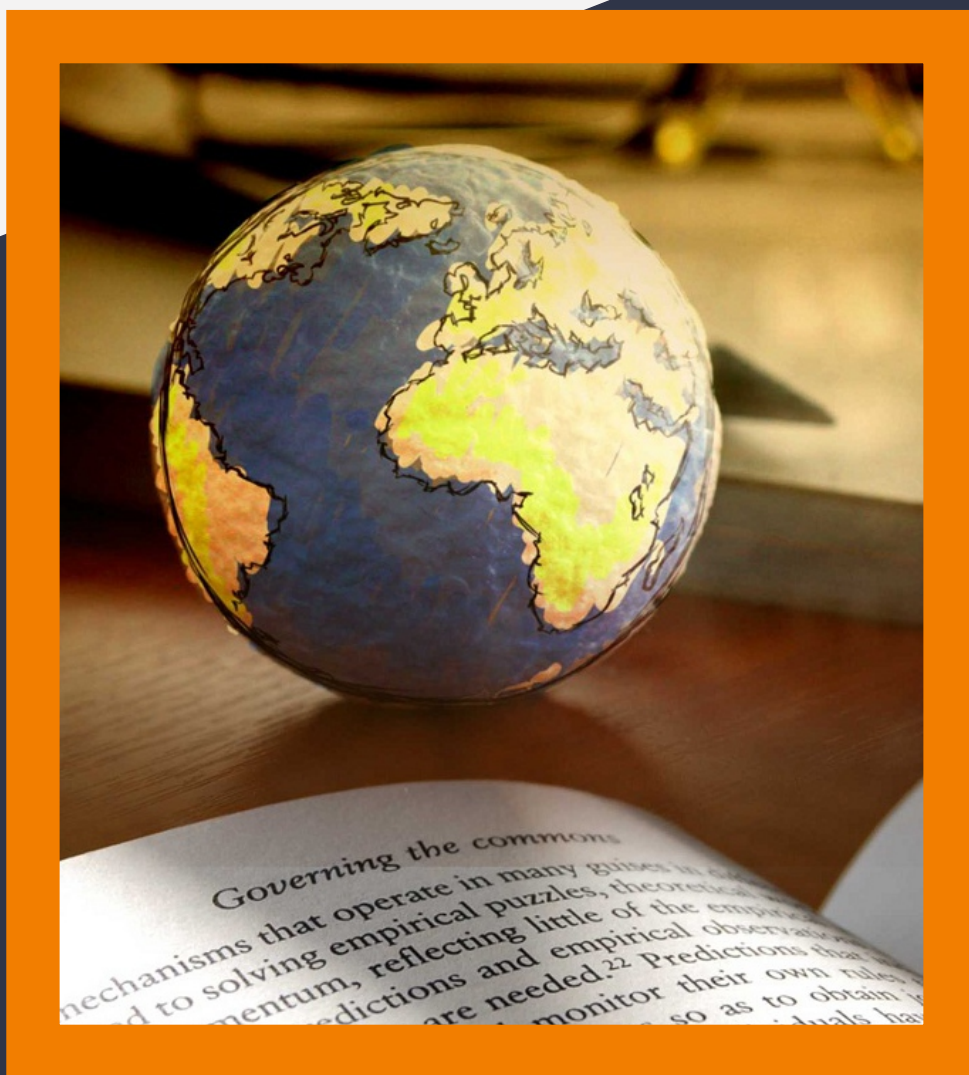


POLITICAL THEORY AND PRACTICES



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CHAPTER 1

CONCEPT OF POLITICAL THEORY

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ABSTRACT:

The concept of political theory is a complex and multifaceted one, encompassing a range of ideas, values, and perspectives on the nature of politics and government. At its core, political theory is concerned with understanding and analyzing the foundations of political power and authority, as well as the ways in which political systems shape and are shaped by individual and collective actions. This abstract provides an overview of the key concepts and themes that underpin political theory, including the role of the state, the nature of democracy, the distribution of power and resources, and the relationship between individuals and society. It also highlights the diverse range of perspectives and approaches that exist within the field of political theory, from classical and modern liberalism to Marxism, feminism, and postcolonialism.

KEYWORDS:

Nature, Political, Politics, Science, Social.

INTRODUCTION

At the humanities end of the thankfully still unstructured field of political science, political theory is an interdisciplinary endeavor. Although the field's traditions, methodologies, and approaches differ, it is committed to theorising, critiquing, and diagnosing the conventions, methods, and structures of political activity in the past, present, and abroad. Political theorists are interested in a variety of issues, including the nature and identity of public goods, the demands of justice and how to satisfy them, the tenets and potential of democracy, the gap between secular and religious ways of life, and many other issues. Political theorists also have a shared dedication to the humanistic study of politics and a mistrust of the hegemony that some of our more self-aware "scientific" colleagues have a tendency to seek. The study of politics has evolved during the last several years, particularly in the USA, where it has grown more formal and quantitative. There are those, in fact, for whom political theory, properly understood, would be formal theory geared solely towards the explanation of political phenomena, where explanation is modelled on the natural sciences and takes the form of identifying patterns and determining the causes of events in the human world. These methods have been opposed, most recently by the Perestroika movement, which advocates for qualitative and interpretative methods. Political theory occupies a space between the remote universals of normative philosophy and the actual reality of politics, at a distance from this quantitative vs. qualitative conflict[1].

Political theory's identity has long been challenged by how to take advantage of three different types of positioning: in relation to the academic disciplines of political science, history, and philosophy; between the real world of politics and the more abstract, ruminative register of theory; and between canonical political theory and the more recent sources that political theorists are increasingly drawing from. Political theorists use empirical research from the fields of politics, economics, sociology, and law to feed their thoughts, and there have been many fruitful

collaborations between people who identify as political theorists and political scientists. When it comes to constitutional law and its moral underpinnings, the relationship to law is greatest.

Regardless of whether the theory is systematic or diagnostic in its approach, textual or cultural in its focus, analytic, critical, genealogical, or deconstructive in its method, ideal or piecemeal in its procedures, socialist, liberal, or conservative in its politics, the majority of political theory has an irreducibly normative component. All of these methods are welcomed in the field. With the rediscovery of previously marginalized authors like Sophocles, Thucydides, Baruch Spinoza, and Mary Wollstonecraft, as well as the addition of new icons like Hannah Arendt, John Rawls, Michel Foucault, and Jurgen Habermas, it has a core canon that is frequently referred to as Plato to NATO. Political theory's subject matter has moreover always gone beyond this canon and its interpretations, since theorists have used their analytical methods to changes in other social sciences as well as in the scientific sciences, as well as to books, films, and other cultural artefacts. Political theory is an intentionally ragtag subdiscipline that lacks a guiding theory or technique. Theorists may use a crucial formative influence's shorthand to describe themselves, such as "I'm a Deleuzean," "I'm a Rawlsian," "I'm a Habermasian," or "I'm an Arendtian," but it is arguably more frequent for people to be described in this manner by others than it is for them to claim the title for themselves. Political theorists do not, however, place themselves by reference to the three or four prominent schools that define their area as easily as some other knowledge providers. For instance, there is no analogue to the difference within international relations theory between realists, liberals, and constructivists, to which neoconservatives have lately been included. There is also nothing like the classic Marx-Weber-Durkheim trio, which was a mainstay of sociological theory courses up until the 1970s[2].

As a result, political theory sometimes seems to lack a distinctive character. Some practitioners try to make up for the apparent deficiency, either by restoring political theory to what is seen to be its rightful position as the arbitrator of universal issues and the researcher of timeless writings, or by reorienting political theory towards history. However, the majority are well aware of their calling. Many believe that the internally divided and uncertain nature of the profession is a reflection of the internally divided and uncertain nature of the political environment in which we live, with all the difficulties and opportunities it entails. Liberal, critical, and post-structuralist theorists have reacted to the demise of previous presumptions regarding the unitary character of nation-state identities in the latter two decades of the twentieth century. They have reconsidered the underlying assumptions and meanings of identity, often rejecting unitary notions in favour of more pluralistic, heterogeneous, or agonistic ones. These thoughts have affected how the field views and understands itself. Fortunately for political theory, the process has taken place at the same time as an academic trend to rethink knowledge as being more fundamentally multidisciplinary. This reevaluation of the purpose and significance of the borders between academic disciplines may encourage others, including political theorists, to see the plurality of the field as a strength and an asset rather than a flaw that has to be fixed[3].

Connection to Political Science

Political theory and the field of political science have not always had a good connection. There have been recurrent declarations of the discipline's freshly scientific nature since its establishment in the late nineteenth century. The "soft" alternative for the new science has sometimes been journalism, occasionally historical narrative, and occasionally case-study methodologies. Political philosophy has also been present rather often. Beginning in the 1950s,

behavioural revolutionaries attempted to expel the theorists from the ranks of political scientists. In one or two significant Midwestern departments, they were somewhat successful. For those motivated by their scientific aspirations, it has always been important to distinguish the "true" scientific study of politics from more humanistic approaches and political theory has occasionally suffered as a result. Political theorists have responded by pointing out that science and objectivity are rooted on normativity, which the self-described scientists mistakenly deny, and that they do not tend to accept the definition of political "science" at face value. By citing political theory standards that differ more from less rigorous work, they have refuted the claim that their own work in normative theory lacks rigour. Many people oppose empiricism's epistemic tenets while also pointing out that much of what passes for political theory is deeply entwined with empirical politics. After all, what could be more "real," "vital," or "important" than the frameworks and symbols that organise our lives? Cohabitation is the term used by the French to describe what happens when the president and prime minister are chosen from two different political parties. The term has several meanings, including collaboration, tolerance, suzerainty, hostility, and a feeling of shared endeavour. The link between political theory and political science is best described in this sense as cohabitation[4].

DISCUSSION

The use of history as a frame of reference has also proved to be difficult, with ongoing discussions regarding how much theory is constrained by its historical setting and whether it is appropriate to use political ideas from one period as a foundation for condemning political behaviour in another. Quentin Skinner, who is well known for his dedication to historical contextualism, took care to disassociate himself from any suggestion that "intellectual historians should turn themselves into moralists" when he suggested that early principles of republican freedom might offer a telling alternative to the conceptions of liberty prevalent today. He was nonetheless criticised for forgoing the historian's customary prudence. Richard Ashcraft urged political theorists to accept the inherently historical nature of their endeavour in a 1989 paper. While modern theorists are aware of the "basic social/historical conditions which structure" their work, Ashcraft argues that this awareness is not a conscious guide for how political theory is taught and written about. Instead, political theory is treated more like great philosophy than ideology. For Ashcraft, accepting political theory's political nature required admitting its ideological nature.

Leo Strauss and his adherents were the major targets of his criticism because, in Ashcraft's opinion, they were looking to canonical political theorists for proof of universally legitimate norms and using those standards to evaluate their works. Straussians believe that knowledge from the past is apart from human history. Sheldon Wolin, who agreed with Ashcraft's criticism of Straussians, was criticised by Ashcraft as well for not paying enough attention to politics. Despite the fact that Wolin acknowledged the historicity of the texts he had studied in his seminal book *Politics and Vision*, Ashcraft maintained that Wolin resisted the "wholesale transformation" that would occur if he had made that historicity the focal point of his interpretive practise. Wolin is renowned for advocating for what he called "the political," which he defined in the manner of Hannah Arendt: "politics understood, not in its instrumental capacity ""Who gets what, when, and how""," but rather in its orientation towards the public good coupled with a commitment to the "public happiness" of political participation." Contrary to Ashcraft, one may see Wolin's shift to politics as a means of dividing the differences between a Straussian universalism and the dense contextualism of Ashcraft's favoured historicist perspective[5].

The term "political" refers to a conceptual category that exists independently of history and rejects both the notion that politics is about universal truths and the reduction of politics to interests. The term "political" often refers to at least one kind of person or group activity that disturbs regular conditions, everyday activities, or established patterns of behaviour or government. There are several interpretations of this idea. To give three examples, the political derives its meaning from contrasts with statism, constitutionalism, and political apathy in Wolin's work, the private or natural spheres of human behaviour in Arendt's work, and the "police" in Ranciere's work.

Connection to Philosophy

John Rawls, whose work has a strong affinity with analytic philosophy, has had the greatest historically unrepresentative impact on political theory in recent years. According to a widely held belief, Rawls entered political theory as its foreign saviour and extricated it from its rut with the 1971 release of *A Theory of Justice*. The work by Rawls was a thorough, normative analysis of what political, economic, and social fairness in modern democracies should entail. Rawls followed Kant in seeking to reason to decide what he viewed as the central issue in politics: the tension between liberty and equality. He did this by using the distancing devices of a hypothetical social contract and a veil of ignorance. He restored political theory to one of its major modes by writing inside the confines of philosophy. While many who have followed Rawls have not always agreed with his findings, they have often used similar thought experiments to arrive at the proper link between equality and choice. Much subsequent work on issues of justice and equality has proceeded in this spirit. Another well-known example is Ronald Dworkin's clamshell auction, in which all of society's resources are up for purchase and members use their clamshells to bid for the items that best fit their individual life projects. Dworkin claims to arrive at extremely precise proposals for the modern welfare state by starting with the most unlikely circumstances[6].

The contributions to this collection show that one strand of current political theory discussions centres on the interaction between analytic philosophy's more abstract or hypothetical register and methods that place an emphasis on the particulars of historical or present situations. Some of the most intriguing and original work has been produced in recent years by those closely associated with the traditions of analytic philosophy—often choosing to call themselves political philosophers. But they have also consistently faced opposition. The unfettered person of Rawlsian liberalism, according to communitarians and post-structuralists, is not neutral but rather an ideological foundation having major, unacknowledged political effects on its theoretical results. The analytic abstraction from physical diversity is criticised by feminists as a step that promotes gender inequality and heteronormative norms. However, as we will discuss later in the introduction, analytic liberalism has made some significant adjustments in this area. For instance, in *Political Liberalism*, Rawls carefully frames his arguments as reflecting the intuitions of modern liberal and diverse communities rather than presenting his theory of justice as addressing what is appropriate for all societies at all times.

Relationship with Politics in the "Real World"

It is possible to interpret political theory's perspectives in relation to political science, history, and philosophy as reflections on what it is to be political. It may also be seen as comments on the nature of theory and the possibilities and limitations of theoretical study. Utopianism places a limit on the possibilities. Political theorists have appeared to be most open to criticism from

political scientists or economists when their normative investigations lead to conclusions that cannot realistically be put into practice: perhaps guiding principles of living that refer to the customs of small, face-to-face societies; guiding principles of distribution that disregard the fall of communism; or guiding principles of distribution that ignore the seemingly unstoppable global spread of consumerist ideas. A significant portion of political theory enjoys the utopian moniker and sees it as a sign of the ability to think outside of the box, which is the political theorist's equivalent of blue-sky thinking. The emphasis on operating within the parameters of the feasible, which is sometimes referred to as "sober," by those who favour it, has, however, disputed this since Aristotle. What's important in this case is how political theory interacts with political processes rather than where it stands in respect to political science. Some believe it to be ineffective. Political theory has been portrayed by John Gunnell as being disconnected from politics, and Jeffrey Isaac contends that a reader of political theory journals in the mid-1990s would not have been aware of the collapse of the Berlin Wall.

To counter this, one may point to a flurry of research that use empirical findings to illuminate the possibilities for the kind of deliberative democracy being promoted by democratic theorists, or studies that evaluate notions of justice using data on social mobility. The formation of a European identity, the advent of a new international human rights regime and the politics of immigration, the rejection of the Geneva Convention at the turn of the 20th century, or the proper political response to natural disasters are just a few examples of contemporary political events that have attracted the attention of political theorists who are interested in how to explain them. Giorgio Agamben's "bare life" of the human being, to whom the state can do anything, Michel Foucault's "disciplinary power," Carl Schmitt's "state of exception," in which the sovereign suspends the rule of law, Ronald Dworkin's "superhuman judge," who extends "unconditional hospitality" to the other, or Etienne Balibar's "marks of sovereignty," which denote the arrogance to the sovereign, are among the concepts or figures[7].

Political theorists take their cues from events around them, as is evident from the contributions in this Handbook. They focus on issues like ecological crisis, emergency or security politics, how new technologies affect how we think about privacy, justice, or the category of the human, how new migrations affect ideas of race, tolerance, and multiculturalism, and how growing global inequality affects how we theorise. We have been impressed by the strong feeling of political participation in modern political theory and how this impacts the discipline when selecting the themes for this collection.

Institutional Environment

Political theory is institutionalised throughout a number of disciplines, beginning with political science of course and extending through philosophy and law as well as having some presence in the departments of history, sociology, and economics. This indicates that working in political theory is welcome among the professional organisations and publications of these subjects. Political theory is often published in *Polity* and *Political Studies*, but less frequently in the *American Journal of Political Science*, *British Journal of Political Science*, and *Journal of Politics*, which are broad political science publications. The *American Political Science Review* seems to publish a sizable number of papers on political theory, although most of these have been in the history of political thought, with Straussian writers being particularly well represented. The two renowned journals in philosophy with the highest likelihood of publishing political theory are *Public Affairs* and *Ethics and Philosophy*. Political theory is published in

certain legal journals with a theoretical bent and some sociology publications with a political bent. *Political Theory*, founded in 1972, is the journal of political theory with the longest history. Prior to its founding, two book series were the closest thing we had to a universal political-theory academic journal.

The first, which began in 1956 and reached its seventh volume in 2003, was the occasional *Philosophy, Politics and Society* series, which was published by Basil Blackwell and was always co-edited by Peter Laslett. The American Society for Political and Legal Philosophy's *NOMOS* yearbooks, which were first published in 1958 and are still in publication now, have been much more often. Political theory journals have proliferated in recent years, with names like *History of Political Thought*, *Journal of Political Philosophy*, *The Good Society*, *Philosophy, Politics and Economics*, *Critical Review of International Social and Political Philosophy*, *European Journal of Political Theory*, *Contemporary Political Theory*, *Constellations*, and *Theory and Event* among the most popular. *The Review of Politics* has been in print since 1939, albeit it has only sometimes covered news and has often placed a Straussian focus. It is common to see political theorists writing in fields like feminism, law, international relations, or cultural studies. Journals like *diVerences*, *Politics, Culture and Society*, *Daedalus*, *Social Text*, *Logos*, *Strategies*, *Signs*, and *Millennium* publish their work from these numerous multidisciplinary places.

However, the subject of political philosophy is heavily focused on book publishing. Political theory is published by all of the main academic publishers in English. Particularly notable is the Oxford Political Theory series from Oxford University Press. The *Political Theory Daily Review* is a fantastic resource that opens numerous opportunities, even if the Internet world is always evolving. A lot of political theory is discussed during discipline association meetings. The American Political Science Association's Foundations of Political Theory section is particularly significant because it not only hosts the largest gathering of political theorists in one place, speaking simultaneously, for a few hours each year, as well as panels, lectures, and awards. The Conference for the Study of Political Thought International and the Association for Political Theory are two organisations specific to the area that host conferences. Although the European Consortium for Political Research has tended to concentrate more on comparative research, it also offers an essential venue for workshops on political theory. In the UK, there is an annual Political Theory conference in Oxford[8].

