the history of evolution of idea and reason. Reason is the reality. It is based on human thought. Reality is not static, it is dynamic and organic. All organic processes are dialectical. The dialectical process of idea based on a triple rhythm of change-

Thesis + antithesis = synthesis (based on reason or idea).

To Hegel, Family is the thesis, civil society is its antithesis and state is the synthesis.

ii) Similarly, despotism is thesis, democracy is its antithesis and constitutional monarchy is the synthesis.

iii) Inorganic world is the thesis, organic world is its antithesis and human beings are the synthesis.

Each thesis generates its own anti-thesis from which develops a new one known as synthesis. Synthesis is a compromise of the good aspects of both thesis and anti thesis. 'Despotism' was a thesis, generated its own anti thesis, 'Democracy'. As a result of its clash there emerged a synthesis known as 'constitutional monarchy'. Thus the idea of constitutional monarchy is the result of evolution of human ideas. It is a process of organism of what is known as Geist. Hegel defines state and all other associations are the outcome of dialectics.

Dialectics of Hegel is an organic process of evolution of reason. It is the method of Hegel to analyse everything in the universe including human mind. Hegel defines the origin of state in a dialectical form. Human mind, states, all organizations including the state is nothing more than the realisation of reason, reason of human beings based on Geist.

Doctrine of development

In logic – which, according to Hegel, is really metaphysic, we have to deal with the process of development applied to reality in its most abstract form. According to Hegel, in logic, we deal in concepts robbed of their empirical content: in logic we are discussing the process in a vacuum, so to speak. Thus, at the very beginning of Hegel's study of reality, he finds the logical concept of 'being'. 'Being' is not a static concept according to Hegel, as Aristotle supposed it was. It is essentially dynamic, because it tends by its very nature to pass over into nothing, and then to return to itself in the higher concept, becoming. For Aristotle, there was nothing more certain than that being equaled being or, in other words, that being is identical with itself, that everything is what it is. Hegel does not deny this; but, he adds, it is equally certain that being tends to become its opposite, nothing, and that both are united in

the concept becoming. For instance, the truth about this table, for Aristotle, is that it is a table. This is not necessarily true. Aristotle made a distinction between things made by art and things made by nature. Things made by art--such as a table--follow this description of thing hood. Living things however are self-generating and constantly creating their own being. Being in the sense of a living thing is highly dynamic and is defined by the thing creating its own being. He describes life not in terms of being but coming-into-being. For instance a baby's goal is to become old. It is neither absolutely young or absolutely old and somewhere in the process of being young and becoming old. It sounds like Hegel made the comparison between being and not being while Aristotle made the comparison between art and nature.

For Hegel, the equally important truth is that it was a tree, and it "will be" ashes. The whole truth, for Hegel, is that the tree became a table and will become ashes. Thus, becoming, not being, is the highest expression of reality. It is also the highest expression of thought because then only do we attain the fullest knowledge of a thing when we know what it was, what it is, and what it will be--in a word, when we know the history of its development. In the same way as "being" and "nothing" develop into the higher concept becoming, so, farther on in the scale of development, life and mind appear as the third terms of the process and in turn are developed into higher forms of themselves. (It is interesting here to note that Aristotle saw "being" as superior to "becoming", because anything which is still becoming something else is imperfect. Hence, God, for Aristotle, is perfect because He never changes, but is eternally complete.) But one cannot help asking what is it that develops or is developed? Its name, Hegel answers, is different in each stage. In the lowest form it is "being", higher up it is "life", and in still higher form it is "mind". The only thing always present is the process. We may, however, call the process by the name of "spirit" (*Geist*) or "idea" (*Begriff*). We may even call it God, because at least in the third term of every triadic development the process is God.

3. Hegel on State

Hegel explains the origin of state in terms of dialectical growth. According to Hegel, "State is the highest embodiment of human reason and the guardian of individual liberty and human evolution". Family becomes the thesis and the civil society is anti – thesis. As a result of imperfection of family there emerged a new synthesis known as the State. Hegel rejects the idea of the origin of the state by social contract. State is a natural organism and it comprises in itself. Hegel says that state is a real person and its will is the manifestation of rationality. State itself was a creator of morality and law and thus it becomes the embodiment of human reason. State determines what is good or bad, right or wrong. The law of nature is not superior to the state.

According to Hegel "state is the march of God on earth". God is the symbol of reason and state and state is very near and dear to it. State is not a means to an end but an end itself. It is omnipotent, infallible and absolute. State is the General will of the community. Individual rights emanates from the state. The end of the state is liberty but liberty cannot

realise without law. True freedom lies in obeying the direction and orders of the state. State represents the divine will and thus it becomes divine.

Hegel denies the antagonism between individual and state. State is necessary for the moral freedom. The citizen has not act as an isolated unit but an integral part of the state. Hegel takes a more positive view of freedom. But he is less individualistic in view of state. He respect state as a legal process and it is necessary for individual freedom and liberty. Individual freedom is the gift of the state. State has only secured the freedom of the people but also enlarge it. Freedom lies in the obedience of the laws of the state. The law of the state represents reasons which liberate the individual mind from the bondage and make him free. The laws of the state are the correct expression of reason or spirit. Hegel concludes that state has absolute power over citizens.

Hegelian theory of state however leads to state absolutism, totalitarianism and nationalism. It is directly opposite to the notion of democracy. To Hegel, war is a rational necessity. It affects state of Hegel as an instrument of tyranny and the march of 'Saitan' and not the God on earth. His theory pays little attention to morality and international law. His theory is also criticised as intellectual exercising rather than any relevance. Hegelian theories also criticised as philosophical mysticism and Practical Anarchism.

Hegel considers state as essential and a divine institution and described it as march of God on this earth. He completely rejected the social contract theory which held that the state was the result of a contract. He looked on state as the evolution of the spirit . He considers the state as the handy work of God and an embodiment of reason. It was an end in itself and was the agency which worked for the moral upliftment of mankind. He comprehended state is an organism with a natural growth. The state was a real person and its will was the manifestation of perfect nationality, the synthesis of Universal and Individual freedom.

Hegel believed that the individual had no right against the state and the freedom for the individual consisted in blind obedience to the dictates of the states. He considers the state as the creator of all individual rights and does not permit the individual any right against the state. He treats the state as an end and the individual as a means for the attainment of that end. He considers the state as more important than society in the same manner in which the society is higher than the family.

However Hegel's views on state suffer from numerous defects. There is a clear tendency towards autocracy. He identifies freedom with law and substitutes discipline for equality. He undermines the individual in the state and judges the virtue of state according to power. He glorifies war and denies aspiration towards human brotherhood.