Themes And Developments of The Present

Political theory is prone to self-examination as is appropriate for a discipline that is always critical. Controversies about its connection to numerous academic and multidisciplinary landscapes have previously been mentioned. The most infamous instance of this is when Laslett asserted in his preface to the 1956 *Philosophy, Politics and Society* book series that the tradition of political theory was broken and the practise dead. This turned the self-examination sometimes into a macabre exercise with death or demise as the subject. Even the field's defenders have sometimes only picked up a light pulse. With the rise of behavioralism in US political science in the 1950s and 1960s, worries over the future of theory reached a crescendo. The rush of political and philosophical activity in the USA around the Berkeley Free Speech movement, the Civil Rights movement, and demonstrations against the Vietnam War and the US military buildup helped to mitigate these concerns, but they did not completely put a stop to them. The legitimacy of the state, the bounds of duty, the character of justice, and the demands of conscience in politics were more than simply abstract issues at that time. Political theory placed a strong

priority on civil disobedience.² Members of activist networks studied and cited Hannah Arendt, Herbert Marcuse, and others to defend their political views and activities. The debate over the future of theory was intertwined with issues of what constituted politics and how to establish a political-theoretical space between or beyond liberalism and Marxism during the 1960s. A *Theory of Justice*, a book devoted to the examination of themes that the turbulent 1960s had made so prominent: redistributive policies, conscientious objection, and the legitimacy of state power, was written by John Rawls against this theoretical and political backdrop. Quentin Skinner and a fresh school of contextualist historians of politics gained popularity in the English-speaking world later in that decade. The notion that political theory needed to be saved or revived is refuted by still additional works of political theory from this era.

Liberalism's Detractors

From the perspective of the early years of the twenty-first century, there is definitely no sign that political theory is losing its vitality; rather, this is a period of active and expanding discussion, with new issues swarming into an already crowded arena. This diverse activity, according to many in political theory, including many detractors of liberal theory, obscures a more significant point: the supremacy attained by liberalism, at least in the Anglo-American world. Liberalism's traditional form posits that people are primarily driven by self-interest and views them as the greatest arbiters of what this interest necessitates. In its most certain forms, it considers that the material dimensions of interest are best realised via trade in a market economy, to everyone's advantage. Politics takes over when interests cannot be balanced for everyone's benefit. Politics is thus mostly about balancing and combining individual interests, and it occurs in accordance with a set of impartial constitutional laws. Given that strong individuals who are politically organised into minority or majorities have the potential to use public authority for their own personal advantage, checks across disparate centres of power are essential, and constitutional rights are important to safeguard people from both the government and from one another. These rights come with responsibilities on the side of their owners, including duties to the government that established and defends rights as well as obligations to respect the rights of others. The bounds of politics, political interference in markets, political preference aggregation and conflict resolution processes, and the substance of rights, constitutions, responsibilities, and duties are all up to debate under the liberal definition.

Marxism was a distinct, all-encompassing rival to liberalism in previous decades, not only in the shape of actual governments that claimed to be Marxist, but also in political philosophy. Marxism derided liberalism's individualist ontology and emphasised the importance of social classes in political struggle as a substitute. The market was seen as a source of tyranny and injustice rather than as a tool for advancing personal interests. In addition, Marxism rejected liberalism's static and ahistorical view of politics in favour of a historical interpretation based on material forces that shaped what people were and might be in various historical eras. Different interpretations of this were vigorously contested in the 1970s as theorists argued for the "humanist" Marx, as shown in his earlier works on alienation,⁴ or the "Althusserian" Marx, who focused on social connections and the forces of production. Although both of these schools asserted that Marxist theory was better to liberal thought, disagreements between them were fierce. But in the years that followed, academic Marxism lost some of its sway in the English-speaking world. The collapse of the Soviet Union in 1989–1991 and China's steadfast pursuit of capitalism under the direction of a nominally Marxist administration did nothing to advance the cause of Marxist theory.

Progressive Egalitarianism

Although liberal alternatives are many, as the aforementioned implies, liberalism has taken the lead in many branches of political thought. Marxism has continued to influence discussions about inequality and exploitation, but in a transition that has been extensively repeated throughout the previous 25 years, it has re-emerged to place greater emphasis on the individual in terms of moral and analytical weight. Since liberal egalitarianism is now almost the only tradition of egalitarianism left, there has been a particularly significant convergence in the debates over equality, with socialists unexpectedly preoccupied with issues of individual responsibility and desert and liberals presenting equality rather than liberty as the "sovereign virtue." The literature on basic income or basic endowment, which every person would get from the government to encourage their involvement in an otherwise liberal society, is a fascinating result.

For many years, liberalism has been criticised for what was seen to be its "formal" view of equality, or its propensity to believe that human equality had no specific resource consequences. Now that Rawls' "difference principle" and Dworkin's "equality of resources" have been established, this objection appears utterly out of place. Amartya Sen presented the question, "Equality of what?" at the beginning of the 1980s, and it would go on to inform a lot of the literature on distributive justice over the next ten years. This led to a wide range of responses, from welfare, resources, and capabilities to the more complicated "equality of opportunity for welfare" and "equality of access to advantage." 5 None of the responses could be dismissed as representing a purely formal understanding of equality, but they were all engaged with important liberal themes of individuality and responsibility. Liberal egalitarianism's following explosion might be seen as the radicalization of the liberal tradition. However, it is also possible to regard the convergence of views on equality that were formerly distinctly socialist and liberal as evidence of the emerging supremacy of liberal ideology.

Nowadays, a lot of the literature on equality adopts a resolutely individualist style, running its arguments through thought experiments meant to elicit our intuitions about equality while providing examples of individuals with varying degrees of endowment, aspiration, and effort, whose entitlements we are then asked to judge. Sometimes it is unclear what bearing the rhetoric of individual variety has on the more significant disparities of the modern world. Throughout the 1990s, a number of theorists expressed alarm about the way problems of recognition were supplanting redistribution-related issues, putting concerns about economic inequality in the background. Although there is a lot of truth in this statement, it would be false to claim that no one is now writing on economic injustice. On the other hand, there is a sizable body of literature that addresses these difficulties. The most significant aspect is that egalitarian literature is less engaged with societal systems of inequality and less readily distinct from liberalism as a result of its increased attention on issues of personal accountability, opportunity, and endowment[9].

Communitarianism

The liberal-communitarian dispute, as it became known, was one of the main points of controversy in the 1980s. Communitarians like Michael Sandel, who were inspired by both Arendt and Taylor, believed that liberalism neglected the significance of the community that really develops persons by emphasising abstract individuals and their rights as the foundation of political philosophy. Individuals are never the social outcasts that liberalism considers them to be, according to communitarians, and they have responsibilities to the society as a whole, not

only to the governmental structures that support their personal interests. The conflict between the communitarian's bearer of responsibilities who is socially entrenched and the liberal's rights-bearing individual appeared to dominate political theory for a while. However, arguments that this was a storm in a teacup rather than a debate between liberalism and its detractors quickly gained traction. The main issue raised was how important holistic community notions are to the rights and freedoms that both sides of the debate valued. It is claimed that liberalism was misrepresented. Its detractors attempted to imply that its idea of the person was atomistic, detached, or self-centered.

Feminism

Feminists had mostly positioned themselves as detractors of both schools in the 1980s. They contributed to this an even more persuasive argument about the abstract person being disembodied, as though it didn't matter if "he" were female or male. They shared much of the communitarian scepticism about disembodied people. However, they also spoke of the authoritarian potential of holistic community ideals and the ways in which they may be used against women. A growing number of people contested impartialist conceptions of justice by promoting a contextual ethics that acknowledges people's obligations to one another and/or differences in our social setting. Others cautioned against neglecting to protect the rights of women in order to regard the rhetoric of justice and rights as inherently male. As the foregoing indicates, feminism continued to be a very diverse body of thought throughout the 1980s and 1990s. However, where there was some degree of agreement, it was generally critical of the liberal tradition, which was seen as being excessively individualistic, committed to a strong public/private divide, and insufficiently sensitive to gender issues.

Since then, this criticism has notably mellowed, and this seems to be a reflection of a growing awareness that liberalism is not as reliant on the socially isolated self as had been argued. While feminists writing on autonomy have developed their own distinctive understanding of "relational autonomy," many now explicitly repudiate the idea that mainstream liberal theory ignores the social nature of the self. According to Nussbaum, liberal individualism "does not entail either egoism or normative self-sufficiency." Some of the older feminist criticisms exaggerated the differences between feminism and liberalism by portraying the tradition's central figure as more self-contained, self-interested, and self-centered than was really the case. However, it also seems that liberalism made some significant changes and, in doing so, at least partially addressed the feminist criticism. It would be ungracious to bemoan this, yet one is once again left with the impression that tradition is wiping out its former adversaries. It's difficult to envision liberalism ever claiming or desiring certain versions of feminism since they are devoted to a radical politics of sexual diversity. But a lot of feminist movements who formerly opposed liberalism have come to terms with it.

CONCLUSION

The concept of political theory is a crucial aspect of understanding the complex nature of politics and government. It encompasses various perspectives and theories that aim to explain the foundations of power, authority, and the relationship between individuals and the state. Political theory serves as a guide for policymakers, scholars, and citizens to better comprehend the political systems that govern our societies. It provides a framework to evaluate political practices and policies, and it also guides us to envision and strive towards a more just, democratic, and equitable society. The field of political theory is constantly evolving, and new theories and

perspectives continue to emerge, enriching our understanding of political phenomena. As such, political theory will continue to be a crucial tool for individuals and institutions to navigate and shape the political landscape of our world.

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CHAPTER 2

CRITICAL THEORY AND DEMOCRATIZATION

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ABSTRACT:

The concept of critical theory and democratization explores the relationship between political power and social justice. It examines how power operates in society, how it is distributed, and how it can be challenged and transformed to create a more equitable and democratic society. Critical theory emphasizes the importance of social and political critique, questioning the underlying assumptions and structures that maintain inequality and injustice. Democratization, on the other hand, refers to the process of increasing citizen participation and political representation in decision-making, with the aim of creating a more democratic and participatory society. This abstract provides an overview of the key concepts and themes related to critical theory and democratization, including the role of power and oppression, the importance of social movements, and the challenges of implementing democratic reforms.

KEYWORDS:

Democratic, Political, Politics, Public, Policy.

INTRODUCTION

Liberalism has met a number of significant obstacles in the literature on citizenship and democracy, but some of the vigor of those obstacles seems to have dissipated here as well. Republicanism, which precedes liberalism by two thousand years, places a focus on civic virtue, active participation, and the pursuit of public ideals rather than the private interests more often associated with the liberal tradition. In fact, for a brief while, it seemed as if republicanism may take the place of socialism as the alternative to the liberal tradition. Republicanism saw a strong comeback during the 1980s and 1990s as one of the primary alternatives to liberal democracy. This is hardly a complete alternative, since even the republican Richard Dagger acknowledges that "a republican polity must be able to count on a commitment to principles generally associated with liberalism, such as tolerance, fair play, and respect for the rights of others."

As a challenge to conventional liberal paradigms that saw politics as the accumulation of preferences primarily determined in the private sphere, deliberative democracy also developed in the early 1990s. Reflecting on preferences in a public setting was important to deliberative democracies, and once again, it seemed that this would call for creative thinking about new institutional frameworks that would move democracies beyond the confines of the liberal canon. However, by the late 1990s, many people began to see the same institutions that deliberative democrats had earlier criticized as the ideal setting for debate, with a focus on courts and legislatures. While Bohman praises this change as "the coming of age of deliberative democracy," it also seems to be another swallowing up of critical alternatives. Prominent liberals like Rawls declared themselves deliberative democrats[1]. In this regard, Jürgen Habermas' work is particularly noteworthy in the recent history of critical theory. Marx is the lineage of critical theory via the Frankfurt School. Max Horkheimer and Theodor Adorno, in particular, critiqued

the prevalent kinds of instrumental rationality that characterised contemporary society. By demonstrating how a communicative notion of reason may support a more amiable political system and related emancipatory ambitions, Habermas saved this criticism from a dangerous dead end. Initially, Habermas saw the state as a single entity that was controlled by instrumental reason and working to further capitalism. But by the 1990s, Habermas had recast himself as a constitutionalist who emphasised the importance of rights in creating the framework for free speech in public and whose democratic duty was to exert influence over political institutions that could have been lifted right out of a liberal democratic textbook.

Political Theory in Green

Beginning in the 1970s, green political theory produced innovative ideas for liberal capitalism alternatives that could be defended on the basis of the environment. Although some more Hobbesian and authoritarian voices emerged, the centre of gravity was left-libertarianism bordering on eco-anarchism. Everyone could agree that a healthy political ecology was incompatible with liberal individualism and capitalist economic development. Meyer tracks the development of "post-exuberant" ecological political philosophy in his chapter, which is characterised by contact with liberalism. Green theory hasn't always evolved in this way. For instance, whereas Plumwood relies on radical ecology and feminism to critique the dualisms and anthropocentric rationality of liberalism, Bennett and Chaloupka work more in the traditions of Thoreau and Foucault.

Post-Structuralism

Post-structuralism is sometimes seen as purely constructive criticism. Focusing on the connections between liberal theory and post-structuralist theory leads to this false perception. Some post-structuralist thinkers want to remedy liberalism's excesses, or even to give it a conscience that, in the eyes of many, it too often appears to lack, rather than to replace it. As a result, Patton suggests that the gap between post-structuralist and liberal political theory may not be as great as often believed. Additionally, certain kinds of liberal theory are more likely than others to be welcomed or investigated by post-structuralists: Isaiah Berlin, Richard Flathman, Jeremy Waldron, and Stuart Hampshire are all liberal theorists whose work has received some attention from post-structuralist thinkers. However, post-structuralists have also created alternative political and ethical frameworks that do not explicitly reference liberal thought. Referencing the many major narratives on over from this side of the field is one approach to discuss them.

According to Jean-Francois Lyotard, post-structuralism is sometimes characterised as being fundamentally antagonistic to any kind of grand narrative. Many studies in the area contradict this assertion by reimagining and reinforcing grand narrative instead of outright rejecting it. Post-structuralists do reject basic meta-narratives, such as those that claim to be eternally true, have a two-world metaphysic, or have an underlying purpose in nature or history. The post-structuralists who do use meta-narratives often regard themselves as continuing the work of Hobbes and other social contract theorists, whose political arguments are motivated by fictitious or conjectural assertions about the causes and development of social life. Nevertheless, post-structuralists take care to portray their post-metaphysical beliefs as a "onto-story whose persuasiveness is always at issue and can never be fully disentangled from an interpretation of present historical circumstances" [2]. Post-structuralists attempt to do away with the genesis narrative that has always inspired political theory's readers and the wagers that have given it hope. Instead, post-structuralists seek

to do without the ends or guarantees that have made it possible for some admirable achievements, but in the name of which cruelties have also been committed.

DISCUSSION

With the demise of its foe, Marxism, as well as its own talent in renewing itself and adopting significant components from other traditions, liberalism has shown an almost exceptional ability for absorbing its rivals. However, this is not the triumphalist liberalism that Fukuyama said marked the "end of history" and praised the success of liberal capitalism in the real-world struggle between competing political and economic models. The paradox is that while liberalism has absorbed some of its rivals, worry over how Western liberalism centres itself unjustifiably has grown. One well-known example of this is the much-discussed shift in Rawls' work. Whereas the Rawls of *A Theory of Justice* appeared to be outlining "the" principles of justice that any rational person in any social context would find acceptable, the Rawls of *Political Liberalism* emphasised the reasonability of a variety of "comprehensive doctrines," including those that could be non-liberal, and the Rawls of *The Law of Peoples* encouraged[3].

Liberals now more easily admit that there are substantial traditions of thinking outside of those that helped shape Western liberalism after winning over many of its former detractors in the urban centres. Furthermore, they acknowledge that the justifications for rejecting these other traditions are fuzzier than previously thought. Political theorists used to get into a fiery argument about the criticism of "foundationalism". The idea that their assertions about universal justice, equality, or human rights lacked a solid foundation infuriated many, and they accused the sceptics of eschewing normative political theory. However, during the course of the 1990s, anti-foundationalism shifted from being a contentious minority viewpoint to something that resembled the majority. Although there was no substantial reconsideration of the essential commitments of liberal theory, liberalism announced in the late twentieth century that it was "post-foundational" in response to post-structuralist attacks of foundationalism. However, since Rawls and Habermas rejected metaphysical justification for their projects, Western political theorists have come to recognise the historical contingency of their own schools of thought, which has led to a slight increase in interest in alternative traditions. Although Richard Rorty, the arch anti-foundationalist, has no trouble identifying himself as a liberal, being aware of these traditions does mean that political theory is now more deeply engaged with issues of moral universalism and cultural or religious diversity.

This is where the burst of multiculturalism-related literature, mostly from the 1990s, is really revealing. By definition, multiculturalism deals with the diversity of cultures; it addresses what may be significant differences in values, belief-systems, and practises. It has been particularly focused with the rights, if any, of non-liberal groups in liberal society. The "problem" is that there are other doctrines out there than liberalism, but the way the issue is framed as a matter of tolerance, minorities' rights, or whether organisations as well as individuals may have rights remains essentially liberal. Will Kymlicka notably advocated group rights for vulnerable cultural groups in 1995 on the grounds that a safe cultural background is important for individual autonomy, therefore liberals' support for multicultural policy is compelled by the value they place on individual liberty? His kind of liberal multiculturalism has drawn a lot of flak, and many people still believe that liberalism and multiculturalism are incompatible. But Kymlicka represents the discussion extremely well by examining the multiculturalism "problem" through the lens of liberalism. Liberal thought simultaneously acknowledges the difficulties of making

itself the defining tradition. The knowledge of traditions other than its own seems to be growing as a result of its very supremacy[4].

Since liberalism has been present for quite some time, it is not totally apparent why this is happening now, but that helpful acronym, globalisation, must at least partially explain why. When the majority of people on earth are blatantly unimpressed by either, it is difficult to maintain a conviction in liberalism as the sole tradition or in secularism as the norm. Furthermore, despite the fact that political theorists' investigations of human rights or global justice primarily drew from the liberal tradition, the issues they raise force them to consider the unique characteristics of Western political thinking. Political theory is more pervasive now than it formerly was. It considers allegations of ethnocentrism, challenges the value of national boundaries, and engages in what may be described as a denationalisation of political theory. That assertion is exaggerated since political theory depends on notions that have national origins and often carries national assumptions into its more global phase, even when expressly addressing global challenges.

The lexicon of political theory will not lose terms like country or state, but there are many areas of modern political thinking where the change that Chris Brown notes from international to global notions of justice is taking place. It is difficult to predict how this will play out, but given the strong liberal influence and the worry that Western liberalism may have unjustly centred itself, it appears likely that pockets of resistance and new libertarian alternatives will grow in strength in the coming years. It seems that efforts to redefine political theory in a more self-aware global framework will continue to progress. This is clearly seen in the literature on social justice, equality, and democracy, where both international and global elements are receiving more and more attention. New approaches to theorising religion are also starting to show it. Political philosophy has mostly studied religion in terms of the "problem" of religious tolerance and has paid little attention to the internal organisation of religious ideas.

However, fresh perspectives on secular politics and a deeper investigation of the moral justifications put out by other faiths are increasingly emerging as additional components. Political theorists are expected to face difficult difficulties in the next ten years as a result of new scientific discoveries, notably those connected to bio-genetics, especially in relation to how we define the borders between the public and private spheres and the chances for equality. And even while the idea of a more democratic or deliberative government remains unattainable, we might perhaps expect a growing emphasis on the importance of passion and enjoyment in political participation[5].

It is more difficult to forecast what will occur in the ongoing struggle to include racial and gender concerns in conventional political theory. Many influential figures in the development of feminist political theory have contributed to this Handbook, yet it is striking how few have made feminism and/or gender the focus of their contributions. The upbeat view of this is that gender is no longer seen as a discrete and unrelated subject, but rather as a crucial element in political philosophy. The conclusion of Linda Zerilli's chapter makes a more pessimistic suggestion: that the endeavour to think about politics outside of a solely gender-centered framework may wind up duplicating the blind spots connected with the older canon of political thinking. Also unknown are the anticipated developments in terms of race. Although the explosion of work on multiculturalism has focused more on culture or ethnicity, and political theory has not engaged in a thorough way with the legacies of colonialism or slavery, we can expect that racial inequality

will continue to figure in significant ways in discussions of affirmative action or political representation. However, the papers in this handbook imply that significant new discoveries are under progress.

Current Trajectories in Political Theory and Political Science

We already mentioned how difficult it may be to reconcile political theory with the rest of political science. Here, we bring it up once again, but with a focus on potential areas of collaboration. Political theory has a position in the traditional modern lineup of political science sub-fields, among comparative politics, international relations, public policy, and one's own country's politics, in addition to its interdisciplinary settings. Methodology, public administration, political psychology, and public law may be tacked on here and there. Truly daring departments could even branch out to include political economics and environmental politics. All of these subfields have a theoretical edge that may link to political theory's concerns. The relevance of political theory to the rest of political science is supported by these considerations. We have highlighted that the well-defined sub-sub-field of international relations theory is essentially characterised in terms of the three major perspectives of realism, constructivism, and liberalism. Confusingly, liberalism in IR and liberalism in political theory are not nearly the same thing. Liberal thinking, which is associated with a reasonably upbeat perspective of the international system, is the notion that people may cooperate and create international institutions for the purpose of mutual benefits. Contrarily, realism presupposes that governments maximise security in a society where armed conflict is a constant potential.

Constructivism emphasises how much actors, interests, standards, and systems are social constructs subject to change in both space and time. Even if these opportunities aren't always taken advantage of, each of them offers lots of room for political theory involvement. Despite differences, IR liberalism and political theory liberalism are related by their common Lockean understanding of the formation of governing arrangements and their shared emphasis on the development of reasonable and legitimate international institutions. By defining the international system in terms of Hobbesian "state of nature," realism is openly rooted in Thomas Hobbes' political philosophy. A significant, albeit debatable, source for realism has also been Thucydides. Constructivism has been portrayed as being compatible with Habermasian critical theory. Critical theory has reciprocated, as Scheuerman notes, in that it now views the international system as the primary arena for testing its democratic prescriptions. Political theory is a major source of resources for normative theory, which is now thriving in the field of international relations, with postmodernists, Rawlsian liberals, feminists, and critical theorists making especially significant contributions[6].

Because many practitioners of comparative politics are subject experts with just a passing interest in theory, it is more difficult to summarise the linkages between the two fields. Those comparativists who employ either small-n comparative case studies or large-n quantitative research are often more interested in rational choice theory as a source of simple explanatory theory. But there are additional areas where political theory, as it is conceived in this Handbook, may be engaged. The concept of the public sphere in democratic political theory has been influenced by the comparative study of social movements and their interactions with the state, and vice versa. Liberal constitutionalist political theory has been used in explanations of the state's function in the formation of political systems. Marxist theory has been incorporated into more critical views of the state in emerging nations. The past 20 years have seen democratisation

emerge as a key subject in comparative politics, and a discussion of democratic theory would have helped this study. Sadly, nothing of the kind has occurred. Studies of democratisation sometimes ignore the sixty years of democratic thought that have come since Joseph Schumpeter's minimalist definition of democracy in terms of competitive elections, produced in the 1940s. Perhaps a more plausible point of linkage, drawing on Tocqueville, is recent work on race and Diaspora Studies in a Comparative Context. Additionally, comparative politics issues pertaining to the diversity of political structures and their interactions with cultural diversity have received particular attention from theorists focusing on multiculturalism and racism. If methodology is only conceived of in terms of quantitative procedures, then that may very well be the case. Methodology may appear the sub-field least likely to deal with political theory. However, methodology also serves as a place for reflection on the potential of certain types of methodologies. Political theorists are in a unique position to arbitrate between specific methodologies and the philosophy of social science in this situation. Taylor and Ball dispute the positivist self-image of many people who use quantitative techniques and draw attention to the unavoidable moment of interpretation in the use of all social scientific methodologies.

Particularly useful fodder for methodological thought is the interdisciplinarity that permeates so much political theory. Public policy is at the "applied" end of political science, but because of its emphasis on the connection between disciplinary knowledge and political practise, political theory is encouraged to contribute. Many political theorists see their role as elaborating on the normative principles that guide policy proposals. Since Rawls and Dworkin, research on justice and equality has had clear policy repercussions on taxes, public health spending, how people with disabilities are treated, and other topics. The ideas are certainly focused on public policy, even if it has been difficult to transform them into concrete suggestions. Though this reasoning involves moral philosophy as much as or even more than political theory, it largely defines the content of Philosophy and Public Affairs. Political theorists working on issues of democracy and representation have also reached direct policy conclusions about the nature of electoral systems or the use of gender quotas to change patterns of representation [7].

Important aspects of the public policy subfield include policy assessment and design. For both, normative criteria are needed to establish benchmarks for assessing current or proposed policies. Once again, political theory is ideally suited to provide light on these standards and how one could approach conflicts between them. It is also in a good position to investigate the discourse-related elements of public policy, a topic of particular interest to the American Political Science Association's Theory, Policy and Society section. Links that this group establishes include those between interpretive social science philosophy and policy evaluation, political argumentation logic and interventions by analysts and advocates in policy processes, and deliberative democratic theory and policy analysis. In recent decades, the rational choice theory, which is based on microeconomic presumptions about the causes of human behaviour, has cut across all of the subfields of political science. In fact, some of its proponents believe that the true definition of political theory is rational choice.

These practitioners see rational choice theory as a "positive" political theory that is devoid of values and oriented towards explanation rather than recommendation. This assertion is untrue since rational choice theory is widely seen as a failure as an explanatory theory. But a lot of people still think it's incredibly helpful. Game theory, for instance, helps explain what rationality is under certain circumstances, shedding light on one of political theory's perennial concerns. And while though rational choice theory is often characterised as being value-free, it has allowed

for a lot of normative theorising among its practitioners. Arch-positivist Riker uses Arrow's social choice theory to support his claim that democracy is inherently unstable and meaningless in the results it produces. He then uses this claim to support a normative case for a minimal liberal democracy that only allows for the removal of corrupt or ineffective rules. However, it is easy to read this superstructure in terms of critical theory, as indicating what would happen if everyone acted according to microeconomic assumptions. The implications of rational choice theory are often bad news for democracy. How to stop this damaging behavioural predisposition becomes the political question at hand. We only briefly touch on a few more exploratory and critical linkages between political theory and rational choice theory in this Handbook because they will get a more thorough examination in *The Oxford Handbook of Political Economy*, another volume in this series[8].

Bo Rothstein, a renowned comparativist, voiced concern in 2005 that the empirical branch of the subject had lost its moral compass. His running example illustrates how its "technically competent barbarians" would have little defence against aligning with a political entity like Nazism if it were necessary. The good news is that, unlike other disciplines, I believe we have the answer inside our own area of inquiry, according to Rothstein. This, in my opinion, lies in reuniting the positive/empirical aspect of the discipline with the normative side, which is political philosophy". The instances given above demonstrate that such linkage is certainly conceivable, despite the possibility of some opposition to this from both sides of the divide[9].

CONCLUSION

. It also highlights the diverse range of perspectives and approaches that exist within the field of critical theory and democratization, including feminist, postcolonial, and Marxist perspectives. Overall, this abstract suggests that critical theory and democratization are essential tools for understanding and challenging power relations and for creating a more just and democratic society. The peripheries and the many centres of political theory, its concentration on the global scale, and its consideration of the difficulties that the subject is now facing due to social and technological development. We welcome readers to create their own summary interpretations and start their own creative theorising by choosing from the vast range of alternatives on the palette that is provided since political theory is an active, pluralistic, and contentious discipline.

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CHAPTER 3

THE ROLE OF PEOPLES IN POLITICAL THEORY

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ABSTRACT:

The role of people in political theory is a fundamental and complex issue that has been discussed by philosophers and political scientists for centuries. In political theory, the concept of people refers to the individuals who make up a political community and are subject to its laws and regulations. The role of people in political theory has evolved over time, from early theories that emphasized the importance of obedience and submission to rulers, to modern theories that emphasize the sovereignty and participation of the people in the political process. Another important issue in the role of people in political theory is the extent to which individuals are seen as autonomous and independent actors or as members of a larger community. Some theories prioritize the individual over the community, while others emphasize the importance of collective identity and social cohesion.

KEYWORDS:

Authority, Democracy, Politics, Power, State.

INTRODUCTION

Populists and politicians alike defer to the authority of the people, which can give legitimacy to constitutions, new regimes, and changes to state borders. "The state" began its conceptual career as the estate of an anointed king, but is now supposed to derive its legitimacy from "the people." Even unofficial instances of "people power" seem to often be perceived as authoritative. "The people" plays a key part in modern political discourse, yet there are few and dispersed treatments of this idea in current political theory. Perhaps this is expected; "the state" is undoubtedly a valid subject of theoretical investigation, but "the people" may appear too nebulous, too sentimental, and too strongly linked to populist rhetoric to be analysed[1].

The People Obtain Political Power

The contemporary idea of the sovereign people has Western and Classical roots, much like other political ideas that have gained widespread acceptance. "People" is derived from the Latin *populus*, along with *peuple* and *popolo*. The phrase *populus/people* had honorific connotations within that Roman tradition, making it worthwhile to adapt it to the demands of a protracted series of political debates. The idea persisted in ancient Rome while being enmeshed in two very different political and theoretical environments. In the Roman Republic, the *populus*, or collected citizens, had frequent access to and exercise of the sovereign authority. However, the legacy of the Roman imperial dynasty was more distinctive and significant. Rome's military despots, beginning with Augustus, used authority that had been legally granted to them by consent of the people. Roman law adopted this practise as the *lex regia*, according to which the Emperor had sovereign authority via the delegation of the *populus*.

Accordingly, absolute monarchy and popular sovereignty could coexist. If the only definition of popular sovereignty that was accessible was the direct exercise of popular authority, as in the Roman Republic's assemblies, then the idea would not have been any more applicable to monarchical politics than the Greek concept of democracy was. However, the line between "popular" governments from other governments became muddled by the ambiguous language in which all governments were portrayed as deriving their legitimacy from the people. In the long term, this gave people looking to hold rulers accountable access to rhetorical weapons. Religious strife in Europe in the sixteenth century encouraged this creative application of the old topic of popular sovereignty.

Protestant and Catholic authors put out identical arguments to justify resistance when faced with rulers who adhered to the incorrect interpretation of Christianity by referencing the well-known idea that authority came from the people. Both sides of the argument used the assumption that when the monarch lost his authority, the inhabitants of the kingdom in question established a collectivity with innate leaders who could act on their behalf. This pragmatic appeal to the people's supreme power was a defensive move that had nothing to do with Roman Republican-style popular governance. The social contract ideas, which emerged about the same time, likewise relied on the idea that political power originated with the people, but the majority of them made it plain that this idea was entirely compatible with absolute monarchy. But given a political impetus like that provided in the seventeenth century by civil wars and revolutions in England, ideologies like Resistance and Contract may both be creatively developed[2].

In such conflicts, "the people" was referred to by all sides. Thomas Hobbes proved to his own satisfaction that the King was the people, not the Parliamentarians who insisted that they were the only ones who represented the people. "The People rule in all governments, for even in monarchies, the People Command; for in a monarchy, the People will by the will of one man."

The People are the King. The Levellers went to the opposite extreme, associating the sovereign people with the majority of freeborn Englishmen: "the hobnails, clouted shoes, the private soldiers, the leather and woollen aprons, and the laborious and industrious people of England." This helped allay fears of "the many-headed monster." Sir Robert Filmer tried his best to put the wind out of populist sails with a *reductio ad absurdum*: either the supposedly authoritative "people" means every single person in the country at every moment in time, or else it is just a cover for the claims of power made by conspirators of all kinds.

It makes sense that the Tory University of Oxford repudiated the idea that "all civil authority is derived originally from the people" in 1683. The Glorious Revolution of 1688 was required to remove James II from power before the idea of an actively sovereign people became the mainstream of Anglophone political discourse. While Locke's extreme view of the Revolution as a "call to heaven" by the people gained acceptance, Parliament nevertheless favoured the illusion that King James had "abdicated." But even for Locke, the people's function remained protective. After reclaiming their authority, the populace seems to utilise it just to choose a new monarch, not to install themselves as the ruling class.

Only during the American Revolution did the current political vocabulary of "the people" begin to take shape. The Americans went far further than justifying opposition to George III and regaining power for the people. The phrase "we the people" constituted a new constitution, operating as the supreme power, but in real assemblies as opposed to a hypothetical state of

nature. They departed from the custom of approving kingly rule and established a government chosen by and belonging to the people, somewhat resurrecting the Roman republican model.

DISCUSSION

From the late eighteenth century on, "the people's" politics spread beyond the borders of America. Le peuple dramatically burst onto the French public scene to overthrow all existing hierarchies. The people also contributed to the establishment of liberal republican nationalism in the name of the people, the main international revolutionary movement of the nineteenth century. This movement was seen as the country but as a nation with a global mission to free other peoples. A unique and revolutionary rhetoric of the Volk, combining cultural populism and ethnic nationalism, was established by German Romantic nationalists. The Levellers' call for the ordinary people to occupy their proper position within a democracy that belonged immemorially to the whole people was echoed by nineteenth-century Britain's own unique politics of "the people," or "the people's movement." Liberals from John Bright through Lloyd George's reformist populism served as a link between them and the class politics of the Labour Party of the 20th century. Thus, a variety of language and national traditions are present in contemporary political discourses of "the people."

The American Revolution left behind a legacy that is still important to note since "the people" became a catchall phrase for a complex political undertaking. The Constitution was drafted by the people, who are also the owners of government and the ultimate source of political power. Despite being represented, people just give their power to politicians and are readily roused to take it back. This "people" is a group of people who share rights that are inherent to humans as human beings as well as a collective, self-governing country. The American rhetoric of "the people," although in some respects especially earthy and referring to everyday people right now, is also visionary since the selected people stand for a universal cause and lead all other people in the right direction. The American myth of the people's successful political foundation and their belief in political redemption when required serve as the capstone to the heroic tragedy of the French Revolution in the contemporary mythology of the people[3].

Politics in the 20th century was primarily the narrative of gods gone wrong: causes that sparked passion, generated widespread support, and then lost support. But there is still hope for the masses to seize power. Disillusionment with so-called "people's governments" appears to merely suggest that control has eluded the people and must be reclaimed. The disillusioned idea that "the people" are nothing more than the population and that "government by the people" is nothing more than the dominance of certain people over others doesn't appear to have much political support. The idea of "the people" has been used in political conflicts for a very long time, which has made it powerful yet vague. It seems to be both universal and specific, abstract and concrete, collectivity and collecting, legendary and everyday, all at once. This chapter's next sections will look at some of the problems these ambiguities bring up.

The Persons

As a result of a long-standing ambiguity in which *populus*/people could mean either the whole polity or part of it, and "the people" as part could refer either to a privileged class of "political people" or to the unprivileged "common people," disputes over the limits of the "people" to whom ultimate authority is attributed have frequently turned-on rank or class. Even though these peoples have sometimes been categorised by the borders of existing states, a large part of the

power of the idea resides in its justification of either unity or secession. Many political theorists were compelled to consider self-determination as border disputes erupted in the post-Communist period in the 1990s, albeit the liberal optimism of some of the early talks was swiftly dimmed by events[4].

How should a "people" with political independence claims be understood? Is it comparable to a country? According to some theorists, given the current political climate, only the bonds of nationhood are likely to produce a people with the type of long-term political unity required to support self-rule. This is not to argue that either "nation" or "people" need to be interpreted as any type of natural kindred, merely that nationhood provides historical richness and a fanciful feeling of sharing a similar destiny. However, republicans and internationalists might assert with seeming validity that a self-governing people should be able to do without such ties since the idea of popular sovereignty was originally developed in city-states. The USA may seem to demonstrate that a single people with strong political cohesion can be created in the midst of racial diversity and significant immigration.

The "democratic gap" between citizens and institutions is a well-known problem inside the European Union. However, according to certain thinkers, most notably Jürgen Habermas, creating such a people only requires political will on the side of European leaders. This discussion brings up questions about the reach of "people-building." Wider topics regarding political inclusion and exclusion are touched upon in these talks. The "people" recognised with having ultimate political power in the popular sovereignty rhetoric sometimes seem abstract, global, and borderless, which may imply that it should encompass all people everywhere. This last hypothesis derives some credence from English use, where the word "people" without an paper refers to all human beings. Without a question, the politically significant "people" of Western nations have grown to include many individuals who were previously excluded, most notably the female half of the population. However, can this growth be restricted to the boundaries of any particular "people," whether they be ethnically or politically defined?

According to cosmopolitans, the reality of globalisation and the logic of contemporary political discourse all tend towards inclusiveness, maybe even towards full-scale global governance by a United Nations People's Assembly, but at the very least, towards the fading of differences between "our" people and other people. However, the enfranchised peoples of the strong and wealthy nation states that support democracy at home and provide as a foundation for cosmopolitan ideals stand directly in the way of any such progress. Many of those democratic democracies have recently seen a populist backlash in response to mass migration, which is commonly perceived as a danger to "our people." Academic discussions regarding the relationship between populism and democracy have been sparked by populists' claims that they can mobilise "the people" against an undemocratic elite[5], [6].

Ultimate Political Authority Is Attributed to The People

Should the sovereign people be thought of as a collective entity, regardless of its limitations and boundaries? Volk, people, and populus all refer to such a unique topic, as doe's popolo. The phrase "the people" refers to a group of certain individuals in English and is often plural. However, it does not mean that English use is just individualist; in fact, the term "people" is often used to allude to an intergenerational unity of which individuals are a part. We need to be aware of the kind of actor we are searching for a collective or a collection in order to be able to formulate inquiries about how the populace exercises its political power. The challenge is that

both senses seem to be necessary. Historically, collectivist thought has been viewed with suspicion in Anglophone political theory. Anti-populists from Filmer to Riker have noted that there is no longer any "people" that might operate as a repository of political power if we reduce the people to a group of mortal, ever-changing individuals.

We must be able to assume that the people as individuals can be regarded as members of "the people" as a body and that the outcome of individual votes on any given occasion can be accepted as the voice of the whole in order to assume, for example, that a majority verdict in a referendum delivers "the people's choice." In reality, the individuals who are said to have ultimate political power are often thought of as a business. Mediaeval lawyers such as Baldus defended the self-rule of Italian city-republics by describing a *populus* that was not merely a collection of people but a *universitas*, able to function as a body via legally defined organs in the same manner as other ecclesiastical and secular companies. A real-world political actor, the *populus* that they had in mind was something particular and definite. From the sixteenth through the eighteenth century, several social contract theorists imagined an authoritative people that was likewise corporate, but more abstract and all-encompassing.

According to Pufendorf, a "compound moral person" with a single will, created by an earlier agreement amongst persons living in a state of nature, is the person who creates a valid state. Corporate reports have the benefit of portraying "the people" as a group capable of acting effectively. Their drawback is that "the people" as a body, an entity that can only be thought of as speaking and acting via official spokespeople, causes the people as unique individuals to vanish. Even if it may be challenging to square the circle, our political discourse requires an explanation of the highest political authority that somehow upholds both that corporate capacity for action and our unique, diverse identities as individuals. By making the abstract sovereign people present in politics, Rousseau attempted to bring together the individual and communal parts of the people. The people, both individually and as a body gathered, were to will a General Will geared to the common welfare in order to bring about reconciliation. But since he had little trust in people as they really were, he contradicted his own theory by imagining a lawmaker who was both wise enough to recognise the General Will and charismatic enough to unite disparate individuals into one unified group that could be relied upon to will it [7].

Locke's very original effort to bring together the individual and the community has its own issues. Locke doesn't stop at seeing the people as a unified entity that can hold the monarch accountable; he also depicts that sovereign people as tangible individuals who are in full control of their inherent rights. Men "enter into Society to make one People, one Body Politick," he claims, and after that authority is given to a monarch while sovereignty remains with the people. Locke asserts that when government has betrayed its trust, "everyone is at the disposal of his own will" and that this "people" may take action to recover power from the monarch and parliament is not a legally formed entity of the corporate sort. However, it is apparent that he anticipates that the parties involved will be able to function as a unit even in the absence of legal links. According to Richard Ashcraft, what he had in mind was a revolutionary "movement."