4. Hegel on Freedom

Hegel considered freedom as essence of man and its denial to a man is the denial it his personality and humanity. However, Hegel did not take freedom in the negative limited and subjective sense and gave a more positive and objective conception of freedom. His freedom was not individualistic in character but a social phenomenon which could be possible only

through participation in the moral life of the community. He asserted that freedom could be possible only within the state because it meant willing of what was rational. To him freedom consisted in giving total obedience to the state and in the performance of one's duties. The freedom of Hegel expresses itself in a series of outward manifestations- first the law then the rules of inward morality and finally the whole system of institutions and influence that make for the righteousness in the national state. Hegel discusses personality, property and contract under the first aspect of self-determination in which the individual is affected by the consciousness of other like individuals under the second, and family civil society and the state under the third.

5. Hegel's Analysis on Civil Society:

Civil society is also a realm of mediation of particular wills through social interaction and a means whereby individuals are educated through their efforts and struggles toward a higher universal consciousness. This dimension of civil society involves the pursuit of need satisfaction. Humans are different from animals in their ability to multiply needs and differentiate them in various ways, which leads to their refinement and luxury. Political economy discovers the necessary interconnections in the social and universalistic side of need. Work is the mode of acquisition and transformation of the means for satisfying needs as well as a mode of practical education in abilities and understanding. Work also reveals the way in which people are dependent upon one another in their self-seeking and how each individual contributes to the need satisfaction of all others. Society generates a "universal permanent capital" that everyone in principle can draw upon, but the natural inequalities between individuals will translate into social inequalities.

Furthermore, labor undergoes a division according to the complexities of the system of production, which is reflected in social class divisions: the agricultural; the business and the civil servants. Membership in a class is important for gaining status and recognition in a civil society. Hegel says that "A man actualizes himself only in becoming something definite, i.e., something specifically particularized; this means restricting himself exclusively to one of the particular spheres of need.

The "substantial" agricultural class is based upon family relationships whose capital is in the products of nature, such as the land, and tends to be patriarchal, unreflective, and oriented toward dependence rather than free activity. The third class is the class of civil servants, which Hegel calls the "universal class" because it has the universal interests of society as its concern. Members of this class are relieved from having to labor to support themselves and maintain their livelihood either from private resources such as inheritance or are paid a salary by the state as members of the bureaucracy. These individuals tend to be highly educated and must qualify for appointment to government positions on the basis of merit.

Philosophy of nature

Passing over the rather abstract considerations by which Hegel shows in his *Logik* the process of the idea-in-itself through being to becoming, and finally through essence to notion, we take up the study of the development of the idea at the point where it enters into otherness in nature. In nature the idea has lost itself, because it has lost its unity and is splintered, as it were, into a thousand fragments. But the loss of unity is only apparent, because in reality the idea has merely concealed its unity.

Studied philosophically, nature reveals itself as so many successful attempts of the idea to emerge from the state of otherness and present itself to us as a better, fuller, richer idea, namely, spirit, or mind. Mind is, therefore, the goal of nature. It is also the truth of nature. For whatever is in nature is realized in a higher form in the mind which emerges from nature.

Philosophy of history

Hegel's philosophy of the State, his theory of history, and his account of absolute mind are perhaps the most often read portions of his philosophy due to their accessibility. The State, he says, is mind objectified. The individual mind, which, on account of its passions, its prejudices, and its blind impulses, is only partly free, subjects itself to the yoke of necessity—the opposite of freedom—in order to attain a fuller realization of itself in the freedom of the citizen.

This yoke of necessity is first met within the recognition of the rights of others, next in morality, and finally in social morality, of which the primal institution is the family. Aggregates of families form civil society, which, however, is but an imperfect form of organization compared with the State. The State is the perfect social embodiment of the idea, and stands in this stage of development for God Himself.

The State, studied in itself, furnishes for our consideration constitutional law. In relation to other States it develops international law; and in its general course through historical vicissitudes it passes through what Hegel calls the "Dialectics of History".

Hegel teaches that the constitution is the collective spirit of the nation and that the government and the written constitution is the embodiment of that spirit. Each nation has its own individual spirit, and the greatest of crimes is the act by which the tyrant or the conqueror stifles the spirit of a nation.

On War

War, Hegel suggests, can never be ruled out, as one can never know when or if one will occur, an example being the Napoleonic overrunning of Europe and putting down of Royalist systems. War represents a crisis in the development of the idea which is embodied in the different States, and out of this crisis usually the State which holds the more advanced spirit wins out, though it may also suffer a loss, lick its wounds, yet still win in the spiritual sense, as happened for example when the northerners sacked Rome, its form of legality and religion all "won" out in spite of the losses on the battlefield. A peaceful revolution is also

possible according to Hegel when the changes required to solve the crisis are ascertained by thoughtful insight and when this insight spreads throughout the body politic:

Stages of history

We are, therefore, to understand historical happenings as the stern, reluctant working of reason towards the full realization of itself in perfect freedom. Consequently, we must interpret history in rational terms, and throw the succession of events into logical categories and this interpretation is, for Hegel, a mere inference from actual history. Thus, the widest view of history reveals three most important stages of development: Oriental imperial (the stage of oneness, of suppression of freedom), Greek social democracy (the stage of expansion, in which freedom was lost in unstable demagoguery), and Christian constitutional monarchy (which represents the reintegration of freedom in constitutional government).

The far reaching influence of Hegel is due in a measure to the undoubted vastness of the scheme of philosophical synthesis which he conceived and partly realized. A philosophy which undertook to organize under the single formula of triadic development every department of knowledge, from abstract logic up to the philosophy of history, has a great deal of attractiveness to those who are metaphysically inclined. But Hegel's influence is due in a still larger measure to two extrinsic circumstances. His philosophy is the highest expression of that spirit of collectivism which characterized the nineteenth century. In theology especially Hegel revolutionized the methods of inquiry. The application of his notion of development to Biblical criticism and to historical investigation is obvious to anyone who compares the spirit and purpose of contemporary theology with the spirit and purpose of the theological literature of the first half of the nineteenth century.

Hegel made the distinction between civil society and state in his *Elements of the Philosophy of Right*. In this work, civil society though it is now referred to as *Zivilgesellschaft* in German to emphasize a more inclusive community) was a stage in the dialectical relationship that occurs between Hegel's perceived opposites, the macro-community of the state and the micro-community of the family. Broadly speaking, the term was split, like Hegel's followers, to the political left and right. On the left, it became the foundation for Karl Marx's civil society as an economic base; to the right, it became a description for all non-state (and the state is the peak of the objective spirit) aspects of society, including culture, society and politics. This liberal distinction between political society and civil society was followed by Alexis de Tocqueville. In fact, Hegel's distinctions as to what he meant by civil society are often unclear. For example, while it seems to be the case that he felt that a civil-society such as the German society in which he lived was an inevitable movement of the dialectic, he made way for the crushing of other types of "lesser" and not fully realized types of civil society, as these societies were not fully conscious or aware, as it were, as to the lack of progress in their societies. Thus, it was perfectly legitimate in the eyes of Hegel for a conqueror, such as Napoleon, to come along and destroy that which was not fully realized.

Hegel's State is the final culmination of the embodiment of freedom or right in the *Elements of the Philosophy of Right*. The State subsumes family and civil society and fulfills them. All three together are called "ethical life" (*Sittlichkeit*). The State involves three "moments". In a Hegelian State, citizens both know their place and choose their place. They both know their obligations, and choose to fulfill their obligations. An individual's "supreme duty is to be a member of the state." (*Elements of the Philosophy of Right*) The individual has "substantial freedom in the state". The State is "objective spirit" so "it is only through being a member of the state that the individual himself has objectivity, truth, and ethical life." Every member, furthermore, both loves the state with genuine patriotism but has transcended mere "team spirit" by reflectively endorsing their citizenship. Members of a Hegelian State are happy even to sacrifice their lives for the state.

As a graduate of a Protestant seminary, Hegel's theological concerns were reflected in many of his writings and lectures. Hegel's thoughts on the person of Jesus Christ stood out from the theologies of the Enlightenment. In his posthumously published *Lectures on the Philosophy of Religion*, Hegel is shown as being particularly interested with the demonstrations of God's existence and the ontological proof. He espouses that, "God is not an abstraction but a concrete God.

There are views of Hegel's thought as a representation of the summit of early 19th-century Germany's movement of philosophical idealism. It would come to have a profound impact on many future philosophical schools, including schools that opposed Hegel's specific dialectical idealism, such as existentialism, the historical materialism of Marx, historicism, and British Idealism. Hegel's influence was immense both within philosophy and in the other sciences. Throughout the 19th century many chairs of philosophy around Europe were held by Hegelians, and Søren Kierkegaard, Ludwig Feuerbach, Marx, and Friedrich Engels—among many others—were all deeply influenced by, but also strongly opposed to, many of the central themes of Hegel's philosophy. Scholars continue to find and point out Hegelian influences and approaches in a wide range of theoretical and/or learned works, such as Carl von Clausewitz's magnum opus on strategic thought, *On War* (1831). After less than a generation, Hegel's philosophy was suppressed and even banned by the Prussian right-wing, and was firmly rejected by the left-wing in multiple official writings. Some historians have spoken of Hegel's influence as represented by two opposing camps. The Right Hegelians, the allegedly direct disciples of Hegel at the Friedrich-Wilhelms-Universität, advocated a Protestant orthodoxy and the political conservatism of the post-Napoleon Restoration period. The Left Hegelians, also known as the Young Hegelians, interpreted Hegel in a revolutionary sense, leading to an advocacy of atheism in religion and liberal democracy in politics. In more recent studies, however, this paradigm has been questioned.

In previous modern accounts of Hegelianism (to undergraduate classes, for example), especially those formed prior to the Hegel renaissance, Hegel's dialectic was most often characterized as a three-step process, "thesis, antithesis, synthesis"; namely, that a "thesis"

(e.g. the French Revolution) would cause the creation of its "antithesis" (e.g. the Reign of Terror that followed), and would eventually result in a "synthesis" (e.g. the constitutional state of free citizens). However, Hegel used this classification only once, and he attributed the terminology to Kant. The terminology was largely developed earlier by Fichte. It was spread by Heinrich Moritz Chalybäus in accounts of Hegelian philosophy, and since then the terms have been used as descriptive of this type of framework.

The "thesis–antithesis–synthesis" approach gives the sense that things or ideas are contradicted or opposed by things that come from outside them. To the contrary, the fundamental notion of Hegel's dialectic is that things or ideas have internal contradictions. From Hegel's point of view, analysis or comprehension of a thing or idea reveals that underneath its apparently simple identity or unity is an underlying inner contradiction. This contradiction leads to the dissolution of the thing or idea in the simple form in which it presented itself and to a higher-level, more complex thing or idea that more adequately incorporates the contradiction. The triadic form that appears in many places in Hegel (e.g. being–nothingness–becoming, immediate–mediate–concrete, abstract–negative–concrete) is about this movement from inner contradiction to higher-level integration or unification.

George Wilhelm Friedrich Hegel: An Estimate

Hegel was an important figure of German idealism. He achieved wide renown in his day and, while primarily influential within the continental tradition of philosophy, has become increasingly influential in the analytic tradition as well. Hegel's principal achievement is his development of a distinctive articulation of idealism sometimes termed "absolute idealism", in which the dualisms of, for instance, mind and nature and subject and object are overcome. His philosophy of spirit conceptually integrates psychology, the state, history, art, religion, and philosophy. Hegel rejected Kant's notion of perpetual peace and accepting different forms of regimes, accepted war as a mechanism of setting two alternative claims of rights. Hegel had no doctrine of just war. Hegel's greatest contribution was a new discipline, the philosophy of history, a method of analysing historical evolution with a confidence of inevitable progression.

Exercises

1. Elucidate the contribution of Burke to political theory
2. Evaluate Edmund Burke's critique of the French revolution.
3. Elaborate the statement 'the State is the March of God on Earth'.
4. Estimate the views of Hegel's on freedom of the individual'

MODULE VI
POSITIVE LIBERALISM
HAROLD JOSEPH LASKI, JOHN RAWLS

HAROLD JOSEPH LASKI (1893 –1950)

Harold Joseph Laski was a British political theorist, economist, author, and lecturer. He was active in politics and served as the chairman of the British Labour Party during 1945–1946, and was a professor at the London School of Economics from 1926 to 1950. He first promoted pluralism, emphasising the importance of local voluntary communities such as labour unions. After 1930, he shifted to a Marxist emphasis on class conflict and the need for a workers' revolution, which he hinted might be violent. Laski was Britain's most influential intellectual spokesman for Socialism in the inter-war years. Particularly, his teaching greatly influenced men such as Jawaharlal Nehru who later became leaders of new nations in Asia and Africa as the British Empire was dissolved. He was perhaps the most influential intellectual in the Labour Party, especially for those on the left who shared his trust and hope in Stalin's Soviet Union. He was distrusted by the Labour politicians.

Harold Laski was born on June 30, 1893, in Manchester. Laski's early works promoted pluralism, especially in the essays collected in *Studies in the Problem of Sovereignty* (1917), *Authority in the Modern State* (1919), and *The Foundations of Sovereignty* (1921). He argued that the state should not be considered supreme, because people could and should have loyalties to local organisations, clubs, labour unions, and societies. The state should respect these allegiances and promote pluralism and decentralization. Laski became a proponent of Marxism and believed in a planned economy based on the public ownership of the means of production. Instead of, as he saw it, a coercive state, Laski believed in the evolution of co-operative states that were internationally bound and stressed social welfare. He wrote his most comprehensive study of politics, '*A Grammar of Politics*' in 1925. In this work he moved away from his earlier pluralism and adopted a position that might be called "socialized Benthamism". He accepted the view he had previously rejected, that the state was "the fundamental instrument of society," and he argued that its purpose was to "satisfy, or organize the satisfaction of, the wants of men on the largest possible scale."