It's possible that the authoritative "people" that permeates our political discourse is best understood as an irregular mobilisation through which various individuals are momentarily united into a body capable of exercising political authority rather than as a formally organised corporate body or as an atomistic collection of people. But why should "the people," as that term is defined, be taken seriously?

The Ultimate Political Authority Is "The People"

Since there are no longer any credible alternatives to the monarch, church, or party, this issue cannot be satisfactorily addressed by mentioning the absence of these institutions. Furthermore, if we consider "the people" simply to be the population an ever-changing collection of regular, partisan, and frequently ignorant human beings then their claim to be regarded as the fount of legitimate political authority is hardly overwhelming. We cannot assume that there must be an ultimate source to be found somewhere or other. It is simple to argue against some public participation in politics on the basis that doing so may prevent politicians from abusing their position of authority. However, the popular sovereignty rhetoric is more ambitious. It is difficult to dispute that the "people" claimed to be regaining its/their rightful authority seemed enveloped by a numinous haze when recalling the euphoria that greeted the advent of "people power" in Eastern Europe in 1989. The idea is particularly potent since it combines this glitz with the comforting knowledge that "the people" are also us. Although useful hints can be found in both Claude Lefort's explorations of the "theologico-political" aspects of democracy and Michael Oakeshott's description of "the politics of faith," political theorists have generally been reluctant to address phenomena of such dubious rationality.

Treating the mysterious power of the people as a legitimising myth, maybe analogous to belief in the kings' divine right, may be one approach to bring it inside the scope of logical investigation. While Rogers Smith has looked at what he terms "stories of peoplehood," it is commonly acknowledged that myth plays an important role in the politics of nationhood. It is possible to use Henry Tudor's groundbreaking research of political myths to myths about the people as the former founders and potential future saviours of their polity. The Swiss foundation myth and the tale of the American Revolution and Constitution are two examples of regional foundation myths. Through its interconnection with the mythical universal base of the social contract, these regional myths attracted a larger audience. These myths about the public base of politics are accompanied by futuristic ones about political rebirth when the populace reclaims power and a new beginning. Populists have claimed for generations that the people would rise up and reclaim their legitimate sovereignty after having it stolen from them.

While popular myths can contribute to democratic legitimacy, they also often lead to irrational expectations that might lead to dissatisfaction with the democracy that is really in place. It provides the appearance that we should be able to wield power as a group if we really believe that we, the people, are the source of political authority. However, despite the fact that democratic systems enable us to participate in politics as individual voters or as members of a variety of organisations, there is no feeling that the people are in charge. According to Claude Lefort, the seat of authority is still vacant, or at the very least, the sovereign people are not present. The myths leave us with an unfulfilled desire to see the genuine sovereign People assuming Lefort's "empty position of power" and finally exercising their sovereign authority. This may be the reason why any credible interpretation of this situation, such as the 1989 upheavals in East Europe, acquires legendary significance.

Analysts of political events cannot afford to overlook such narratives and pictures if they potentially influence how political players behave. But how should political theorists interpret the legendary components that seem inseparable from prevailing views of the origin of legitimate political authority? Edmund Morgan has provided a sharply critical interpretation, seeing the sovereign people as a "fiction" that was purposefully created to contest and displace another

fiction, the divine right of monarchs. "Representatives constructed the sovereignty of the people during the English Civil War to claim it for themselves. They ascended to absolute authority in the government in the name of the people. In order to define the procedures by which collectives like "the people" are created and the means by which individuals who conjure them and purport to speak for them exercise "symbolic power," Pierre Bourdieu used the vocabulary of magic and sorcery. In his description, the people putting on these magical performances including the common folk who are referred to by themselves and others as "the people" appear to be puppets in the hands of a cunning elite[8].

These assessments seem to delegitimize the authority being examined. However, there are occasions when grassroots political mobilisation is more impulsive and unpredictable than Morgan or Bourdieu contend. Political myths thrive on the infrequent occasions when movements deemed to be representative of "the people" by both participants and observers suddenly appear on the public stage. These movements are frequently violent, such as the French Revolution, but they can also be impressively restrained, like the Polish "Solidarity," which many observers of the time saw as a true manifestation of the People in action. So, should we consider it one of those instances of "fugitive democracy" when "power returns to the community" and "agency returns to the people"?"

Those are the times that our political myths make us long for, and they also make us assume that when the People do show up, they will speak with power. It may be accurate to state that popular confidence in the populace's support of a polity, a regime, or a movement does legitimise it if we adopt Max Weber's value-free approach to legitimate authority and explain it in terms of elective rule and voluntary obedience. Without endorsing the dangerous idea that *vox populi equals vox dei*, we might add that a state likely needs to be supported by a people with a strong sense of collective identity to generate and monitor political power if it is to be effective and accountable while also being safe. We can thus draw the conclusion that, in addition to an impersonal state, a "people" who are seen to be authoritative may be a required prerequisite for a reasonably non-predatory politics orientated towards some sense of the common good. Democrats still have a difficult time creating institutions that accurately reflect the public as a whole and live up to the idea of "the People."

CONCLUSION

One of the central debates in political theory concerns the relationship between the people and the state. Some theories posit that the state is the primary source of power and authority, while others argue that the people are the ultimate source of legitimacy and sovereignty. The latter view is reflected in democratic theories, which hold that the people should have a say in the decisions that affect their lives and should be able to hold their leaders accountable. Ultimately, the role of people in political theory reflects deeper questions about the nature of power, authority, and legitimacy in society. As political theorists continue to grapple with these issues, the role of people in political theory will remain a central topic of discussion in the field.

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CHAPTER 4

HUMAN SOCIETY AND STATE

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ABSTRACT:

Human society and the state have a complex and dynamic relationship that has been a subject of study and debate for centuries. While society consists of individuals who come together to form social groups and interact with each other, the state is a political entity that has the authority to make and enforce laws and regulations. The relationship between human society and the state is shaped by various factors such as culture, ideology, historical events, economic conditions, and power dynamics. The state is often seen as a means to regulate social behavior, provide security, and ensure the welfare of its citizens, while society is seen as the source of cultural, social, and economic vitality.

KEYWORDS:

Democracy, Government, Political, State, Society.

INTRODUCTION

Most people now believe that civil society is uncoerced associational existence separate from the family and governmental institutions. The idea that the economic and civil society are separate entities is also common. However, there is considerable disagreement about where to draw the border. Some theorists, notably liberals and libertarians, include the economics when describing civic society. Others, particularly but not just those on the left, disregard the economics. Others, such as labour unions and professional organisations, may be included yet GE or Microsoft may not be since economic interactions are only included to the degree that they are incorporated into social life. Despite differences in definitional limits, associational life rather than market or trade relations remains the primary focus of modern interest in civil society. Even libertarian civil society theorists are seldom interested in researching Microsoft or GE as sites of voluntary civic engagement.

This is a considerable departure from earlier views of civil society such those put out by Ferguson, Smith, or Hegel. Civil society is seen as a realm apart from the state yet in a specific connection to it by both classical and modern philosophers. But throughout the eighteenth and nineteenth centuries, it was the hard-won independence of the economy from the state that cried out to be examined, analysed, looked at, and criticised. The force and significance of associational freedom vis-à-vis the state, for reasons we touch on below, begs to be researched, analysed, explored, and criticised today. This is because economic freedom is no longer the primary focus of civil society theorists. What kind of connections are we referring to? Whether they are choral societies, NGOs, or social movements, the organisations that academics focus on represent different perspectives on how civil society and the state interact. To demonstrate the breadth of the current civil society discussion, we address six of these relations in the sections that follow[1]:

1. Civic society apart from the government;
2. Public opposition to the government;
3. Support for the state from civil society;
4. Civic society and the government in conversation;
5. Cooperation between the state and civic society;
6. outside the state, civil society.

These six viewpoints on society/state interactions are not always antagonistic to one another or mutually incompatible. It will become evident that it is possible to subscribe to many versions of these beliefs at once. They do, however, offer several approaches to the issue of "what is significant or intriguing about the interaction between civil society and the state?" We specify the empirical inquiries that are relevant to the theoretical articulation of this connection in each instance.

Freedom of association is one civil society apart from the state

A separate realm from the state is civil society. It is a place where people congregate, establish groups, engage in shared interests, endeavours, and talk about significant and sometimes unimportant issues. Among the organisations that make up civil society are churches, bowling alleys, service organisations, chess clubs, and public interest organisations. Legislative bodies, the military, police, governmental operations, and courts are not. Three characteristics of civil society that distinguish it from the state immediately come to mind: participation is voluntary; activities are diverse; and limits of civil society are unclear. Membership does not alone define civil society; voluntary membership also defines it. Joining a church, going to PTA meetings, giving money to flood victims, or starting a book club are all voluntary activities that we choose to engage in. On the other hand, we are ruled by coercive laws and born into a state. Although leaving is sometimes an option, it is more often one in the senseless sense that leaping from a ship at sea is a choice. Of course, we might also consider the possibility that some of us were born into religious communities that charge expulsion fees, and that some of us really abandon ship and give in our passports. The voluntary/non-voluntary distinction might be challenging from a sociological perspective. On the other hand, organisations are not allowed to employ compulsion and force to keep members while we live inside a state, except a very few number of exceptions. This makes the difference slightly simpler to uphold legally[2].

The plurality of civil society is its second defining feature. The task of seeking collective goals and public goods falls to the state, but in civil society, people band together to achieve particularist ends and group-specific goods, some of which may very well also be public goods. A science fiction book club, on the other hand, may be seen of as seeking a specific good, while the Sierra Club is pursuing a public good. However, any good whether it be preserving the environment or reading a fantastic time-travel novel is seen from the perspective of civil society as a whole. The last trait of civil society as an entity distinct from the state is that it is conceptualised in geographical terms. It is more crucial to create the border than to specify what should occur within it. In essence, the barrier is negative and is intended to keep the state out rather than anything else. This offers an intriguing query for the expanding field of civic society research. Do legal, conceptual, or social distinctions between civil society's bounds matter? In settings with weak legal protections, social scientists often discuss civil society. For instance, in China, people often establish organisations and gather together, from karaoke clubs to intellectual salons.

These organisations are voluntary in the sense that no one is required to join them; they represent a variety of citizen interests; they often operate independently from the state; and lastly, they carry out significant tasks that the government does not. It makes reasonable to discuss Chinese civic society from a sociological perspective. And there is a lot of literature on the topic. On the other hand, it makes no sense legally. To the degree that it does, civil society relies on governmental intervention to continue to exist.

The state must be constrained by a rule of law that meaningfully restricts its ability to meddle for civil society to be really separate from the state. This definition of "apart" clearly has liberal origins. Most civil society theorists use an implicit model that is based on the specific historical experiences and developmental phases of the West, particularly Western Europe. According to that theory, the division of the private and public domains of power was necessary before civil society could be established. In the case of Europe, the development of public authority distinct from private authority required a transition from feudal rule, where all authority was in some ways "private" or at least personal, to the absolutist state, where the locus of authority was gradually separated from the person of the ruler and his retinue. As a result of the separation of the public and private spheres, a civil society eventually developed that could demand some legal safeguards against official meddling. The legal acknowledgment of such domain was closely related to the emergence of a sphere of action between the family and the state[3].

That being the case, does it follow that discussing civil society outside of a liberal constitutional framework is meaningless? On the one hand, organisations grow even in the legally unfriendly and unsafe environments. In this respect, it may be claimed that practically all contemporary cultures exhibit civil society as a behavioural phenomenon. However, if this behaviour only occurs at the discretion of states, if it is tolerated by default rather than on purpose, if associations lack assurance that the state won't arbitrarily stifle their activities, and if only associations that are seen as friendly to the state are tolerated, it is less likely that civil society can be conceived of as a sphere with clearly defined boundaries. The liberal constitutional system is inextricably linked to the idea of civil society as a realm apart from the state. People who care about the independence of civil society often care about constitutional protections for freedom of association. Here, the discussion is all about limits, but it is confined to liberal democracies. Strong legislative restrictions on such a life are not common, despite associational living being widely practised. But one way to think about the connection between civil society and the state is to see it as fundamentally existing outside of it. We depart from the geographical metaphor as we depart from the legal notion of civil society.

DISCUSSION

The upheavals of 1989 are often cited as the causes of the revival of civic society writing. In this capacity, civil society is not only a realm apart from the state; rather, it is or may be seen as a "agent" that engages with and even challenges the state. The narrative depicts a totalitarian regime that depends on a nonpolitical populace to maintain its stability. The creation of civil society organisations, even those that appear innocent, is aggressively discouraged by the state in order to further its own objectives. As a result, there was little to no civil society in those countries where the governments were stable.

Even under the most oppressive dictatorship, civil society is rarely a sociological, much less a legal, term. It is quite instructive to look at the situation of the East European dissidents under communism. A call for citizens to live as if the state did not exist may be found in George

Konrad's well-known idea of "anti-politics," in which members of totalitarian countries try to carve out little pockets of liberty. In both a social and legal sense, Konrad thought it was impossible to have a typical civil society. Similar to this, Vaclav Havel's key paper on "the power of the powerless" discussed how solitary people may obstruct the state by "everyday" deeds rather than through social interactions. Although both Konrad and Havel anticipated that these modest acts of independence and resistance, actions that amounted to "living in truth," would in the long run be subversive of totalitarian authority, they did not anticipate any short-term influence of society on the state in the Communist world. The opposite of what is often thought of as civil society is "living in truth," which is a personal and individual disposition tied to little to no organisation. It is important to remember, nevertheless, that both Konrad's and Havel's papers were written relatively early, at a time when it seemed unlikely that the situation would alter. Some thinkers adopted an inherently sociological as opposed to a strictly legal vision of civil society as a result of Gorbachev's reforms in the Soviet Union that were implemented after 1985 but fell short of establishing the rule of law. The reasoning was that while organisations outside of the party may not be officially sanctioned by the government or even legally recognised, as long as they existed, they should be regarded as members of civil society[4].

The extent of the totalitarian state's control was never as extensive as it claimed, according to several thinkers and social scientists. Furthermore, organisations like Solidarity in Poland, environmental organisations in Hungary and East Germany, youth organisations, and popular music clubs throughout the region all managed to maintain their own group resources and even socialising activities. In many of these societies, churches also managed to maintain some degree of juridical autonomy. These groups quickly assumed the spotlight and turned into the true *dramatis personae* of history once the regimes began to show signs of weakness, particularly in 1989. They stopped both the roundtable negotiations and the "barricades," paving the way for the Communists' comparatively easy transition from power. In conclusion, the upheavals of 1989 were civil society uprisings against the government. This is the most forceful iteration of the civil society vs the state defence. Its narrative focuses on civic organisations that are strong enough to stand up to the oppressive formal institutions of the state in certain situations.

However, it is important to note that although some academics have argued that civil society played a key role in the fall of communism, others have cast doubt on its capacity to usher in a revolutionary shift towards democracy. Although the totalitarian state may have been weakened and challenged by civil society, the vulnerability of post-Communist civil societies in relation to the state is now highlighted by an organisational legacy of weakness and a lack of confidence. Could it be that civil society had the power to topple communism but lacked it for democracy to endure? Whether the dynamics of civil society vs the state that prevailed under late Communism are beneficial to democracy is a further and even more intriguing subject. Communist governments were overthrown in 1989 thanks in part to street protests. But the issue still stands: Can what works to overthrow dictatorships also work to keep a democracy alive? The question of whether a contested civil society is desirable for democracy divides theorists and social scientists.

Street protests and demonstrations by civil society may not always result in political stability or sound public policy if working via official state institutions is a hallmark of a strong and stable democracy. Others have argued that in situations when traditional democratic institutions are tarnished or fail to operate effectively, protest might act as a dialogue tool between the

government and civil society. Under these conditions, protest might take on the form of a dependable pattern of behaviour. Unconventional but institutionalised political participation is regarded as a sign of democratic vitality or democratic consolidation when it is widely accepted as being normal and legitimate, when it is routine and even institutionalised, and when it does not involve violence or anti-democratic ideologies[5].

Public Sphere: Civil Society in Dialogue with The State

A rising number of democratic theorists contend that it is helpful to see civil society and the state as having a creative and critical conversation. The state must defend, justify, and generally provide an account of its acts in response to the many and diverse voices expressed in civil society. This conversation is characterised by a sort of accountability. The essential idea in this interpretation of the relationship is best articulated by Jurgen Habermas's civil society as the public sphere. It is believed that civil society extends into the public domain. It is the forum where the beliefs, interests, and ideas developed inside civil society are expressed and rendered politically effective. The historical battle to create a space apart from the state has led to the creation of public opinion that also stands independent from the state. Public critique is the first instance's political function of public opinion. A new and more powerful role is envisioned as governmental actors start to pay attention to the voice of the people. A law that relied on public opinion thus could not be openly seen as dominance since it "convincingly claimed to be in the nature of a noncoercive enquiry into what was at the same time correct and right." A measure of legitimacy is established via critical discourse in public.

The hopeful premise at play here is that injustice and dominance cannot withstand the scrutiny of an informed and civically aware citizenry. Rather than being held up as a realistic ideal, this concept of the ideal society/state connection is more often utilised as a framework to critique current society/state interactions. The issue therefore becomes how to foster and sustain a public realm that serves as a crucial discussion partner. Even if freedom of expression and association are prerequisites for a robust public realm, they are insufficient to protect it against distortions. Only the most fundamental constitutional protections can achieve this. An active civil society is instead required to maintain the public sphere's communication systems. An effective democratic public sphere must be maintained, not by the government, but by members of civil society. Only when actors actively seek to improve, enlarge, and modify the public sphere as they engage in it can it flourish? The contrast is between "users" of the public sphere who simply pursue their political goals within pre-existing forums and with little or no interest in the procedures themselves, and "creators" of the public sphere who are interested in advancing democracy as they pursue their more particularist goals.

The most creative players in the public domain, according to Habermas, Cohen, and Arato, are new social movements. Social movements use aggressive and defensive tactics against the state when they want to establish a dialectical relationship with it. Groups systematically set out to affect the government and economy. Thus, environmental groups work to influence laws, sway public opinion, and restrain economic expansion, for instance. However, the environmental movement has also actively supported the growth of associational life, the promotion of grassroots involvement, the creation of fresh and creative modes of engagement, and the expansion of public venues for discussion and deliberation. By offering people the ability to make choices that affect their lives, this kind of action improves democracy, preserves autonomy, and gives people more influence within civil society. As a result, effective social

movements do more than just advance policy objectives they also contribute to the development of civil society as a vital participant in intergovernmental discussion.

These movements "push" the government to respond to fresh opinions, issues, and interests. Between civil society's opposition to the state and civil society's support for the state, social movements are in a state of tension. Nevertheless, the issue that always emerges is: When does critical opposition promote democracy and its justification, and when does it result in democratic breakdown? When do tumultuous civic organisations working in opposition to the state encourage civic values in people that support democracy, and when do they inspire people to topple democracies with the same fervour as they do dictatorships? Next, we will discuss the issue of how civil society and public attitudes are related.

Advocate For the Civil Society

Area of the State: Citizenship Schools

There is a fourth strand that has been especially strong in the American context, in addition to the three that we have so far recognised as being crucial to the discussion of how civil society and the state interact today. A neo-Tocquevillian examination of the prerequisites for stability serves as the focal point of this perspective. By integrating solitary individuals into the fabric of the wider collective and attaching distinct people to goals that go beyond their own self-interest, civil society fosters social relationships and a feeling of reciprocal responsibility. The foundation of democratic existence is the mutually beneficial relationships fostered in civil society. This theory has gained support from both liberals and conservatives, who have championed the positive effects of a strong civil society on people's civic minds. This perspective leads to a complicated and sometimes diametrically opposed interaction between civil society and the state. On the one hand, liberals and conservatives alike have come to understand that the reproduction of the necessary democratic dispositions is necessary for the survival of liberal democracy. Without democratic voters, democracy is in danger.