Political Ideals of Laski

Revolution by consent

Laski's political ideas are a mixture of the English individualist tradition, utility, the Anglo-US parliamentary Practice and Marxism-Leninism. The net result of this curious intermingling was his doctrine of "revolution by consent". In 1940, in his introduction to a book, 'the Betrayal of the Left' compiled by the Gollancz and Strachey, Laski stated his doctrine which, in effect, stressed that war must be won and that the foundations of a new social order should be laid during the war. "We must secure", he wrote, "guarantees against Mass unemployment". We must be sure that the rebuilding of Britain excludes the power of the

ground landlord and the speculative builder to profit from the results of air-bombardment. He went about educating the labour movement in this direction. For the same reason he hailed Roosevelt's victory in the election as "an oasis indeed in this grim desert be traverse". He was extremely critical of Churchill who was "trying to preserve traditional Britain". He was also critical of the labour leaders like Attlee who left Laski in doubt that the "post-war government...will inevitably have to work a mixed economy.

Laski's theory of revolution by consent presumes that revolution by force is undesirable. He defined revolution as an "attempt by the use of force against the government legally in power to compel a change in what are held to be by those using such force, the actual purposes of the states". Laski argued that the citizen in a democracy ought to have the right to propagate revolution, but not to practice it. He believed that the individual could feel satisfied that he counted in the state, only if he were able to express himself freely, that individual liberty could not survive without freedom of the mind.

Laski on Liberalism

In *The Rise of European Liberalism*, Laski traced the historical evolution of the theory and practices of liberalism and interpreted its development in the socio- economic context. He argued that the changes in the political ideology and practice of liberalism represented the corresponding economic necessities of the different phase of capitalism. In this way, he sustained the developing crisis and contradiction of the capitalist system. The only philosophy which can take its place now is the philosophy of socialism.

Laski made a sustained effort to utilize the Marxian method of social research in tracing the economic foundations of liberalism. As a critic, Laski volunteered to interpret the philosophy and achievements of liberalism for the contemporary generation. Even then he showed considerable sympathy for various aspects of the liberal doctrine and practice. Even when he declared himself to be a convert to Marxian socialism, he retained his enthusiasm for some of the fundamental beliefs of liberalism. According to Laski, liberalism was a habit of mind no less than political creed or doctrine. Laski would reject some or most of the doctrinal aspects of liberalism, but as a mental attitude liberalism never deserted him.

Liberalism for Laski was primarily the ideology of the victorious bourgeoisies in Europe that came into power and prominence after the defeat and decline of the feudal aristocracy. The ideas of the liberal; theorists from Locke to Bentham might suffer from serious logical contradictions. Laski believed that liberal ideas were propounded and developed sometimes by political thinkers, who were not even conscious of what they were doing. Liberalism as a school of political philosophy did not develop in a direct and straightforward manner. The doctrine of liberalism lack clarity and precision because they have been derived from several sources with little affinity. In the sixteenth century, as Laski points out, the liberal state was only slowly emerging. The commercial and industrial classes first allied themselves with the cause of monarchical absolutism in primacy.

He shows considerable sympathy in his treatment of various aspects of the liberal philosophy. It appears that Laski's own political outlook was far more in harmony with the fundamental spirit of liberalism than he himself cared to admit. Even when he declared

himself to be a convert to Marxian Socialism he did not abandon or even mitigate his enthusiasm for some of the most fundamental assumptions of liberalism had in fact become an ingrained habit with Laski's political behavior and it was simply impossible for him to effect a complete break with the liberal traditions of his country in which he was brought up. The battle for liberal ideas assumed a violent struggle in the English Civil War of the 1640s and the French Revolution of 1789. This is the dominant theme of Laski's '*The rise of European Liberalism*'. It constitutes the historical background of another important work of Laski, 'The State in Theory and Practice'. Laski offers a Marxist critique of the social and political ideas of such celebrated liberal ideologues as Hobbes, Locke, Rousseau, Montesquieu, Hume, Bentham, J.S. Mill, Kant, Hegel and T.H.Green. Their doctrines are analysed and criticized always in the context of their socio-economic environment and the implications of the ongoing class struggles and class contradictions.

Harold Joseph Laski: An Estimate

Laski was a British political theorist, economist, author, and lecturer. He first promoted pluralism, emphasising the importance of local voluntary communities such as labour unions. After 1930, he shifted to a Marxist emphasis on class conflict and the need for a workers' revolution, which he hinted might be violent. Laski's position angered Labour leaders who promised a nonviolent democratic transformation. Laski's early work promoted pluralism, especially in the essays collected in *Studies in the Problem of Sovereignty* (1917), *Authority in the Modern State* (1919), and *The Foundations of Sovereignty* (1921). He argued that the state should not be considered supreme, because people could and should have loyalties to local organisations, clubs, labour unions, and societies. In his *Grammar of Politics* (1925), however, he defended the opposite position, viewing the state as "the fundamental instrument of society." The state should respect these allegiances and promote pluralism and decentralization. Laski became a proponent of Marxism and believed in a planned economy based on the public ownership of the means of production. Laski had a major long-term impact on support for socialism in India and other countries in Asia and Africa.

JOHN BORDLEY RAWLS (1921 - 2002)

John Bordley Rawls was an American moral and political philosopher in the liberal tradition. Rawls was born and raised in Baltimore, Maryland. He held the James Bryant Conant University Professorship at Harvard University and the Fulbright Fellowship at the University of Oxford. He was influenced by Immanuel Kant, John Locke, Thomas Hobbes and other political thinkers. Rawls published three main books. His theory of *justice as fairness* describes a society of free citizens holding equal basic rights and cooperating within an egalitarian economic system. His theory of *political liberalism* delineates the legitimate use of political power in a democracy, and envisions how civic unity might endure despite the diversity of worldviews that free institutions allow. His writings on *the law of peoples* set out

a liberal foreign policy that aims to create a permanently peaceful and tolerant international order.

Rawls's Theory of Justice

Rawls's first work, published in 1971, aimed to resolve the seemingly competing claims of freedom and equality. John Rawls' theory of justice is one of the most interesting philosophies to have emerged in modern times. It was introduced in the 1970s when *A Theory of Justice* was published. It was revised several times, with the most recent done in the year 1999. Essentially, the Rawlsian philosophy approaches justice according to the idea of fairness. The idea is that justice is a complex concept, and it could differ according to individual circumstance. Rawls contended that all of us are ignorant about ourselves and about others and, hence, we are not in a place - in such condition - to determine or apply the principles of justice. These positions allowed Rawls to address two contemporary issues that are equally important, but also tend oppose each other's views: freedom and equality. In *A Theory of Justice*, Rawls argues that the concepts of freedom and equality are not mutually exclusive. His assessment of the justice system leads him to conclude that for justice to be truly just, everyone must be afforded the same rights under the law. Rawls theory of justice revolves around the adaptation of two fundamental principles of justice which would, in turn, guarantee a just and morally acceptable society. The first principle guarantees the right of each person to have the most extensive basic liberty compatible with the liberty of others. The second principle states that social and economic positions are to be a) to everyone's advantage and b) open to all.