Contrary to what Kant believed, presuming that there is a race of demons, we cannot establish a powerful political community. Instead, we must focus on fostering values and identity development. According to this viewpoint, the role of civil society is to support and undergird the state. On the other side, there is also some antagonism against the government. The state is seen by many authors in this tradition as one of the factors causing civil society's collapse as a site of civic regeneration. According to Benjamin Barber, Americans are presently forced to choose between an enormous, elephantine, and paternalistic government and a profoundly selfish, even anarchic private market. Even liberal and left-wing intellectuals are concerned with the ways the welfare state bureaucratizes individuals' lives, albeit sometimes these arguments combine into thinly disguised criticisms on "big government." Such bureaucratization is counterproductive. The ability and willingness of its people to adopt the viewpoint of the public good is necessary for the state to carry out its duties. Citizens' capacity to assume the civic responsibilities expected of them is undermined by an overbearing and invasive state[6].

In contrast to the view of civil society that sees itself as existing independently of the state, which sees associational life as the realm of multiple ends, the view of civil society that sees itself as supporting the state sees associational life as both a field of pluralism and a sphere that generates shared values. The pursuit of plural purposes in connection and collaboration with others results in the development of a shared civic culture that may go beyond pluralism and

forge ties of community. Tolerance, collaboration, respect, and reciprocity are just a few of the values that may be attained via associational involvement. The argument makes the point that even while associational life is geared towards various objectives, it may teach us valuable lessons about citizenship. A commitment to the shared project of liberal democracy results from this encounter. It uses the theory of the invisible hand to explain associational life. This viewpoint has four main areas of disagreement and discussion.

The first point of contention is whether liberal democracies have vibrant civil societies or whether they are in a condition of decline. More than any other culture, American culture has been the focus of this discussion; yet, it has also given rise to a well-known empirical research project assessing civic involvement globally. What kinds of values should be instilled and how and where we should be promoting them are the subject of a second point of contention. In this context, government support for initiatives like "faith-based initiatives" and educational policy both take on a vital role. One further set of concerns with the literature on civic regeneration casts doubt on what first seems to be the argument's fundamental tenet. The assumption prevalent in most of the literature is that taking part in civic society is beneficial. Apathy and self-centered individualism are the enemies of democracy. As a result, participation is emphasised rather than the types of organisations that people are joining.

The concept that there is such a thing as terrible civil society is not taken seriously by the literature. The fundamental difference between a good civil society and a poor civil society is that the former develops and the latter undermines a value that is necessary for the continuity and integrity of democracy: the virtue of reciprocity. Reciprocity entails acknowledging that all other citizens, including those with whom one disagrees vehemently, are moral beings worthy of respect. By fostering hatred, intolerance, and the lack of empathy that are inherent in crimes against humanity like ethnic cleansing and public displays of violence, bad civil society undermines this virtue. However, a dysfunctional civil society might undermine its members' ability to benefit from collaboration and trust. They develop a feeling of purpose and belonging in their life. Even among themselves, they may learn the values of decorum and selflessness. They are urged to go beyond their own limited interests and adopt the viewpoint of the group. However, since they are internal to the group, they don't necessarily cross group borders [7], [8].

The civil society is not always beneficial. One critic said that, before to the 1994 genocide, Rwanda had the greatest density of social activity in sub-Saharan Africa. After 1989, a disproportionate number of civic organisations propagated hostility in the new democracies, building up a lot of negative social capital. Some academics questioned if the prolonged civic disarray in these nations, as opposed to the widespread incitement of hate, could be more beneficial to democracy in the near term. The notion that civic engagement is an unqualified benefit has been challenged, even in very stable democracies. When the associations' substance is supportive of democracy, a robust civic life may enhance democracy's quality. Choral organisations, as one writer recently highlighted, may be significant cornerstones of a thriving civic society, but one automatically wants to know what these groups are singing. It makes a huge difference whether they are singing the Horst Wessel Lied or the Marseillaise.

CONCLUSION

The relationship between human society and the state can be cooperative or conflictual, depending on the balance of power and the interests of the different actors involved. The state's legitimacy and authority are often contested, and its actions can either reinforce or undermine

social cohesion and stability. The study of human society and the state is interdisciplinary, drawing on insights from political science, sociology, anthropology, economics, and history. It seeks to understand the complex interactions between these two entities and their impact on individual and collective behavior, social structures, and political systems. Ultimately, a deeper understanding of the relationship between human society and the state can help us to create more just, equitable, and sustainable societies.

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CHAPTER 5

PARTNERSHIPS BETWEEN THE CIVIL SOCIETY AND THE STATE: MORE GOVERNANCE, LESS GOVERNMENT

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ABSTRACT:

Partnerships between the state and the civil society have drawn more and more attention in modern forms of governance as a way to advance democratic, accountable, and responsive government. By combining the knowledge and resources of multiple actors, these partnerships which may take many different shapes can help provide public services in a more effective and efficient manner. Power disparities and the co-optation of partnerships by strong interests are two difficulties, however. This paper makes the case that collaborations between the state and civil society may help to advance a more citizen-centered, less government-centric, and more governance-focused mode of governance.

KEYWORDS:

Democratic, Governance, Public, State, Social.

INTRODUCTION

In modern governance models, collaborations between the state and civil society have gained importance. These collaborations allow for a team-based approach to problem solving and decision-making, and they have the potential to make public services delivery more effective and efficient. This essay examines the advantages and drawbacks of partnerships between civil society and the state, and it makes the case that they may help create a more transparent, responsible, and responsive form of government that puts the needs and interests of the people first.

Partnerships between the State and Civil Society

Partnerships between the state and the civil society may take on a variety of shapes, from co-production agreements to consultative systems and participatory decision-making processes. These partnerships are characterised by a common dedication to tackling social and economic problems as well as a comprehension that cooperation is essential to effect real change[1].

A more democratic and accountable form of governance is one of the major advantages of collaborations between the state and civil society. Partnerships may guarantee that different views and interests are taken into consideration and that decisions are made with more openness and legitimacy by incorporating individuals and civil society organisations in decision-making processes. The social compact that supports democratic governance may be strengthened as a result, helping to increase trust between people and the government. Partnerships may also help public services be delivered more quickly and effectively. Partnerships may assist in identifying and addressing service delivery gaps as well as developing creative and affordable solutions to challenging issues by combining the knowledge and resources of the state and civil society

organisations. Better citizen outcomes as well as increased public confidence in the efficiency of government may result from this.

Partnerships between the state and Civil Society Face Challenges

Partnerships between civil society and the state may have certain advantages, but there are also a number of issues that need to be resolved. The uneven allocation of authority and resources between the state and civil society organisations is one of the major problems. In many instances, civil society organisations may be unable to successfully interact with the state due to a lack of funding and ability, and as a consequence, may be excluded from decision-making processes. This can result in a scenario where the government dominates relationships and civil society organisations are treated as passive beneficiaries of aid. The possibility for partnerships to be subverted by strong interests, such as companies or political elites, presents another difficulty. Partnerships may sometimes be utilised to silence dissident voices or justify choices that are not in the best interests of people. This may call into question the reliability of partnerships and damage public confidence in the governing structure[2].

The civil society's viewpoint is only one of many different ways that the sovereignty of the nation state is being questioned. The notion of the citizen of civil society replacing the duties and officials of the state harkens back to the classics of nineteenth- and early twentieth-century emancipatory sociology. In some ways, these classics serve as inspiration for the current generation of theorists and social scientists who envision a decentering of public administration away from a remote, callous, and ineffective centralised state administration into a more proximate, empowering, even if less orderly system of multilevel governance, subsidiarity, and new public management. However, according to modern civil society theorists, increased complexity presents new problems for democracy, autonomy, and government that nineteenth- and early twentieth-century social theorists were unaware of.

On a variety of levels, the nation state is seen to be insufficient. Some find it insufficient since national and even regional policy are dependent on local conditions and global interdependence. Without the assistance and mediation of non-state sector organisations, the state simply cannot provide the commodities. Some contend that the issue is really one of democracy and self-governance. More public involvement and input into policy choices are necessary for legitimacy. This calls for the delegation of power to citizen organisations. Residents feel more empowered and in charge of their life. Others continue to argue from a position of autonomy. Large paternalistic welfare states not only fall short of expectations, but they are also obtrusive, oppressive, and dehumanising. Self-regulation, not deregulation, is the solution. The foundation for independence and self-respect may be established by people who can self-regulate. The expectation that civil society would be the birthplace of novel forms of government stems from all three of these factors[3].

Occasionally, civil society gains power by default. The state is just not there. The issue "who is in charge?" is becoming more and more ambiguous in new locations and dimensions, and when there is no apparent leader, new forms of government are made feasible. According to Mark Warren, for instance, sector differentiation often implies that "the state is no longer 'head'; instead, it functions as the most obvious point of negotiation among sectors since it does not control the resources it depends upon to organise collective action." On the other hand, new forms of government are sometimes seen as struggles won by the people. The state is seen as a reluctant collaborator, if not the adversary. As state agents "often grow uncomfortable with the

burdens of participation and seek to re-centralize or reinsulate their agencies from the finitudes of politics," civil society activists must be on guard. Finally, the state itself has the power to start the process of transferring management and even decision-making power. The Third Way movement, which is supported by Laborites like Anthony Giddens, is built on this idea. Here, emphasis is placed on markets and states that cannot operate without individuals assuming responsibility. However, changing people' expectations of the state is necessary to encourage responsibility: "the belief in the primacy of the nation-state... deters responsible action by non-state actors."

It encourages people to concentrate their efforts on figuring out how to persuade national nations, whether their own or others, to provide assistance, resolve a crisis, or take some other action to address a specific problem rather than trying to figure out how the organisation may take action alone. Additionally, it "reinforces the propensity of organisations to think in limited, self-serving terms rather than to accept responsibility for the larger repercussions of their activities. There are hazards associated with devolution, outsourcing to the nonprofit sector, citizen management, and involvement. When civil society and the state collaborate, there are a number of possible risks, including privatisation, lack of accountability, NIMBY, and bureaucratization of the third sector.

The lines between civil society and the state grow more ambiguous when civil society performs governmental duties. The issue is not so much state interference as it is the possibility that civil society may start acting and seeming like the state as a result of assuming governmental tasks. If civil society replaces or even coexists with the state, its function as a check on the government is weakened. This may ultimately indicate a trade-off: as we have progressed from the strong spatial conception of civil society as a realm that clearly differs from the state, through conceptions of civil society as an opponent, then a critic, then a supporter, and now a replacement for or partner with the state, we have seen a growing rapprochement between civil society and state. All these different functions for associational life may be included within the plurality of a healthy civil society. However, it is unlikely to happen without a fight or a struggle[4].

DISCUSSION

Global Civil Society: Civil Society Outside of the State: Worldwide, civil society is a phenomena. State borders are often crossed by associations and non-governmental organisations. What is their function and significance, though? If civil society in the West emerged as a realm distinct from and often in conflict with the state, it may be stated that global civil society emerged anticipatorily rather than in opposition to a global liberal constitutional state. Theorists of global civil society decry what they refer to as "methodological nationalism," or our propensity to conceptualise in terms of national rather than international dimensions. This is particularly true for social scientists and other academics who often base their study on ideas at the national level and data gathered nationwide. In the context of civil society, "methodological nationalism" is problematic since it limits our comprehension of the phenomena to a comparison of the characteristics and sizes of civil society in other nations. In fact, it is said, organisations that consider themselves to be fully unconstrained by national boundaries are where some of the most intriguing advances in civil society are taking place.

NGOs and social movements with a focus on a particular problem are the two most prominent elements of the global civil society. Landmines, human rights, climate change, AIDS/HIV, and

corporate responsibility are just a few of the concerns that have been elevated to the top of activists' priority lists as a result of globalisation. A loose network of activists is connected through the Internet and is broken up by events happening all over the world. Despite being nebulous and slick, these activist networks have a significant influence, particularly at meetings of the major organisations that support economic globalisation, such as the G8 and the World Trade Organisation[5], [6].

Non-governmental organisations coexist with social movements and often emerge from them. NGOs are what Mary Kaldor refers to as tame social movements. Successful social movements re-emerge in politics as "respectable" negotiation partners after transforming into well-established NGOs. Social movements are the primary communicators, whereas NGOs are the primary agents. As members create organisations that represent their unique sets of concerns, interests, and interpretations of the issue at hand, NGOs typically mirror the ideological fault lines among social movements. Few academics with an interest in global civic society are satisfied with just naming players. What to make of this phenomenon is the topic of the genuine discussion. A new system of global governance has arisen, according to some supporters, and it includes both nations and international organisations. This system is being heralded by global civil society.

It is a system, not a single state, in which governments are progressively constrained by a collection of conventions, treaties, and laws with a global scope. These regulations are increasingly reliant on popular support, developed by a global civil society, rather than merely agreement between nations. National and religious organisations, NGOs, activists, and neoliberals all use the platform known as global civil society to discuss, advocate for, negotiate, and agitate for policies that have an impact on world developments. Through a global public realm, the conversation model is primarily used by the global civil society. Publicity is its most important tool and resource. Human Rights Watch only raises awareness of violations of human rights. The media is its main avenue of influence. However, changing behaviour may and does occur when the international community takes notice and denounces violations.

"The politics of global civil society is essentially about questioning, criticising and publicising," according to John Dryzek. The terms of discourse and the balance of different components in the global constellation of discourses may be changed by such action, according to one scholar. Publicity is its weapon, and the majority of its conversation partners are permanent IGOs and ad hoc international conferences and commissions. These act as a kind of state counterpart, especially in terms of this sector's ability to create and express global and international law[7].

This viewpoint is often criticised, with a democratic deficiency argument at its core. Representative institutions moderate the interaction between civil society and the state in democratic nation states. At least not yet, this is not accurate on a worldwide scale. Although global social movements and nongovernmental organisations (NGOs) may and have played a significant role in forming both existing and developing democracies, one would not want them to be the primary means of democratic expression and accountability. Citizens do not elect one civil society organisation over another as their representatives, according to two critics, since NGOs ultimately exist to reflect their own values rather than to represent a public to whose interests and wants they must react. Because they were freed from the "possibility, the obligation, and indeed the temptation to regard themselves as representatives or intermediaries,"

social movements and organisations in fact played a creative, critical, and inventive role in forming contemporary democracies[8].

In eVect, the chronology of civic development is reversed since a worldwide civil society first emerges before a global state and a global rule of law. Global civic organisations do not have a single, distinct target whose authority they are aiming to curtail or who they are demanding a legal protective sphere from. Without a distinct other to offer it a contrasting border, civil society becomes decentered. Both the internal and exterior boundaries provide an issue. Not only does there not seem to be a corresponding state, but also a counterpart society. Even proponents of global civil society acknowledge that discussions of this society are rather early due to "the weakness of social bonds transcending nation, race, and gender." This in and of itself does not invalidate the idea or diminish the influence of the global civil society. It does, however, imply that it is a very fluid term that is often normatively loaded. Global civil society still needs the state, and particularly the nation state, despite encouragement to think beyond the nation state box. The great majority of the groups, movements, and organisations that comprise global civil society have their headquarters and homes in nations that provide them with the protection and consistency of an established liberal legal system. We have returned to civil society as a legally recognised and safeguarded area of freedom. Even the most "post-state" ideas of civil society depend to some degree on liberties that are only possible under the protection of a state. The state will undoubtedly continue to be constrained, tested, and disciplined in significant ways by both domestic and international civil society, but they are not likely to take its place anytime soon[9], [10].

CONCLUSION

Partnerships between the state and civil society provide a viable answer to the complex social and economic problems that modern governance models must deal with. Partnerships may help create a more democratic, accountable, and responsive governing system that puts the needs and interests of people first by combining the knowledge and resources of many players. To prevent being co-opted by strong interests, partnerships must be properly planned and executed to guarantee that they are open, transparent, and egalitarian. In the end, collaborations between the state and civil society may lead to a more governance-focused and less government-centric method of governing that is better suited to handle the complex problems of the twenty-first century.

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CHAPTER 6

A STUDY ON STATE AND DEMOCRACY

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ABSTRACT:

The relationship between the state and democracy is a central topic of political theory and practice. The state, as a political entity, holds the power to govern and regulate society, while democracy is a form of government that is based on the principle of popular sovereignty and the protection of individual rights. This paper explores the complex relationship between the state and democracy, and argues that the two are interdependent and mutually reinforcing. It analyzes the different forms of democracy and their relationship to the state, and examines the challenges and opportunities that arise in the practice of democratic governance. Ultimately, the paper asserts that the state has a crucial role to play in promoting and protecting democracy, and that a strong and democratic state is essential for the well-being of individuals and societies.

KEYWORDS:

Democracy, Governance, Power, State, Violence.

INTRODUCTION

In today's world, democracy, which I would define as communal self-rule, has a remarkable amount of credibility. The causes are plain to observe. Compared to those living in non-democracies, citizens in well-functioning democracies have more freedom, prosperity, and human growth and are subject to less oppression, violence, and violence against them. Although there are numerous precursors to these goods, democratic institutional structures and practises are undoubtedly some of the most significant. Ancient Greece, Rome, and mediaeval Europe all included aspects of current democratic institutions and practises, but until after World War II, they were the exception rather than the norm. Electoral democracies have only recently risen to represent the majority of people on the planet. Nevertheless, two significant predecessors were necessary for the recent growth of democratic democracies. The first was conceptual: the notion that democracy, in antiquity, consisted of a gathered people making choices, gave way to the notion that a national legislative assembly might be regularly elected by the people to govern on their behalf. Despite the fact that this image of democracy was less direct and participatory, it also helped to prevent the ideal from becoming obsolete in the face of the extensive political consolidations that were taking place in Europe and the Americas[1].

The formation of contemporary nation states, first in Europe and then elsewhere in the globe, was the second forerunner to modern democracy. Since the nation state had already existed for some time when democracy started to expand in the middle to late 1800s, its process has received less attention in democratic thought. The Western democracies were also founded on liberal constitutional revolutions that aimed to restrain, tame, and hone governmental authority in favour of individual rights such as those related to property, person, conscience, and association. Perhaps it was simple to ignore the effects of liberal strategies: while authority was restricted, differentiated, regularised, rationalised, and honed, it was also strengthened, giving rise to the

most powerful state structures ever. Therefore, the foundation of today's consolidated democracies was strong, high-capacity nations. Their relative success is directly tied to the state's role in organising, restricting, and enhancing the powers that enable democratic self-rule, as well as the activities that define boundaries and create rules that give rise to political life. The numerous new democracies that are currently emerging from weak states and exhibiting various combinations of corruption, poor security, unresolvable low-intensity conflict, subpar economic performance, and the inability to provide services like basic welfare, health care, and education bring this fact into stark relief.

The consolidated democracies are, in a sense, outperforming its more traditional, state-centric incarnations. The nations with high-capacity states are where new democratic structures, venues, and "cosmopolitan" or global types of democracy are evolving most quickly. Nevertheless, given that states and state-like institutions and entities are increasingly being supplanted by other forms of organisation, such as issue-based networks, collective security arrangements, global markets, new political forms like the EU, and political processes divided by policy areas, it is crucial that we understand how much democracy depends on state organisation of political life at this particular time in history. The irony is that institutional opportunities for democracy seem to be declining exactly at the time when the democratic ethos is becoming more widely accepted. State capabilities appear to have decreased proportionally[2].