In the first part of the book, Rawls asks: if everyone were stripped of their privileges and social status and made entirely equal, what kind of justice system would they want to be subject to? He includes that the only logical choice is to pick a system that treats people equally, regardless of their race, class, gender, etc. In the second part, he discusses how his theory of justice would affect institutions today. Without pointing fingers, he makes it clear that no one is living up to his standards. In the third part, he describes the good effects that a real justice system can have on society. Rawls begins his work with the idea of justice as fairness. He identifies the basic structure of society as the primary subject of justice and identifies justice as the first virtue of social institutions. He considers justice a matter of the organization and internal divisions of a society. After considering the main characteristics of justice as fairness and the theoretical superiority of this approach to utilitarianism, intuitionism, or other perspectives, Rawls looks at the principles of justice. He identifies two principles: One, that each person should have equal rights to the most extensive liberties consistent with other people enjoying the same liberties; and two, that inequalities should be arranged so that they would be to everyone's advantage and arranged so that no one person would be blocked from occupying any position. From these two principles Rawls derives an egalitarian conception of justice that would allow the inequality of conditions implied by equality of opportunity but would also give more attention to those born with fewer assets and into less favorable social positions. In the second part of the work, Rawls considers the implications of his view of justice for social institutions. He discusses in detail equal liberty, economic distribution, and duties and obligations as well as the main characteristics of each

that would make up a just society. In the third and final section, Rawls deals with ends or ultimate goals of thinking about social justice. He argues for the need to have a theory of goodness, and he makes a case for seeing goodness as rationality. Then, he turns to moral psychology and considers how people acquire a sentiment of justice. Finally, he examines the good of justice, or how justice is connected to goodness. Rawls argues that in a well-ordered society, ideas of goodness and justice must be consistent with each other. *A Theory of Justice* is widely recognized as an essential contribution to thought about the nature of justice. In *A Theory of Justice*, Rawls attempts to solve the problem of distributive justice by utilising a variant of the familiar device of the social contract.

John Rawls on Political Liberalism

Political Liberalism aims to demonstrate that, despite the pluralism of comprehensive doctrines, a fundamentally just society can be legitimate and stable. Central to Rawls's argument is the notion of public reason, i.e. the ideal of legitimacy requiring that, when fundamental political issues are at stake, decisions should be made on the basis of justifications that every reasonable citizen can accept. In '*Political Liberalism*' (1993), Rawls turned towards the question of political legitimacy in the context of intractable philosophical, religious, and moral disagreement amongst citizens regarding the human good. Such disagreement, he insisted, was reasonable – the result of the free exercise of human rationality under the conditions of open enquiry and free conscience that the liberal state is designed to safeguard. The question of legitimacy in the face of reasonable disagreement was urgent for Rawls because his own justification of Justice as Fairness relied upon a Kantian conception of the human good that can be reasonably rejected. If the political conception offered in *A Theory of Justice* can only be shown to be good by invoking a controversial conception of human flourishing, it is unclear how a liberal state ordered according to it could possibly be legitimate.

The intuition animating this seemingly new concern is actually no different from the guiding idea of *A Theory of Justice*, namely that the fundamental charter of a society must rely only on principles, arguments and reasons that cannot be reasonably rejected by the citizens whose lives will be limited by its social, legal, and political circumscriptions. In other words, the legitimacy of a law is contingent upon its justification being impossible to reasonably reject. This old insight took on a new shape, however, when Rawls realized that its application must extend to the deep justification of Justice as Fairness itself, which he had presented in terms of a reasonably rejectable (Kantian) conception of human flourishing as the free development of autonomous moral agency.

The core of Political Liberalism, accordingly, is its insistence that, in order to retain its legitimacy, the liberal state must commit itself to the "ideal of public reason". This roughly means that citizens in their public capacity must engage one another only in terms of reasons whose status *as* reasons is shared between them. Political reasoning, then, is to proceed purely in terms of "public reasons". For example: a Supreme Court justice deliberating on whether or not the denial to homosexuals of the ability to marry constitutes a violation of the

14th Amendment's Equal Protection Clause may not advert to his religious convictions on the matter, but he may take into account the argument that a same-sex household provides sub-optimal conditions for a child's development. This is because reasons based upon the interpretation of sacred text are non-public (their force as reasons relies upon faith commitments that can be reasonably rejected), whereas reasons that rely upon the value of providing children with environments in which they may develop optimally are public reasons – their status as reasons draws upon no deep, controversial conception of human flourishing.

Rawls held that the duty of civility – the duty of citizens to offer one another reasons that are mutually understood as reasons – applies within what he called the "*public political forum*". This forum extends from the upper reaches of government – for example the supreme legislative and judicial bodies of the society – all the way down to the deliberations of a citizen deciding for whom to vote in state legislatures or how to vote in public referenda. Campaigning politicians should also, he believed, refrain from pandering to the non-public religious or moral convictions of their constituencies.

The ideal of public reason secures the dominance of the public political values – freedom, equality, and fairness – that serve as the foundation of the liberal state. Rawls held that the public political values may only be justified privately by individual citizens. The public liberal political conception and its attendant values may and will be affirmed publicly (in judicial opinions and presidential addresses, for example) but its deep justifications will not. The task of justification falls to what Rawls called the "reasonable comprehensive doctrines" and the citizens who subscribe to them. A reasonable Catholic will justify the liberal values one way, a reasonable Muslim another, and a reasonable secular citizen yet another way. One may illustrate Rawls's idea using a Venn diagram: the public political values will be the shared space upon which overlap numerous reasonable comprehensive doctrines. Rawls's account of stability presented in *A Theory of Justice* is a detailed portrait of the compatibility of one – Kantian – comprehensive doctrine with justice as fairness. His hope is that similar accounts may be presented for many other comprehensive doctrines. This is Rawls's famous notion of an "overlapping consensus". Such a consensus would necessarily exclude some doctrines, namely, those that are "unreasonable", and so one may wonder what Rawls has to say about such doctrines. An unreasonable comprehensive doctrine is unreasonable in the sense that it is incompatible with the duty of civility. This is simply another way of saying that an unreasonable doctrine is incompatible with the fundamental political values a liberal theory of justice is designed to safeguard – freedom, equality and fairness.

The goal of the Rawlsian project is primarily to determine whether or not the liberal conception of political legitimacy is internally coherent, and this project is carried out by the specification of what sorts of reasons persons committed to liberal values are permitted to use in their dialogue, deliberations and arguments with one another about political matters. The Rawlsian project has this goal to the exclusion of concern with justifying liberal values to those not already committed – or at least open – to them. Rawls's concern is with whether or

not the idea of political legitimacy fleshed out in terms of the duty of civility and mutual justification can serve as a viable form of public discourse in the face of the religious and moral pluralism of modern democratic society, not with justifying this conception of political legitimacy in the first place.

Conclusion

John Rawls was an American political philosopher in the liberal tradition. His theory of justice as fairness describes a society of free citizens holding equal basic rights and cooperating within an egalitarian economic system. His theory of political liberalism delineates the legitimate use of political power in a democracy, and envisions how civic unity might endure despite the diversity of worldviews that free institutions allow. Rawls sees political philosophy as fulfilling at least four roles in a society's public life. Rawls viewed his own work as a practical contribution to resolving the long-standing tension in democratic thought between liberty and equality, and to limning the limits of civic and of international toleration. He offers the members of his own society a way of understanding themselves as free and equal citizens within a fair democratic polity, and describes a hopeful vision of a stably just constitutional democracy doing its part within a peaceful international community.

NEO LIBERALISM ROBERT NOZICK (1938–2002)

Robert Nozick was a renowned American philosopher who first came to be widely known through his 1974 book, *Anarchy, State, and Utopia* (1974), which won the National Book Award for Philosophy and Religion in 1975. Pressing further the anti-consequentiality aspects of John Rawls' *A Theory of Justice*, Nozick argued that respect for individual rights is the key standard for assessing state action and, hence, that the only legitimate state is a minimal state that restricts its activities to the protection of the rights of life, liberty, property, and contract. Despite his highly acclaimed work in many other fields of philosophy, Nozick remained best known for the libertarian doctrine advanced in *Anarchy, State, and Utopia*. He forced the philosophical advocates of egalitarian social justice onto the defensive, by showing how the state cannot be justified as the redistributor of wealth without violating the rights of the individual. As a moral philosopher, Nozick was free to stretch liberty further than even an Austrian economist.

Political philosophy

‘Anarchy, State, and Utopia’

For *Anarchy, State, and Utopia* (1974) Nozick argues that only a minimal state limited to the narrow functions of protection against "force, fraud, theft, and administering courts of law" could be justified without violating people's rights. For Nozick, a distribution of goods is just if brought about by free exchange among consenting adults from a *just* starting position, even if large inequalities subsequently emerge from the process. Nozick appealed to the Kantian idea that people should be treated as ends, not merely as a means to some other end. Nozick challenged the partial conclusion of John Rawls' Second Principle of

Justice of his *A Theory of Justice*, that "social and economic inequalities are to be arranged so that they are to be of greatest benefit to the least-advantaged members of society." *Anarchy, State, and Utopia* claims a heritage from John Locke's *Second Treatise on Government* and seeks to ground itself upon a natural law doctrine, but reaches some importantly different conclusions from Locke himself in several ways. He rejected the notion of inalienable rights advanced by Locke and most contemporary capitalist-oriented libertarian academics, writing in *Anarchy, State, and Utopia* that the typical notion of a "free system" would allow adults to voluntarily enter into non-coercive slave contracts.

Views on Neo liberalism

The concept of neo liberalism suggests a particular account of the development of liberal thought. It suggests that liberalism was at one point in time an influential political ideology, but that it at some point lost some of its significance, only to revive itself in more recent times in a new form. Neo liberalism' is a revival of 'liberalism. An extreme form of laissez-faire individualism that developed in the writings of Hayek, Friedman and Nozick they are also referred to as libertarians. They draw on the natural rights tradition of John Locke and champion's full autonomy and freedom of the individual. In essence, they support full autonomy and freedom of the individual; it seeks his '**liberation**' from all institutions which tend to restrict his vision of the world, including the institutions of religions, family and customs of social conformity apart from political institutions. Nozick in his "Anarchy, State and Utopia" holds the view that the welfare state is minimal to individual freedom. He defends the market and a minimal "night watchman" state. To him, the state comes into existence for the maintenance of property rights of the individuals. It has no legitimate powers beyond the functions of protection, justice and defense. It cannot redistribute property or income. He argues that inequalities at the level of production should not be rectified at the level of distribution.

Nozick, in his earlier works in political philosophy at least, a representative of a deontological kind of neoliberalism: He advocates much of the same policies as Friedman and Hayek, but grounded in an idea which states that a set of immutable natural rights have been conferred to all human beings, and that these rights makes it difficult to see that the state could have any legitimate role to play at all (Nozick 1974). Nevertheless, Nozick wants the state to rectify past injustices, even if this will mean much government intervention in the economy. Unlike Friedman and Hayek, Nozick does not allude to the purportedly good consequences of neoliberal policies when he argues in their favour, but is instead focused on such policies being the right measures for creating a society in accordance with his conception of justice and natural rights.

To Nozick, Neoliberalism is, as we see it, a loosely demarcated set of political beliefs which most prominently and prototypically include the conviction that the only legitimate purpose of the state is to safeguard individual, especially commercial, liberty, as well as strong private property rights. Neoliberalism could also include a perspective on moral virtue: the good and virtuous person is one who is able to access the relevant markets and function as a competent actor in these markets. He or she is willing to accept the risks associated with

participating in free markets, and to adapt to rapid changes arising from such participation (Friedman 1980). Individuals are also seen as being solely responsible for the consequences of the choices and decisions they freely make: instances of inequality and glaring social injustice are morally acceptable, at least to the degree in which they could be seen as the result of freely made decisions.

Utilitarianism

Nozick created the thought experiment of the "utility monster" to show that average utilitarianism could lead to a situation where the needs of the vast majority were sacrificed for one individual. Nozick postulated a creature who received 100 units of utility (pleasure, happiness) per unit of resource consumption, in a universe where everybody else received 1 unit of utility per unit of resource consumption. In this type of universe, Nozick argued, utilitarian would require that all of the people who got lesser utility be sacrificed (give up any and all resources) to the utility monster. This moral demand for sacrifice, however, is absurd. Therefore, basic utilitarianism is defeated by means of a reduction to absurdity. He also wrote a version of what was essentially a previously-known thought experiment, the experience machine, in an attempt to show that ethical hedonism was false. Nozick asked us to imagine that "super duper neuropsychologists" have figured out a way to stimulate a person's brain to induce pleasurable experiences.

The Foundation of Rights

It is a commonplace to say that in *Authority, State and Utopia*, Nozick provides no foundation for his affirmation of such Lockean natural rights. And, not many pages after Nozick proclaims these rights, he himself points out that his book provides no "precise theory of the moral basis of individual rights". Nevertheless, Nozick does have important things to say about the underpinning of these rights and about their deontic character and their stringency. Indeed, it is striking that, when Nozick seeks to motivate his opening affirmation of rights, he starts with the same understanding and critique of utilitarianism that Rawls offers in *A Theory of Justice* when Rawls begins to motivate his contractarian doctrine. What separates Nozick from Rawls at this very basic level is a difference in their construal of the implications of this common critique. Nozick may, in this way, offer as much of a foundation for adopting his natural rights stance as Rawls offers in *A Theory of Justice* for adopting his contractarian stance.