The reasoning linking democracy to the state is outlined in this chapter. I'll make the case that the state's roles in supporting democracy are just as crucial now as they ever were and always will be. However, I would also posit that, as a result of dynamics such as globalisation, complexity, diversification, cultural changes, and deterritorialization of concerns, politics now exceeds the state. A reaction to politics is democracy, which is one method among several that collectivities might use to manage disputes and make political choices. An argument inherent in the traditions of anarchist, associational, and participatory democracy that modern circumstances have imbued with a fresh relevance is that if politics surpasses the state, then democracy should also exceed its state-centric forms. We must thus use our imagination to consider what role the state may play in supporting, improving, and enabling post-statist forms of democracy if we don't want democracy to seem to be exhausted by its state-centric forms. The approach I take in this paper entails identifying the driving principles and ideals of democracy; identifying the ways in which these principles depend on and are intertwined with state power; and identifying the ways in which carefully crafted state institutions can become generative in ways that go beyond the inherently restrictive nature of the state's organisational media: rules backed by power. This last argument is crucial for thinking about new ways the state may generate, sustain, and organise democracy outside of its borders.

The Democratic Normative Logic

As with many things we care about, democracy suffers from an excess of meaning that has been ingrained in the idea by years of use and is made much more difficult now by its association with so many positive attributes. Additionally, opportunistic applications of democracy, like other political conceptions, have led to its rapid expansion. However, at a high degree of abstraction, democratic notions often combine two sets of concepts[3].

Equal Moral Worth in All Persons

The first set deals with the ontological claim that a society is made up of the people who make up it as well as the relationships between them. Therefore, if a society is beneficial, it must also be good for the people who live in it and the connections they maintain. Community, culture, and communal goods are interrelated and cannot be reduced to individual benefits. But because of the effects they have on people, these bigger goods are seen to be desirable. This leads to the principle of moral equality in collective rule: since every human existence is a goal in and of itself, collective choices should, to the extent that is reasonably possible, recognise, respect, and benefit all people's interests and values equally. Democracy is fundamentally based on moral intuition, which renders the idea ethically powerful even in the absence of institutional manifestations. Democracy benefits from and conveys this moral purpose without needing a particular moral theory for its morally compelling aspects, since this intuition is shared by many moral systems in one way or another.

For those who are a member of "the people," the collectivity whereby individuals are acknowledged to have a moral position, the standard of moral equality is applicable. Every democratic theory thus implies borders that delineate inclusions and exclusions in a more or less explicit manner. The borders may be territorial, encompassing every person residing in a territory. However, historically, there have also been restrictions based on ethnicity, race, and sexual orientation, such that the relevant "people" only comprises, for example, those who were born there, white people, or men. These borders often become the focus of democratic battles after the notion of territorial democracy has been established. It has lately been apparent that borders may be established on concerns, as is the case with the idea of subsidiarity and in newly forming global organisations and forums. In these situations, "the people" is formed and reformed as a self-governing collectivity in a different manner for each sort of issue and its effects, such as for purposes of occupation, defence, pollution control, child education, or public health regulation.

A complicated kind of citizenship, in which people have several memberships depending on the nature and scope of communal choices, is implied by this type of border. Such a conception of boundaries generalises and incorporates the earlier liberal idea that already foresaw its complexity: the idea that some matters are properly public business of the relevant people and others are private; there is no relevant "people" because the issues are not of a kind that should be collective matters. Inclusion would result from equal attention for the effects that communal actions have on different people, if we were to combine these concepts and derive a strong democratic norm. Instead of following regions or individual traits, boundaries would be based on collective effects on people. Every person who could be impacted by a group decision should have the same chance to influence it in a way that is proportionate to their interest in the result. The corollary action standard states that group efforts should reflect the goals selected via inclusive procedures. The fundamental principle of democracy is the empowered participation of people affected in group decisions and activities[4].

DISCUSSION

It is helpful to take into account the type of state organisational resources while responding to this question. The most convincing definition we know of the state is Max Weber's: "a human community that claims the monopoly of the legitimate use of physical force within a given territory." The term includes the key components: governments' monopolize violence, they

justify the organisation and use of violence with normative justifications, and they are territorial in character. Importantly, Thomas Hobbes' fundamental insight that a governmental monopoly over violence is required for making violence safe and understandable is retained by Weber's formulation. Democratic states use their police authorities to commit acts of violence, just as other governments do. All other capabilities, including taxes, administration, setting up political and legal processes, economic incentives, and management, are dependent on their ability to wield violence. Instead, the fact that they are constitutional and follow the law is what sets democratic regimes apart. The laws governing state violence are universal rather than arbitrary, public rather than hidden, and obligatory on all parties. Additionally, the justifications for the laws governing the use of force were decided upon by the populace in line with transparent and inclusive democratic processes. Both factors need a state with the administrative and judicial resources necessary for impartial and non-arbitrary enforcement. Mass involvement in authoritarian and totalitarian regimes, from Robespierre's France to Hitler's Germany, was previously often referred to as "totalitarian democracy." However, the idea is really an oxymoron since "totalitarian" components of such nations undermine the rights of people to assess and update laws as well as to participate in shaping them.

Similar to how Madison's idea of a "majority faction" and Tocqueville's notion of "tyranny of the majority" have come to be understood, it is common to see democratic processes in conflict with individual rights and freedoms. But it makes little sense to label a state as democratic if it does not make use of its monopoly on force to create and defend the rights of citizenship for all those affected by collective actions. Today, some still speak of "non-liberal democracies," which refer to political structures with frequent elections but few fundamental rights. It is difficult to see how a state might operate as a democratic state without these liberal characteristics, nevertheless, inasmuch as liberalism is associated with the notion of constitutional government that incorporates rights and freedoms for people. The rights and freedoms required for citizen powers are inherent in the idea of democracy if it still has any link to the normative notion of group self-rule by morally equal persons.

In principle, democratic regimes must utilise their monopoly on violence to provide security foundations upon which non-violent interactions and institutions may be built, as well as to restrain and regularise its effects, if people are to become agents of political activity. These capacities are fundamental: violence, or the threat of it, is an ultimate form of power because it "is the facility of last resort in shaping and managing interpersonal relations, because it operates by causing sensations and activating emotions that all sentient beings experience." Power as violence is also fundamental because it has a functional precedence over other forms of power and influence. People cannot use whatever other rights they may have, especially the democratically necessary ones of persuasion, association, and voting, until violence is monopolised, regulated, and regularised.

What are the state's legitimate normative roles in relation to democracy, given these characteristics? Keep in mind that I said "functions" since Democrats, following liberals since Locke, do not accord the state any moral value as a corporate organisation. According to the democratic theory, it derives its legitimacy and sovereignty from the people. Of course, a democratic state would embody the societal norms and aspirations of its citizens. The outcome is fascist rather than democratic, and the state is now in a position, normatively speaking, to claim benefits that compete with those enjoyed by its people. However, when these representations and

ambitions become associated with the state itself, as a corporate organisation, the result is fascist rather than democratic.

Five more characteristics define a democratic state as normative. First, as was previously said, state authority "borrows" normative legitimacy from the populace. This is shown in constitutional designs that realise democratic ideals of moral equality of individuals and their rights to engage in collective concerns that affect them. Second, governments support legislation that articulates and implements normative goals. Because objectives are often contested both in theory and in practise, it is desirable for democratic procedures to continuously refresh the normative agreement that underpins legislation[5].

The democratic process depends on the third normative feature, which is indirect. By using its authority to establish boundaries and provide assistance and protection, the state creates citizenship, giving people a moral standing that affects not only their legal rights and obligations but also their perceptions of themselves and their feeling of action. Of course, geographical limits and residency status are the most fundamental. No democratic state has open borders for residency, but all of them recognise residents as the holders of rights and recipients of safeguards. Additionally, democratic regimes provide entitlements, which equate to moral recognitions of people as agents, both of their own lives and as participants in society and politics. Typically, these entitlements relate to education, some degree of economic stability, and some kind of medical care. The fourth normative attribute is also indirect: democratic regimes safeguard social interactions so they may grow independently of the state and in a manner that allows society to create its own unique and diverse products. Governments facilitate normative interactions among and between persons via status-giving and protection in ways that are not covered by state institutions but are acknowledged by democratic governments as constitutive of the people from whom it draws instructions. The democratic state must be able to recognise and facilitate a wide range of goods without embracing or directly expressing them. This is the reason why democracies are linked to both freedom and plurality[6].

Fifth, democratic governments empower the publics through which norms function as a directional force upon the political system itself because they enforce the bounds and supports implicit in rights and freedoms. Publics can and do organise against the state in less democratic regimes, which are the majority. However, in democratic settings, publics are protected even when they oppose official policy. Because this is the basis of the public's voice, will, and preferences which, in an ideal world, are communicated via democratic institutions and transformed into legitimate state power a democratic state is protective of normative discourse within society. It is difficult to overstate the significance of these reciprocal relationships between standards and power when taken as a whole. According to Hannah Arendt, we may argue that the democratic state converts violence into power, where "power" isn't only the ability to command but also the ability to organise and mobilise the resources of those being controlled. Individuals are motivated by normative legitimacy to direct their wills towards group goals rather than merely to submit. The 1989 upheavals demonstrated how quickly the state's ostensibly strong powers may crumble in the absence of legitimacy. Because of their ability to react to the normative discourse of society while using their authority to defend the very possibility of a politically-directive normative discourse, democratic governments are by far the most powerful nations in the world today[7].

The Democratic State's Constitutional Law

Democracy depends on the fact that people are morally equal and, on average, have a greater understanding of their own interests, values, and aims than any agent or class that would try to act as their guardians. Democrats thus do not say that everyone is equally qualified to engage in collective self-governance, but they do see the moral and epistemic claims to self-rule of people as important factors in power-sharing decisions. The allocation of decision-making authority, the organisation of collective judgement processes, and the creation of collective agents of the people are the three issue areas that make up the majority of democratic institution challenges.

Distribution of Powers: Rights, Votes, and Checks and Balances

How to disperse and reaggregate the powers of decision-making has always been the primary focus of democratic thought. As Hamilton famously noted in *The Federalist*, "in framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed, and in the next place oblige it to control itself." Indeed, these are typically the hardest problems of democratic theory. Since Hamilton's time, the state's powers have significantly expanded to the point where bureaucracies now generate their own elites, interests, and power structures, frequently in tandem with significant social and economic forces. As a result, democratic schools of thought from Michels to Schumpeter to Luhmann have maintained that the people can only, at best, check the state's power structures; they cannot, however, direct it. Similar to how markets were liberated by the forces of differentiation from which democratic governments emerged, same forces also led to the creation of economic power centres and institutions outside of states.

Democratic governments' reliance on these powers has reduced their ability to respond to the public via the democratic processes of voting and discourse. No matter how dependent democracy is on state securities, these bureaucratic, corporatist, and market-based powers pose enormous challenges to the project of state democratisation. They may even imply that further significant deepening of democracy is likely to occur elsewhere, in the forces of civil society, quasi-political organisations, transnational actors, direct action, and other emerging forms. However, democratic checks on and distributions of state power remain essential to democracy because of the ephemerality of power and the dependency of new kinds of democracy on it. Furthermore, even if the state's democratic responsiveness is flawed, there are many imperfect forms from which to select [8]. Some types of restrictions, including the concept of separation of powers and the consequent incentives for representatives and other political elites to keep an eye on the powers they have amassed, are endogenous to the state. Because they are relational empowerments in effect, rights and liberties indirectly serve power distribution functions because they imply duties of forbearance and equal treatment by power holders, including the police, governmental organisations, businesses, and other people.

Governments are also required to allocate the resources necessary to ensure forbearance and equal treatment. Rights and freedoms have democratising effects beyond citizenship. A very significant effect is that reducing social vulnerabilities, such as those between men and women or between employers and employees, tends to equalise power relations, which pushes more societal decisions out of the realm of command and into the realm of negotiated solutions. Actionable rights also lower the dangers associated with trust, enabling horizontal networks of association. Rights and liberties, as Tocqueville and Dewey saw, have a democratising effect on society as a whole. Direct voting power distributions, the conventional indicator of

democratisation, are supported by such indirect distributions of power. Many of the issues with institutionalised democracy have to do with the many ways that the decision-making authority that is distributed via voting, reaggregated through elections, and then enshrined in representative institutions might be configured.

From the standpoint of voting power, the important questions are how accountability systems preserve the representational connection between elected officials and voters. The power of the vote increases with more accountability. Here, electoral systems are crucial since they are the main tool people use to ensure accountability. Some political structures, particularly those with single-member districts, effectively empower just the votes of the victor, which makes it difficult to translate moral equality into political equality. Others are superior in this regard since they are more likely to transfer a vote into legislative representation, such as proportional representation systems. The representative relationship may be harmed by corruption, complexity, or a lack of public awareness and attention, but these are merely the most obvious issues. Furthermore, since they go beyond the reach of governments, non-territorial and extra-territorial concerns including foreign policy, ecological issues, many trade issues, lifestyle and identity issues, and immigration issues usually lack institutional representation. Other types of bodies, such as international organisations, global civil society organisations, global forums and tribunals, and other bodies, may progressively address these deficiencies, particularly if they are created with democracy in mind.

Collective Judgement: Media Displacement as Democracy

Up until recently, democratic theorists paid little attention to how power dynamics affected group decision-making. Although John Stuart Mill and John Dewey paid some attention to this, voting and other methods of power distribution have often been seen as safeguards against state power rather than as a guide for collective judgement that should be entrusted to properly restrain political elites. Voting and elections are seen as aggregations of preferences in some more modern democratic theories, particularly pluralism and rational choice-based theories; political judgement is just the outcome of aggregation. On the other hand, more contemporary proponents of deliberative democracy have put a strong emphasis on group judgement. Although deliberative theories are frequently seen as alternatives to institutional and power-based theories, their contributions are best understood as complements.

They build on the idea that democratic power structures shift collective judgement away from decisions made by elites and then imposed by power or induced by money and towards deliberation, which includes argument, persuasion, public justification, as well as bargaining and negotiation. In theory, coercive force, money, or shared cultural standards are the three organisational means via which collectivities might make choices. Coercive power should ideally be organised, justified, and rationalised by the state. Cultural norms are free to operate via civil society organisations. And a lot of issues, particularly complicated economic ones, are left up to the markets. When there is conflict over shared objectives, democratic power and protection distributions should disenable the powers that amass inside each medium, pushing decision-making out of the spheres of power, money, and culture and into discussion.

Therefore, democratic governments may cause a change in the process by which group choices are decided by pluralizing authorities; this change contains the key to such states' creative potential. If not through organised votes, then through publicity, demonstration, court-enabled rights, and even civil disobedience. The medium shift does not require full political equality, but

rather what some theorists have called "nondomination" a distribution of rights and protections that make it difficult for the powerful to work their will without appealing to the many who possess, in effect, the powers of obstruction. Therefore, two distinct but complimentary elements of democratic regimes are democracy as the allocation of power and democracy as communal judgement[9].

Collective Agency

Democratic choices must be carried out by collective actors once they have been made. People need both collective agents through which to act and political institutions through which to deliberate if they are to govern themselves collectively. There are several additional types of collective agents outside the state, including organisations, businesses, families, and networks. However, because of its supreme and exclusive authority, the state is able to carry out tasks that other types of organisations are unable to, like collecting taxes, delivering public goods, supporting legally binding decision-making procedures, and managing the externalities of non-state activity. Because of this, democratic nations must not only be able to carry out goals that have been voted upon democratically, but also be trustworthy.

No matter how democratic the processes, if individuals lack competent, reliable agents to carry out group choices, democracy itself is meaningless since there won't be any means for democratic decisions to be implemented. Following the typical structural boundaries between the legislative and executive powers within democratic nations, democratic theories have, nevertheless, tended to place more emphasis on legislative decision-making than executive procedures. According to the conventional wisdom, executive agencies, which are subject to legislative procedures and maintain their authority in the public interest, are responsible for carrying out democratic choices. These presumptions, however, have been refuted by a number of recent happenings in the advanced democracies. The first is well-established and was the epiphany that underpinned the elite theories of democracy that can be traced back to Max Weber: executive agencies have a tendency to concentrate power, including not just the police powers themselves but also the economic and informational capabilities that support them.

Strong parliamentary control of executive agencies the usual response remains essential to maintaining the integrity of the democratic state. However, more recent approaches aim to empower individuals and the media to participate in oversight by passing sunshine and freedom of information laws, making information accessible and useable for citizens, and offering whistleblower protections. A second, more recent issue is that states have difficulty governing because of how complicated it is. States are constrained in the complexity of their duties because bureaucracies, or rule-based, hierarchical command structures, organise activities, according to critics from Hayek to Beck. Rules often seem to be universal and straightforward, but they may also leave subordinates exposed and stifle discourse's creative potential when they take an authoritative, commanding shape. These restrictions have long served as a foundation for neoliberal and public choice arguments that markets should be allowed to serve as many social objectives as feasible.

But more recently, researchers have discovered a third strategy for dealing with complexity that builds on democracy. States may structure governance outside of government institutions, such as amongst stakeholders, in much the same way that they utilise their authorities to impose norms of political decision-making in elections and legislatures. In reality, the administrative field is currently home to some of the most significant breakthroughs in democratic theory and

practise, also known as collaborative policy-making, governance networks, reflexive legislation, and empowered autonomy. The fact that the established democracies have worked in part because they transfer the authority of collective activity onto society leads to a third set of issues. The domains of the market and society become differentiated as a result of protections, and new power those of businesses and associations grow inside these differentiated sectors.

While these changes lead to democracies being prosperous, creative, and lively, they also bring about two situations that put the democratic functions of the state at jeopardy. The first is that non-state power centres, especially those constructed with money, compromise and often undercut the state's abilities to control the economic circumstances of democratic citizenship. The second is that, to the extent that democracy is concerned with communal futures, democracy's emphasis becomes both multiple and diffuse when the state loses its position as the principal creator of social futures. As a result, the democratic state now resembles a centre of negotiation rather than one of authority and direction.

CONCLUSION

The nation state has been called obsolete due to the forces of global markets, communications, trade, and security regimes, new political forms like the European Union, and issue-based transnational regimes, as well as challenges from growing complexity and political congestion. It could seem that democracy itself will become less significant since the democratic endeavour has mostly focused on state-centered democracy. However, predictions of the end of the state and a weakened democracy are premature. Democracies are evolving, often quickly. It is the responsibility of democratic theorists to recognise these changes and to consider what responsibilities the state now has and will have in the future in order to promote democracy as broadly defined as the types of collective self-governance that permit empowered inclusion. Here are some potential paths the relationship between the state and democracy may go based on the reasoning thus far. Each of these potential advancements offers democracy options that go beyond its state-based manifestations, and there are undoubtedly many more. However, the potentials rely on and need the more established institutions of state-based democracy since they provide the capabilities that new kinds of democracy are built upon. However, it is important to evaluate new innovations on whether they advance the democratic norm of empowered inclusion rather than whether their institutional structures resemble the well-known, state-based institutions of democracy.

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CHAPTER 7

DOMAINS OF DEMOCRACY AND CITIZENSHIP

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ABSTRACT:

The domains of democracy and citizenship are central to the functioning of democratic societies. Democracy is a form of government that prioritizes the participation of citizens in decision-making processes and the protection of individual rights, while citizenship refers to the rights and responsibilities that individuals have as members of a political community. This paper explores the different domains of democracy and citizenship, including political, social, economic, and cultural domains. It examines how these domains interact with each other, and how they contribute to the formation and maintenance of democratic societies. The paper also analyzes the challenges and opportunities that arise in the practice of democratic citizenship, including issues of representation, participation, and social justice. Ultimately, the paper asserts that a strong and vibrant democracy requires active and engaged citizenship across all domains, and that the promotion and protection of democratic values and principles is essential for the well-being of individuals and societies.

KEYWORDS:

Democracy, Expectation, Identity, Place, State.

INTRODUCTION

There are spirited discussions over the nature and boundaries of democracy and citizenship in modern political philosophy. I use the framework of "expanding domains" and connect the two ideas to ask: What influence can different advances in democratic thought have on our understanding of citizenship? I then analyse and comment on some important recent strands in the debates. I will examine some of the main ways that deliberative, "diverence," cosmopolitan, ecological, and other current novel conceptions of democracy strive to rebuild and reconstrue people and citizenship. I'll do this in two ways: first, by highlighting some key ways in which these innovations whether explicitly stated or impliedly inferred seek to reconfigure citizenship along three key dimensions; and second, by demonstrating how broadening our understanding of a third core political concept representation is essential for efforts to respond to the expanded domains of citizenship and democracy. I don't want to suggest that democracy is always the active notion and citizenship is always the passive one; rather, new ideas about citizenship and how they affect democracy might be seen as the driving force. I will specifically pose three questions to the creative democratic methods.

When talking about citizenship, it is customary to inquire about its "extent," or who is included and who is excluded. My first query addresses this issue, but goes beyond. Within states or other territorial communities, or larger "arenas," theorists and others discover or find citizens. However, they also discover or see individuals exercising their citizenship in certain other types of locales, whether they be physical or functional. Differences over what such locations and

activities are bring us to the core of today's most important discussions about democracy and citizenship. Some actions in some places are seen as citizen actions, even defining citizenly activity. And how are citizen interests to be represented if "citizens" may be found in places and ways other than geographical, electoral constituencies?

The identities of constituents and citizens are frequently assumed to be unproblematic in discussions of both democracy and citizenship. The unstable and hazy process of constructing identities and subject roles in both democracy and citizenship, however, has been a major theme in recent theory. Citizens are created, not born, so it is important to consider the casting techniques used to shape them in both obvious and subtle ways. Therefore, it is necessary to develop our ideas about representation to include the underutilised fields of the depiction, portrayal, and construction of identities. Citizens must also be constructed and constructed, and citizens must forge identities that are appropriate to various conceptions of democracy. Expectations for democratic citizens are based on how well those citizens are understood in terms of their preferences, identities, and skills or aptitudes. Expectations, or at least hopes, frequently revolve around the mutual recognition and respect of specific civil, political, and social rights, as well as the responsibilities to act in certain ways to uphold those rights. Democratic innovations aim to broaden the scope of expectations in some radically fresh and revitalised ways, challenging previous, constrained notions of what it means to represent people in a democracy[1].

I will pose these three issues to a number of partial conceptions of democracy in the first portion of the chapter, including liberal representative, deliberative, divergent, cosmopolitan, ecological, direct, and associative. Sometimes the labour done to implement these democratic reforms results directly in these notions of citizenship. I won't discuss a certain number of innovations under each issue, nor do I want to imply that they constitute cohesive, comprehensive bodies of thinking. Sometimes I think about what these inventions might most credibly be saying given what else they are saying.

Innovations in democracy and citizenship

Democracy evolved out of the American and French revolutions in an ad hoc manner, with many national variants, and eventually came to be practised in a territory with distinct boundaries enclosing a population that made up a country. In an environment of liberal constitutionalism and the rule of law, formal political representation based on elections served as the main democratic instrument. In this idea, democracy's people might be located both within and outside of such boundaries. Citizens are nationals and constituents of that country. A typical, "thin" understanding of citizenship may put an end to the conversation there. Formal or legal inclusion inside, or expulsion from, the nation state determines where citizens are to be "found," and further differentiation is undesired and unneeded. According to this perspective, you are equally a citizen whatever your religion, cultural and ethnic heritage, "race," class, and so on; these particularities of your identity do not affect on your civic status, which is universal for everyone[2].

On this idea, citizenship as fundamental membership of the nation state entails rights to freedom, restitution, and political engagement. These rights have frequently been acquired by brutal fight by members of groups barred partly or totally from citizenship status working men, then women in many nations. Such battle for rights, or one or other sense of complete inclusion or citizenship, continues in different and contentious sectors, as we will see the conflicts sometimes

evoke the underlying logic of the thin model, and sometimes expressly criticise it for apparently innate restrictions. Of fact, different democratic nations have different concepts of citizenship rights. However, most modern democracies are liberal democracies, where liberal notions of rights and freedoms support a more general idea of people freely pursuing their interests or pleasure.

However, there are more specialised regions within this Universalist liberal paradigm where citizens may be found, more precisely, where citizenly activities can be seen. Due to the systematic integration of market ideas into the planning and provision of public services, citizen-consumer methods have gained popularity in recent years in nations like the UK and the USA. In this sense, it may be said that places like hospitals, schools, and other settings where "choice" has been advocated have often started to position themselves as hubs for civic engagement. The polling place, on the other hand, is perhaps the most important particular venue resulting from the liberal notion, where people as unique individuals at paradigmatic times use their rights to pursue their interests by privately making decisions about their rulers.

Traditions within the liberal and liberal democratic movements vary. Nevertheless, they mostly accept this Universalist view of citizenship since there aren't many other "places" to locate or see civic behaviour save the voting box. However, this idea is disputed. In essence, various creative new democratic approaches force us to consider whether we should acknowledge citizen actions as legitimate and even desirable in various other spaces as well: in private as well as in public spaces and activities; outside as well as inside of borders; in the intensity of activity rather than specific activities; or even beyond the bounds of the category of "people"[3].

Deliberative Democrats, for instance, want to include forums as another layer of the places where people may be discovered. According to the deliberative idea, people gather in forums to engage in activities that are most characteristic of being a citizen and that are closely related to the core values of democracy, such as talking, debating, learning from one another's perspectives, and making decisions that go beyond simple self-interest and non-deliberative preferences. A place-metaphor for clubs, parties, residences, associations, workplaces, unique media venues and events, public protests, and other settings that all broaden the spheres in which people are located and where citizen activities take place, the forum is a place-metaphor. Even while the comparison between the voting place and little-more liberal vision is striking, the message is still enough true and obvious.

A significant portion of deliberative thought is motivated by republican concepts of the value of active citizen engagement in community affairs; open and equal discussion about public topics, in public, resonates with these themes. Different types of deliberative forums exist, ranging from well-known liberal democratic institutions like parliaments to less well-known ones with democratic potential like impromptu local citizen groups and particularly constructed randomly-selected groups. When and when individuals deliberate, they should ideally display civic values of participation, tolerance, acknowledging others, etc. Voting, which is the exemplar of liberal democracy, does not claim to have such virtue-fostering potential. However, the term "deliberative democracy" encompasses a wide range of variations. Consider in particular the rather limited overall image that emerges from a thorough examination of the variety of venues mentioned in the deliberative democracy literature when examining where people may be located or perceived[4].

DISCUSSION

The conventional liberal view of the "person" and "citizen" is based on the idealised image of the white man in Western nations and how he has been understood independent, educated, possessed of distinct interests, and willing to pursue them. We can pick up additional extensions of the sites or domains of democratic citizenship from the earlier roots of diversity-based critiques in feminist theory, many of which are based in the criticism of the gendered and "disembodied" character of the supposedly universal liberal model. For instance, according to some feminist critics, citizens can be found in the home and the local neighbourhood, as well as in the school and the supermarket, as well as other formal and informal places.

There is dispute among these critics as to whether to push for the expansion of "citizenship" into domestic care ties, for instance, or if this may conflict with a strong feminist notion of citizenship that must be founded on engaged public involvement. Despite their potential drawbacks, these actions assisted in expanding the definition of citizenship to include many women, whose traditional positions often made them less visible in comparison to the prevailing views of citizenship. Giving women complete legal status and access to citizenship rights is the first goal of this, and the second is addressing problems of real gender inequality by recognising the home and private realms as sites of civic practises. A range of civil society sites and institutions outside the state can be regarded as "public" or "private," a fact that occasions contestation over the range of sites that might be regarded as locales of citizenly action. Feminist critiques of the public-private dichotomy in mainstream liberal thinking have been important here[5].

"DiVerence demo-crats" lead us to the conclusion that democracy may find its people in civil society and the home realm as well as in the public sphere of the workplace and politics, without ironing out artificially internal diVerences. Associative democracy proponents tend to have a more practical interpretation of this idea. Citizens would engage in and via organisations at the local community level, according to associative democrats. Here, the focus is largely on people making sincere decisions via local groups rather than on questions of suitable deliberative debate processes or gender imbalances. Although the associative view emphasises territorial decentralisation of policy and service delivery more, it shares some similarities with concerns about "diVerence" in that it views localities for citizen engagement and participation as plural and diVerentiated depending on local requirements and circumstances.

Democrats are under pressure from deliberate and diverse critiques to not only see citizens as formal members of the nation state, but to go beyond that level and locate them in a variety of forums, outside the traditional public sphere and traditional "male spaces," in part through a radical, pluralizing rethinking of those very spaces and what they can be for citizens. This criticism highlights the malleability of the term "citizenship" by demonstrating that democratic citizens can be found in both formal and intensely informal settings. We are forced to reconsider where people and citizen behaviours may be located by the more radical deliberative, "diVerence," and associative thinkers. However, there are still important limits that, for the most part, they do not cross those of nation state and, accordingly, species. Let's talk about each of them briefly[6].

Over the past twenty years or so, variations of the globalisation thesis have posed fundamental challenges to democratic theory, along with other areas of political theory. In these discussions, there are sceptics and optimists of various stripes. One line of inquiry has followed the emergence of the notion and potential of "postnational" citizenship. Numerous cosmopolitans

want to extend citizenship, in some ways, to supranational levels, whether they be global, regional, or both. We need democratic structures at these suprastatal levels if international manufacturing processes and CO₂ emissions, the severely unfavourable terms of global trade, and the scourges of war and terrorism cannot be controlled or addressed by single states acting alone.

Democracy could emerge in a variety of ways from the more or less incremental development of supranational and cross-national regulatory regimes and mechanisms if it expands globally, as some claim it has the potential to do. Democratic citizens cannot, however their development is understood, be correctly regarded as existing only within territorial states. From this vantage point, individuals from other nations can be seen as my fellow citizens; for instance, despite the fact that we all reside in different nations, new global political structures may make us all common, citizen members. The statement combines a number of radically different ideas, including David Held's state-model transposition and the idea that democracy necessitates radical discourse and cross-border action independent of all state structures. But on a fundamental level, these visions are united by the notion that theorists, on the one hand, and we, as citizens, on the other, can and should find neighbours with whom we share destinies that transcend purely geographical boundaries.

Why those in other countries who die from the weapons our taxes aren't fund our duty, our fellow citizens? For non-citizens with whom I share an ecological community-of-fate, I might have citizenly regard. Where can or where does democracy find its people? The solutions are becoming more and more contested and diverse. But the location and nature of the domain in question are being challenged and expanded by modern democratic thought. Liberal democracies typically and more officially locate and observe its inhabitants inside the confines of nation-states, and within those more often in "public" than in "private," more at the voting box than the forum. Democratic challengers who are innovative may find them in other locations. Deliberative and diverse democracies locate their constituents in public forums, some in various facets of civil society, in the conventional private sector, and in the state; among others, cosmopolitans invite us to locate them outside of our national borders as well[7].

The idea of citizenship as it is generally understood construes citizen identity in certain ways. First, it is considered to be disembodied in the sense that one's reasoning and abstract abilities rather than their physical attributes, gender, or preferences are what matter. According to critics, this attribute usually leads to the universal conception neglecting the relevance of gender and sexual differences. In the sense that citizen identity owes nothing to specific context, it regards citizenship and people as being disembedded. According to critics, this emphasis might cause an unjustified disregard for the significance of cultural context in defining identity. Thirdly, the universalistic model's emphasis on seeing people as independent and "whole" might cause us to undervalue the significance of group identification for both individual identity and feelings of partial or complete exclusion.

Political players, even "citizens," do not enter the arena with fully formed identities. Neither do they go from it with freshly formed identities that are crucial. Liberal political thought, particularly in the social contract tradition, strongly emphasises and upholds the idea that citizens are not relational and communal identity bearers but rather are in some ways constituted before and outside of society. Numerous detractors argue that we should see citizenship and identity as more created than they are given, as partial rather than entire, and as flexible rather than

permanent. In this arena, for example, post-structuralist views to citizenship, such as those of MouVe, have been important in recent years. Such theories indicate that citizen identities, like all identities, are constantly variable and prone to change and reconstruction. As MouVe writes, “the social agent is constituted by an ensemble of ‘subject positions’ that can never be totally fixed in a closed system of diVerences, constructed by a diversity of discourses among which there is no necessary relation, but rather a constant movement of overdetermination and displacement’[8].

So deeply entrenched is the idea of self-seeking individualism and rights as the core depiction of the modern citizen that innovative new democratic models and approaches oVer partial constructions of citizens and their potentialities which build on rather than provide alternatives to liberal democratic orthodoxy. Many do, however, alter the focus with regard to potentialities by changing from people as the beneficiaries of government choices that are made in their name, to citizens as the direct producers of decisions or at least active participants in the process of their formation. As a part of so doing, such authors frame issues concerning citizen competencies and capabilities in ways which, for example, emphasise moral agency of engaged citizenship rather than technical measurements of citizen knowledge. Deliberative, direct, and associative democrats variably seek to the building of democratic institutions through which under-used and under-understood decision-making skills of citizen could be channeled and utilised.

So we have referendums and citizens initiatives and recalls and so on with respect to direct democracy; deliberative forums, sometimes for citizen participants and at other times for citizens as enlightened audiences; and radical budgetary decentralization and participative service-delivery through diverse associations for associative democrats. Lying just beneath such mechanisms and assumptions is a notion of a specific citizen aptitude to extend beyond one’s own limited interests to perceive and perhaps to embody the interests of a range of other persons and groups, including possibly non-compatriot and even non-species ones. To capture some of these reconstructions and reconstructions of citizen identities in a straightforward manner: Deliberative and other democrats regard citizens as talkers and reasoners as well as calculators and choosers. Cosmopolitans, in addition to seeing sympathetic capabilities extended to non-national persons, catch a feeling of expanded reasoning capacities, as do, even more fundamentally in some aspects, ecological democrats. The citizen here is viewed as more than capable of reaching a “enlarged mentality” which promotes concern and empathy with others[9].

To construe the essence of citizen capacity or character as individualistic and independent, or communal and situated, or moral and empathetic, is to take factual and normative cases about characteristics and to mold, theoretically, an image of what the citizen really is or can be in terms of identity. “DiVerence” democrats, in a manner that works with the grain of the post-structuralist approach outlined above, aim to oppose the simple or quick statement of shared points of identification among countrymen. Such attempts at "objectivity" are thwarted by the inescapable particularity of our assessments of ourselves and others, as well as the uniqueness of the concerns and difficulties that governments and individuals must address. The idea is to "speak across diVerence" rather than ignore or remove it. Situated, diVerentiated viewpoints are what are introduced to public discourse. Despite being members of states, citizens are more deeply ingrained in their cultures.

They may have similar views and presumptions, but they risk being misled into emphasising similarities when class, gender, religion, and other viewpoints differ so much and have such

significant effects on empowerment and disempowerment. The idea of an irreducible plurality of other identities and identifications, whether chosen or not, is in conflict with liberal citizenship, as well as deliberative, cosmopolitan, and other variants that assert the essential and shared nature of particular citizen identities, competences, or desires. According to post-structuralist and "diVerence" perspectives, a more developed and realistic definition of citizenship would be one that recognises the complexities and multiplicities of identity and identification present in today's complex communities. In contrast to the more typical stark distinctions, declarations of continuity between human and non-human "identities" may be found at the most extreme end of these arguments.

Can citizen identities extend beyond human limitations? Can the part-time fox family that resides in the backyard of my inner suburban home, for instance, include some of my neighbours? Are they deserving of my attention, do I share a common destiny with them, and can the places and spaces they occupy and claim be changed into areas for civic engagement and regard? The problems at hand are ones of citizenship communication skills and competence limits. Animals are territorial inhabitants, but their "territoriality" simply functions very differently from that of humans, especially in modern, highly technological, and urbanised societies where our sense of reliance on and interdependence with our immediate natural surroundings is weak. This brings us back to the earlier section on where citizens might be found. Do democratic people inhabit woods, caves, holes in the earth, the air, or the sea, among so many other locations and spaces?

Historically, democratic thinking has subscribed to the idea that a citizen identity is unique, enduring, and universal. Recent democratic developments have posed a number of diverse challenges to this focus. If citizen identities are more flexible, specific, contingent, and changeable, then those identities and their bounds might be reconfigured in ways that many detractors would see as expanding and broadening our understandings of democracy and citizenship. Rethinking ideas of representation is essential in this case. It could be argued that democracy is not about the representation of predetermined identities and interests; rather, it is about the promotion of specific conceptions of citizenship and citizen identity by specific political structures and political cultures, which is also a matter of political representation in the sense of specific citizen depictions or portrayals. I go into in more detail below. It depends on how those citizens are interpreted as to where proponents of diverse democratic viewpoints locate or perceive people and citizen activity. Likewise, how they are interpreted greatly affects what may be expected of democratic people.

"Rights and responsibilities," in particular the obligations in terms of people respecting the rights of others, and acting with a certain degree of independence and public spiritedness, usually serve as the major foundation for talks about expectations and demands. According to the liberal-representative model of democracy, people's duties largely consist of abiding by the law and participating in politics by casting a ballot. Beyond that, a liberal citizen may often simply go on with their life while following their hobbies and leisure. However, it seems that democracy does not, in the perspective of many current thinkers, make enough high expectations of its inhabitants, or does not have a sufficiently challenging or wide vision of citizenship that may both challenge and excite individuals. For instance, cosmopolitans would broaden our responsibilities as citizens in a few connected ways. First, they would broaden the scope of politics within which we perform conventional democratic duties, including voting, from the local and national to the regional and global levels, in a more formal and technical sense.

Second, cosmopolitans would want us to use our imaginations to be public- and other-regarding not just with respect to our countrymen but also with respect to people in other countries and areas. This is maybe more difficult and intriguing. The first strategy would require us to pay more attention to the circumstances and needs of others because we figuratively become fellow citizens in some sense; the second strategy would require us to extend citizenly regard and sympathies even though the others in question are not formal fellow citizens. Ecological Democrats also want to expand our minds in ways that give citizens new responsibilities and expectations. It's okay to have consideration for things other one's own interests; it's even preferable to have less selfish consideration for other people. However, being ready to live in accordance with sustainability, or within the natural cycles and boundaries of one's environment, entails a greater range of enlarged citizen responsibilities. The traditional liberal-representative democracy aspirations of people are radicalised by direct democracy. Budge is an example of a direct democrat who would have us vote more often and methodically, more like today's Swiss and Californians, and on ideas rather than merely politicians.

On one level, direct democrat must only acknowledge that the majority of people in Western democracies are considerably more educated than they were a few decades ago, have much easier access to politically important information, etc. In other words, it is almost inevitable that today's citizenry are more knowledgeable than they were thirty or forty years ago. It doesn't appear to create an additional demand of type to lift the ante a little in terms of expectations for how many times voting options will or should be used, simply of time and quantity. Engagement, a greater concern for others, and a focus on the common good are characteristics shared by both reformist and more radical expansions of citizen expectations and duties. Diverse democratic groups raise the bar on standards in various ways. They emphasise the need of people recognising differences and variety both inside and among social and cultural groupings, as well as among individuals, who have vastly different outlooks and viewpoints on society as a whole.