For Nozick, a paradigmatic natural moral right is the right not to be subjected to killing. Correlative to this right is the moral side constraint to which all individuals are naturally subject not to engage in the killing of others. As Nozick understands this right, it forbids *A*'s (unprovoked) killing of *B* even if *A* can prevent *W* from killing *X*, *Y*, and *Z* only by killing *B*. Although it *may* in some sense be *less bad* for *B* to be killed than for *X*, *Y*, and *Z* to be killed, *A* remains bound not to kill *B*. *A* may not prevent the wrong that *W* will do in killing *X*, *Y*, and *Z* by killing *B*. For Nozick, rights express the moral inviolability of individuals; and *B* would not be morally inviolable—nor would any of us be—were *B* open to use by *A* even for the purpose of preventing the violation of the rights of *X*, *Y*, and *Z*. Not

even the minimization of the violation of the right against being killed can justify the violation of that right.

According to Nozick, our core reason for abstaining from murder is not that abstention advances the goal of minimizing murders. Indeed, if that were our reason to eschew murder, *A* should not eschew murdering *B* if that is the only way that he can prevent *W* from murdering *X*, *Y*, and *Z*. Rather, Nozick's deontological claim is that the status that each individual has as an end-in-himself morally constrains each other agent's conduct toward those individuals. Both *A* and *W* are morally precluded from the (unprovoked) killing of *B*, *X*, *Y*, and *Z* (and of each other). *W* triply violates this side constraint when he kills *X*, *Y*, and *Z*; but *A* abides by this constraint only if he abstains from killing *B*—even if *A*'s killing of *B* would (somehow) prevent *W*'s killing of *X*, *Y*, and *Z*.

Nozick's account of rights takes a surprising turn in his very complex chapter 4 on “Prohibition, Compensation, and Risk”. Employing the language of rights as moral boundaries, Nozick asks whether all actions that cross boundaries may be prohibited, i.e., may permissibly be punished. His unexpected answer is that not all boundary crossings may be prohibited. Some boundary crossings are to be allowed—without the consent of those subject to them—as long as due compensation is paid to those subjects. Nozick's presumption *within this chapter* is that it does not follow from *B*'s having a right against *A* to *A*'s not inflicting treatment *T* on *B* that *A*'s inflicting *T* on *A* may be prohibited (59). All that follows from *B*'s having that right is that *A* may not inflict *T* on *B* unless *A* also duly compensates *B*. All that follows is that *B* has a claim against *A* that *A*'s infliction of *T* on *B* not leave *B*'s utility or welfare on net diminished.

Nozick maintains that there is something about the separateness of persons—something about the propriety of each seeking his own good in his own chosen way—that does not merely undermine the view that individuals should sacrifice themselves (and others) for the social good. Beyond that undermining, the separateness of persons positively supports each individual's possession of fundamental, broad, natural, and negative moral claims that hold against all other agents. What Nozick needs is a clearly articulated and persuasive transition from each individual having ends of his own that he is rational to pursue (and, hence, there being no proper moral balancing across persons) to each individual having a moral status *vis-à-vis* others that provides others with reason not to interfere with his chosen pursuits even in ways that would be on net beneficial to that individual. Nozick provides material that is suggestive of this transition but certainly not a compelling case for it. Nozick also fails to address the hard question of why—except perhaps to avoid “catastrophic moral horror” - rights always trump considerations of personal or social well-being.

The Minimal State versus Individualist Anarchism

In ‘*Authority State and Utopia*’ Nozick tries to rebut the individualist anarchist's claim that no state, not even the minimal, night watchman, state can be justified. In this way, Part I of the book is devoted to what Nozick takes to be the fundamental question of political philosophy, viz., “whether there should be any state at all”. Nozick seeks to counter the anarchist's claim by showing how a minimal state—essentially a state that is limited to the

protection of the rights of person, property, and contract—could arise without violating rights. At a later point within this section, we shall have to consider why Nozick focuses upon whether a minimal state could *arise* without violating rights rather than whether a minimal state could *function* without violating rights.

FRIEDRICH AUGUST HAYEK (1899 –1992)

Friedrich Hayek, famous economist born in Vienna, Austria, in 1899. Friedrich Hayek is well-known for his numerous contributions in the field of economics and political philosophy. He is particularly famous for his defense of free-market capitalism and is remembered as one of the greatest critics of the socialist consensus. Hayek shared the 1974 Nobel Memorial Prize in Economic Sciences with Gunnar Myrdal for his "pioneering work in the theory of money and economic fluctuations and ... penetrating analysis of the interdependence of economic, social and institutional phenomena". Hayek was a major social theorist and political philosopher of the twentieth century, and his account of how changing prices communicate information that helps individuals co-ordinate their plans is widely regarded as an important achievement in economics, leading to his Nobel Prize. Widely regarded as one of the most influential members of the Austrian School of economics, he also made significant contributions in the fields of jurisprudence and cognitive science. His analysis of socialist economics was proven prescient by the breakup of communist Eastern Europe.

In 1932, Hayek suggested that private investment in the public markets was a better road to wealth and economic co-ordination in Britain than government spending programs, as argued in an exchange of letters with John Maynard Keynes, co-signed with Lionel Robbins and others in *The Times*. The nearly decade long deflationary depression in Britain dating from Churchill's decision in 1925 to return Britain to the gold standard at the old pre-war, pre-inflationary par was the public policy backdrop for Hayek's dissenting engagement with Keynes over British monetary and fiscal policy. Well beyond that single public conflict, regarding the economics of extending the length of production to the economics of labour inputs, Hayek and Keynes disagreed on many essential economics matters. Their economic disagreements were both practical and fundamental in nature. Keynes called Hayek's book, *Prices and Production*, "one of the most frightful muddles I have ever read", famously adding, "It is an extraordinary example of how, starting with a mistake, a remorseless logician can end in Bedlam." Many other notable economists have also been staunch critics of Hayek, including John Kenneth Galbraith and later, Paul Krugman, who wrote: "the Hayek thing is almost entirely about politics rather than economics".

The Road to Serfdom

Hayek in his 'The Road of Serfdom' exhorts that the growth of state will lead inexorably to totalitarianism. It was written between 1940 and 1943. The title was inspired by the French classical liberal thinker Alexis de Tocqueville's writings on the "road to servitude." To him, socialism, planning and collectivism are a tool to curtail individual

freedom. He supports free market economy. It is not concerned with distribution. But, he advocates state provision of a minimum income. In his “Constitution of Liberty” Hayek defines liberty as the “State in which a man is not subject to the coercion by the arbitrary will of another. It is purely a legal conception and not a political one. In fact, law, liberty and property are intricately intertwined in his scheme. A liberal social order is necessary for its realization.

Hayek on Liberalism

The term neoliberalism was coined at a meeting in Paris in 1938. Among the delegates were two men who came to define the ideology, Ludwig von Mises and Friedrich Hayek. In *The Road to Serfdom*, published in 1944, Hayek argued that government planning, by crushing individualism, would lead inexorably to totalitarian control. In 1947, Hayek founded the first organisation that would spread the doctrine of neoliberalism – the Mont Pelerin Society – it was supported financially by millionaires and their foundations. Hayek’s view that governments should regulate competition to prevent monopolies from forming gave way – among American apostles such as Milton Friedman – to the belief that monopoly power could be seen as a reward for efficiency. Hayek, on a similar note, comes across as a more conservative type of neoliberal, who, while approximating at places a utilitarian argument in favour of neoliberalism, also at the end of the day bases his political thought on an idea of natural law. Central to Hayek’s theory is the notion of a ‘spontaneous order’ of social life, which is better than any kind of artificially created order when it comes down to securing individual liberty and well-being.

F A Hayek published his “Constitution of Liberty” in 1960, and added as an appendix a very famous essay, “Why I Am Not a Conservative.” To him, Neoliberalism is, as we see it, a loosely demarcated set of political beliefs which most prominently and prototypically include the conviction that the only legitimate purpose of the state is to safeguard individual, especially commercial, liberty, as well as strong private property rights. This conviction usually issues, in turn, in a belief that the state ought to be minimal or at least drastically reduced in strength and size, and that any transgression by the state beyond its sole legitimate purpose is unacceptable. Free markets and free trade will, it is believed, set free the creative potential and the entrepreneurial spirit which is built into the spontaneous order of any human society, and thereby lead to more individual liberty and well-being, and a more efficient allocation of resources. Individuals are also seen as being solely responsible for the consequences of the choices and decisions they freely make: instances of inequality and glaring social injustice are morally acceptable, at least to the degree in which they could be seen as the result of freely made decisions. If a person demands that the state should regulate the market or make reparations to the unfortunate who has been caught at the losing end of a freely initiated market transaction, this is viewed as an indication that the person in question is morally depraved and underdeveloped, and scarcely different from a proponent of a totalitarian state.

Neoliberalism becomes a loose set of ideas of how the relationship between the state and its external environment ought to be organised, and not a complete political philosophy

or ideology. In fact, it is not understood as a theory about how political processes ought to be organised at all. Neoliberalism is for instance silent on the issue of whether or not there ought to be democracy and free exchanges of political ideas. This means, as Harvey (2005) indicates, that policies inspired by neoliberalism could be implemented under the auspices of autocrats as well as within liberal democracies. In fact, neoliberals merely claim, in effect, that as much as possible ought to be left to the market or other processes which individuals freely choose to take part in, and consequently that as little as possible ought to be subjected to genuinely *political* processes.

In 1978, Hayek came into conflict with the Liberal Party leader, David Steel, who claimed that liberty was possible only with "social justice and an equitable distribution of wealth and power, which in turn require a degree of active government intervention" and that the Conservative Party were more concerned with the connection between liberty and private enterprise than between liberty and democracy. Hayek claimed that a limited democracy might be better than other forms of limited government at protecting liberty but that an unlimited democracy was worse than other forms of unlimited government because "its government loses the power even to do what it thinks right if any group on which its majority depends thinks otherwise".

Hayek's principal investigations in economics concerned capital, money, and the business cycle. Mises had earlier applied the concept of marginal utility to the value of money in his *Theory of Money and Credit* (1912), in which he also proposed an explanation for "industrial fluctuations" based on the ideas of the old British Currency School and of Swedish economist Knut Wicksell. Hayek used this body of work as a starting point for his own interpretation of the business cycle, elaborating what later became known as the "Austrian Theory of the Business Cycle". In his *Prices and Production* (1931), Hayek argued that the business cycle resulted from the central bank's inflationary credit expansion and its transmission over time, leading to a capital misallocation caused by the artificially low interest rates. Hayek claimed that "the past instability of the market economy is the consequence of the exclusion of the most important regulator of the market mechanism, money, from itself

According to Friedrich Hayek, central planning was impossible, because no person, however clever, knew what people wanted. In 1935, Hayek published *Collectivist Economic Planning*, a collection of essays from an earlier debate that had been initiated by Ludwig von Mises. Hayek included Mises's essay, in which Mises argued that rational planning was impossible under socialism. In "The Use of Knowledge in Society" (1945), Hayek argued that the price mechanism serves to share and synchronise local and personal knowledge, allowing society's members to achieve diverse, complicated ends through a principle of spontaneous self-organization. In Hayek's view, the central role of the state should be to maintain the rule of law, with as little arbitrary intervention as possible. In his popular book, *The Road to Serfdom* (1944) and in subsequent academic works, Hayek argued that socialism required central economic planning and that such planning in turn leads towards totalitarianism.

Social and political philosophy

In the latter half of his career Hayek made a number of contributions to social and political philosophy, which he based on his views on the limits of human knowledge, and the idea of *spontaneous order* in social institutions. He argues in favour of a society organised around a market order, in which the apparatus of state is employed almost (though not entirely) exclusively to enforce the legal order (consisting of abstract rules, and not particular commands) necessary for a market of free individuals to function. These ideas were informed by a moral philosophy derived from epistemological concerns regarding the inherent limits of human knowledge. Hayek argued that his ideal individualistic, free-market polity would be self-regulating to such a degree that it would be 'a society which does not depend for its functioning on our finding good men for running it'.

Although Hayek believed in a society governed by laws, he disapproved of the notion of 'social justice'. He compared the market to a game in which 'there is no point in calling the outcome just or unjust' and argued that 'social justice is an empty phrase with no determinable content'; likewise "the results of the individual's efforts are necessarily unpredictable, and the question as to whether the resulting distribution of incomes is just has no meaning". He generally regarded government redistribution of income or capital as an unacceptable intrusion upon individual freedom: "the principle of distributive justice, once introduced, would not be fulfilled until the whole of society was organized in accordance with it. This would produce a kind of society which in all essential respects would be the opposite of a free society." With regard to a social safety net, Hayek advocated "some provision for those threatened by the extremes of indigence or starvation due to circumstances beyond their control" and argued that the "necessity of some such arrangement in an industrial society is unquestioned—be it only in the interest of those who require protection against acts of desperation on the part of the needy."

Conclusion

The concept of 'neoliberalism' has, during the past twenty years or so, become quite widespread in some political and academic debates. Several authors have even suggested that neoliberalism is 'the dominant ideology shaping our world today', and that we live in an 'age of neoliberalism'. The overshadowing importance accorded by some to the phenomenon of neoliberalism does not signify, however, that it is a clearly defined concept. We suggest in this article that while the concept itself has become an imprecise exhortation. In a 'critical analysis' of the political thought of Friedman, Nozick and Hayek, they describes their respective political and economic theories as representative of 'neoliberal political philosophy. Hayek was of the opinion that liberalism was too confusing a term, since it had different meanings. Central to Hayek's theory is the notion of a 'spontaneous order' of social life, which is better than any kind of artificially created order when it comes down to securing individual liberty and well-being.

Exercises

1. Elucidate Rawls's theory of Justice
2. Examine the contribution of Laski to modern political theory
3. Compare and analyze the positive liberalism of Rawls's and Laski.
4. Define neo liberalism and assess the contribution of Hayek and Nozick.