Dialogue that is open to and respects the power of multiple viewpoints must lead to agreement on policy or features of shared identity across diversity. Some feminist critics of traditional notions of citizenship have sought to expand our understanding of what "counts" as citizen activity across public/private divides and to take seriously what occurs in the domestic sphere, such as child rearing and household work, as significant collective contributions made by citizens that should be valued and appreciated as part of an expanded appreciation of what being a citizen involves. Where can one find citizens, or the locations of citizenship? What do citizens do? In both situations, we often conceive of citizenship as being more concerned with the public aspect of the situation. The responsibility to recycle household garbage is one example of how ecologists are pushing citizenship farther into the private realm; it is a public act with public repercussions that is carried out in a private setting.

In this sense as well, parenting in the home may be public-in-private. Although it is likely that sexual behaviour is private in one's own home, there may be a public aspect to it as well. Additionally, certain civic discourses may steer discussions in that way. Additionally, making ostensibly private actions public may be a means to draw attention to unnoticed or concealed disparities that affect how people are seen. What does a democratic society demand of its people? Some of the most important contemporary replies from theorists include an expanded mindset, more engagement, and more acts that are concerned with others. Naturally, among democratic theorists, there have always been minimalists and maximalists, idealists and "realists" on this issue. Maximists and idealists will always want better, more charitable, and more civic-minded

people. on that sense, we are on well-known area. However, as we have seen, some of the demands and obstacles are unique in their scope and design.

Rethinking Political Representation in Democratic Spaces and Citizen Identities

More diverse and varied ideas of the interests and identities of individuals pose a challenge to the premise that electoral constituency with a set of interests constitute the unit that needs representation. This in turn challenges the limitations and presumptions of representation theory by raising the question of who can represent and how they may do so. Furthermore, we must accept the notion that in order to represent the represented, political representatives create representations of them. A necessary component of what it means to represent is this. We must establish a link between the concept of democratic representation and the procedures used to create citizen identities. It is very appreciable that Jane Mansbridge has recently advocated for a viewpoint change away from what she terms "singular, aggregatively-oriented, and district-based criteria" towards "plural, deliberatively-oriented, and systemic criteria." But it is constrained since she only develops it in relation to electoral representation. We need to examine the democratic status of non-electoral representation more carefully as a result of more highly differentiated ideas of citizen location, identity, and expectation. Think about a few of the new representative claim categories. A representative claim may, in the beginning, be founded on the cosmopolitan notion that greater human interests and needs, which are essential and must be represented or heard, but which are too many to gain sufficient voice in a national political system, need to be given such voice. Take, for instance, the support of rock musicians Bono and Bob Geldof for Third World debt relief, hunger assistance, and poverty reduction.

Second, a representative claim could be predicated on the omission or silence of a key viewpoint inside a discussion, which is sometimes masked by flimsy notions of liberal universalism. A claim of representation, for instance, can be founded on the concept that one is a substitute spokesperson for a group that lacks an elected representative due to geographical dispersion, or it might be based on one's function as an advocate for an oppressed or marginalised group. Third, a representative claim may be founded on the idea that one represents or speaks for a group that has a material or other "stake" in a process or decision and, as a result, has the right to have its interests taken into consideration. Procedures that include "stakeholders" in deliberative and decision-making forums may be fairly formal, as was the case, for instance, during the Johannesburg World Summit on Environment and Development in 2002. New or future constituencies might be potential stakeholders. Non-human animals and their interests, for instance, may represent a bold vision of this new constituency. Another example may be assertions that claim to speak or represent global human communities-of-fate.

CONCLUSION

It is obvious that the concept of democratic citizenship is being broadened and introduced into new areas. These are the kinds, breadth, and depth domains. Different views on where citizens may be located, what can be expected of them, and how to understand them are provided by dominant and innovative viewpoints on democracy. These viewpoints force us to reconsider the range and significance of fundamental ideas, most notably representation, which was previously imprisoned inside constrictive frameworks that resonate with a tenuous notion of democratic citizenship that is coming under greater scrutiny.

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CHAPTER 8

IMPARTIALITY IN POLITICAL THEORY

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ABSTRACT:

Impartiality is a fundamental principle of ethics and governance, which requires decision-makers to treat all individuals fairly and without bias. This paper explores the concept of impartiality, its importance in various domains such as law, politics, and business, and the challenges that arise in its practice. It examines the different approaches to impartiality, including the ethical principles that underlie it, and the ways in which it can be operationalized in practice. The paper also discusses the limitations of impartiality, including its potential to reinforce existing power imbalances and to overlook systemic injustices. Ultimately, the paper asserts that impartiality is an essential component of ethical decision-making and governance, but that it must be complemented by a broader commitment to social justice and a willingness to address structural inequalities.

KEYWORDS:

Agreement, Commitment, Impartial, Legal, Utilitarianism.

INTRODUCTION

Discussions of impartiality often revolve on three questions: first, what exactly is impartiality; second, what exactly does it demand of us; and third, if it is desirable or practical to attempt to achieve those needs. On the first point, there is a strong, though not universal, consensus that impartiality demonstrates a commitment to equality. As a result, according to Thomas Nagel, "the requirement of impartiality can take various forms, but it usually involves treating or counting- ing everyone equally in some respect according them all the same rights, or counting their good or their welfare or some aspect of it the same in determining what would be a desirable result or a permissible course of action." In a similar spirit, Brian Barry contends that the concept of justice as impartiality as a whole is predicated on the equality of all people. the type of equality that the American Declaration of Independence and the French Declaration of the Rights of Man and of the Citizen both call for[1].

However, when we move to the second question what does impartiality demand of us this initial, and seemingly straightforward, consensus about what impartiality is, becomes complicated. Here, there are differences on two fronts: first, there are differences about the parameters of impartiality: Is it something that each of us as individuals must uphold in our regular, daily acts, or is it something that society's moral and legal laws must require? Second, there are divergent views on how to determine the commitment to impartiality. For instance, should we apply utilitarian analysis or should we use what the majority of people would agree to as our standard? The criteria of impartiality will be significantly different from what they would be if we were to assume that impartiality is essentially a requirement of moral and legal principles if we take the scope of impartiality to stretch across persons in their regular lives. Similar to the previous point, if we determine the commitment to equality by a simple utilitarian calculation, we could get

different practical results than those that would be obtained if we appealed to what individuals can or might fairly agree to.

As an example, utilitarianism is an impartialist philosophy. Classical utilitarians believe that the proper approach to treat everyone equally is to count each individual as one and no one else as more than one. However, utilitarianism, especially in this plain version, may compel some individuals to make significant sacrifices in order to enhance general wellbeing. If living in slavery is what is required to maximise wellbeing, it could be necessary to force a minority to do so. This thinking led John Rawls to provide a different understanding of impartiality, one that focuses upon agreement rather than the maximisation of utility. However, this appears to some to be the incorrect type of argument against slavery. While there may be some justification for slavery in exceptional cases, Rawls argues that this justification is never sufficient to show that the benefits to the slaveholder exceed those to the slave and society. They [the slaveholder and the slave] may both agree that it is unjust if it doesn't follow those criteria, thus they could both assume that it is unfair. To put it simply, impartiality as efficiency differs from impartiality as agreement. Therefore, even if the impartialist commitment to equality seems evident, it is not. These include the commitment's breadth and nature, as well as the situations in which it applies and how it is to be implemented[2].

Third, there is a great deal of debate about whether impartiality is desirable or even attainable. Since substantial ties to other people will show themselves in the world in ways that cannot simultaneously embody the impartial perspective, and that they also face the danger of offending against it, Bernard Williams has maintained that this is a necessary step. He emphasises how the requirements of impartial morality might conflict with deeply held personal bonds and commitments, and he says that when this happens, we might question why we should forgo our personal ties in favour of what impartial morality would have us do. Iris Young goes a step farther by asserting that the concept of objectivity in politics is really an ideology. It claims to treat everyone equally but in reality "allows the stand- point of the privileged to appear as universal" by dismissing important differences between individuals. She alleges that political impartiality is essentially a sort of sectarianism to which we shall return later and that the strong use it to justify the unlawful imposition of their own ideas on others. So let's look at these three inquiries concerning impartiality: What is it? What is expected of us? And is acting in line with its rules desirable or even possible? The following will address these issues under three headings: "Impartiality in Everyday Action," "Impartiality and Agreement," and "Higher-level Impartiality." The first seeks to demonstrate that impartiality is best understood as referring to moral rules and principles, not to everyday actions. The second seeks to demonstrate that impartiality is best interpreted as a matter of what people could reasonably agree.

Impartiality In All Actions, Everyday

As has previously been said, impartiality is often seen as demonstrating a commitment to equality. However, we do not always treat people equally in our daily lives, nor do we feel ethically obligated to do so. On the other hand, we often feel ethically justified in choosing our friends and family over strangers. An obligation to treat everyone equally to not demonstrate favouritism towards my friends or family would, in fact, be downright bizarre in certain situations. So, according to Charles Fried, "it would be absurd to insist that a man must treat both equally, perhaps by flipping a coin," if he could rescue one of two people who were in equal danger while incurring no risk or expense to himself. According to others, thoroughgoing

impartiality the type of impartiality that demands us to treat our spouse and a total stranger equally is overly demanding and, rather than being morally necessary, is, or might be, morally unacceptable.

In response to this argument, many authors have agreed that it would be at best excessive and at worst ludicrous if impartiality compelled us to put aside our emotional connections. They assert, however, that this is not necessary because of their commitment to fairness. Distinguishing between impartiality at the level of routine decision-making and impartiality at the level of principle selection is key to their argument. And the claim is that while objectivity is crucial in moral and legal concepts, such principles may still provide space for human ties. Thus, in defending the two-level distinction, Brian Barry concedes that "there would be something crazy about a world in which people acted on an injunction to treat everybody with complete impartiality," but he continues to insist that what the proponents of impartiality are defending is "impartiality as a test to be applied to the moral and legal rules of a society."

First-order impartiality, or "impartiality as a maxim of behaviour in everyday life," is what the critics are referring to. It is also possible to support impartiality as a measure of society's moral and legal norms without being dedicated to impartiality as a necessity of day-to-day choices and actions. This is important since level 2 impartiality does not automatically imply level 1 impartiality. The commandment to "honour thy father and thy mother" applies equally to all children, but it permits partial behaviour with respect to one's own parents. In fact, impartiality proponents insist that any reasonable set of moral principles will allow discretion and some will even encourage partiality. Each and every kid must honour his or her parents, but not everyone else's parents.

Even while we could all agree that impartiality, as properly conceived, does not apply to all of our daily choices and deeds, it nonetheless places restrictions on how much and under what circumstances we might favour our friends and family over strangers. There is a natural tendency to make particular efforts on one's own behalf and on behalf of individuals they care about, as Barry observes. It is the responsibility of the norms of justice to place boundaries on the operation of this disposition by outlawing wrongdoing and outlawing impartiality breaches like nepotism. The limits are also partially established by a separation between two realms of life: in my regular, daily interactions with others, I have a right to care more for my friends than strangers. The rules of impartiality, however, apply more stringently if I hold official positions or perform public obligations, and the legality of partiality is constrained or even disallowed. Thus, if I am just acting in my own capacity, I could be allowed to rescue my spouse instead of a stranger. It is considerably less obvious that I can just "opt" for my spouse if I am the lifeboat's duty captain, however.

Even if our interactions with friends and family are not subject to impartiality, impartial considerations are nonetheless relevant, albeit less rigorously, in the other direction. In this case, impartial considerations serve to serve as a reminder. The need to treat one's spouse as an independent person worthy of equal respect still applies even when the relationship between a husband and wife is dictated by considerations of love rather than impartial justice. While impartiality permits us to treat our friends better than strangers, it does not give us permission to treat them less favourably. They could be more than equal in certain situations, but they shouldn't be less. These reflections help to clarify the initial claim that impartiality is rooted in a commitment to equality: while it allows for some to be treated more favourably than others, it

also places restrictions on that favouritism. The restrictions are set, in part, by the separation of private life and official duty and, in part, by the requirement to recognise that everyone is deserving of respect[3].

These arguments show that impartiality is primarily concerned with society's moral and legal laws, rather than with people's ordinary daily behaviours. The impartialist position is that we should jointly create guidelines that treat everyone equally when allocating social advantages and costs. These rules must be ones that enable discretion and recognise people's inclination to favour those who are close to them, but they must also set restrictions on the use of that natural propensity in order to prevent absurdity and ensure compliance. How are such boundaries to be established, then? Different authors respond to this question in different ways. Some claim that utilitarianism is the greatest approach, while others prefer to focus on what most people might agree on. Others contend that any sane utilitarian answer will extend to being an appeal to reasonable agreement. The discussion of these many interpretations and a comparison of a utilitarian explanation and an account built around the idea of reasonable agreement are provided in the next section.

Unbiasedness As Agreement

The principles to be chosen in a fair society, according to T. M. Scanlon's argument in "Contractualism and Utilitarianism," are those that could not properly be rejected by persons who are inspired by a desire to establish ideas that others, who are similarly motivated, might likewise accept. Since I want to focus on Scanlon's appeal to people who are inclined to agree, I won't go into detail regarding whether the idea of reasonableness stated here can be properly explicated. Some have criticised this need and questioned what should be said about and to those who lack such drive. In response, Scanlon has changed his theory such that it is based on reason rather than desire. He now thinks that even individuals who don't really want to agree should nevertheless try to reach an understanding with others. Regardless of the accuracy of that assertion, Scanlon's use of agreement in his argument is useful in helping to clarify the reasons for impartiality and why they matter. To demonstrate this, we need look to *What We Owe to Each Other* from "Contractualism and Utilitarianism," where he makes the following assertion and elaborates with the following example: "There is a positive benefit in living with others on conditions they could not legitimately refuse."

DISCUSSION

Many Americans in the 1950s had the mistaken belief that their institutions were particularly defensible, that there were no class distinctions in America, and that advantages were honestly earned. As a result, they believed that they could take use of these advantages with the reassuring knowledge that, despite their flaws, the institutions through which they had obtained them were more likely than any other to be ones to which no one could legitimately complain. Those illusions were irreparably destroyed by the blows of both the civil rights movement and the anti-Vietnam War movement. Different individuals responded to this in different ways. Some protested the war and worked for civil rights, while others strongly denied the allegations of injustice at home and crime abroad. These responses shared a profound feeling of shock and loss, which, in my opinion, speaks to the importance individuals have on the idea that their institutions and lives may be justified to others[4].

The particular instances given imply that, in political circumstances, we have a more specific want to justify to people who do least well in society in addition to the general desire we have to justify to others. As a result, in the instance of the civil rights movement, white people want to defend their institutions in front of black people, and this desire is a reflection of their dedication to equality, which is a key component of objectivity. We must ensure that the guiding values of our society are such that they can be upheld even by those who benefit the least from them. And if we are unable to do so, as was the situation in the 1960s in America, we are held accountable in our own eyes for breaching the premise of equality upon which impartiality is based. It is important to note two things in this case: first, the appeal to agreement seeks to ensure that everyone is treated equally; and second, by focusing on the agreement motive, Scanlon brings up the crucial but frequently ignored issue of compliance, or how and why people might be inspired to act impartially even when doing so conflicts with more partial concerns. The agreement account of impartiality is preferable to, but also more demanding than, a utilitarian defence due to these two characteristics. Insofar as utilitarianism is a maximising ideology, it threatens to sanction situations that provide the greatest overall benefit but do so at the cost of particular persons. Let's start with the first argument. A utilitarian approach to determining the commitment to impartiality has this difficulty. As we've seen, the point doesn't just apply to act utilitarianism; rather, it applies to all forms of utilitarianism.

To return to the two-level account we discussed earlier, even if we assume that utilitarianism operates at the level of principle selection, we still need to be aware that the principles selected will be those that tend to maximise overall benefit. John Rawls rejects utilitarianism because, in his words, it "does not take seriously the distinction between persons" since there is no assurance that those principles would be justified to the people who suffer the most from them. It's possible that the claim is unfounded and that a more educated utilitarianism may steer clear of it. Regardless of the reality of that, the important thing to remember in this situation is that impartiality, interpreted as expressing a commitment to equality, necessitates the use of principles that can be shown to have taken everyone into account. Utilitarianism-based impartiality runs the danger of failing to meet this condition since it may turn out that the most helpful principles are those that justify the wrongdoing of some by pointing to the greater benefit flowing to others. In contrast, an agreement account may be justified even to those who do poorly since it only seeks to embrace ideas that everyone, including the losers, would find fair[5].

What about compliance, then? It's interesting that it appears in the section of *What We Owe To Each Other* when Scanlon is arguing for the need of impartiality, and this calls our attention to a difficulty that persists despite the two-level hierarchy we previously examined. Remember that the first issue was whether impartiality was too demanding: if it compelled people to repress or abstain from their natural affection for those who were close to them. Furthermore, it was asserted that this is not necessary when correctly understood. It was said that impartiality is a demand on ideals rather than a need of daily living. However, as was previously stated, choosing impartial standards may limit or place restrictions on people's capacity to care more deeply for those close to them. But now the issue is, "Why should people accept such limitations? Why may individuals be motivated to operate on the impartial principle rather than from personal affection given that the standards of impartiality may clash with personal connections of affection? Invoke the desire for agreement rather than providing a response to this query.

Scanlon suggests that morality in general, and impartial principles in particular, are not only a set of restrictions on action imposed by the larger society, but also a very common and strong source of motivation in individuals themselves by observing the lengths people will go to in order to justify their behaviour to others. Barry points out that justice's impartiality places restrictions on our right to favour friends over strangers, but Scanlon contends that this is not simply an external imposition but something we internally support as well. The contractualist ideal of behaving in accordance with moral standards that others could not rationally reject is designed to characterise the relationship with others, the value of which and appeal of which drives our motivations to behave in a morally righteous manner.

This relationship, which is significantly less than a close friendship, might be referred to as one of mutual acknowledgment. Being in this position in relation to others is desirable in and of itself and merits pursuit. "Because these acts are unacceptable," a moral person won't deceive, cheat, damage, or exploit others. However, for someone of this kind, these needs are not only formal requirements; rather, they represent good characteristics of a style of interacting with people. According to this interpretation, impartiality is important because it shows a commitment to the equality of all individuals and because it assumes that people are driven by impartiality itself rather than just self-interest. In other words, this understanding of impartiality makes meaningful claims about both people's motivations and morality. According to Scanlon, we believe that there are benefits to living in community with others, which shows that we are unbiased in our motivations and feel a desire to behave in ways that are justifiable to other people[6].

Up until now, impartiality has been seen as essentially an issue of society's moral and legal laws, and it has been maintained that in order for such laws to be impartial, they must be ones that account for everyone in the distribution of advantages and costs. However, there are two issues that might occur in contemporary cultures, particularly multicultural countries: the first is that there may not always be consensus on what constitutes a benefit. Is it advantageous to be in a culture that allows for a great deal of free speech, even if some people use it to spread racist or sexist ideas? The second, and related, difficulty is that not everyone shares the commitment to equality that impartialism is based on. Outside of the West, social hierarchies and constraints on freedom are ubiquitous; even in Western democracies, views that would restrict freedom or challenge equality are more pervasive than many would like to accept, according to Jean Hampton.

The broadest form of the issue is that impartiality puts the fundamental precepts guiding how we should coexist to the test. The issue of what constitutes impartiality becomes urgent since not everyone agrees that this is the proper test and because impartiality in political situations utilises the state's coercive authority in its favour. This is how Thomas Nagel frames the situation: Why are we not being just as partisan to our own beliefs as someone who imposes a state religion if we forcefully impose political institutions because they fulfil this criterion the impartiality condition? Not everyone feels that political legitimacy relies on it. Why this is even a kind of impartiality has to be clarified. The task of proving that impartiality is not, as Young contends, an ideology that promises but never really provides equal treatment for everyone is now presented to us as a result of this quote.

A Healthier Level of Impartitiy

It was mentioned at the beginning of this chapter that impartiality could be best seen as a litmus test for the ethical and legal laws that govern communities. Although this may be true, according

to the quote from Nagel, it is also problematic since impartialists, while conceding that their commitment to impartiality is a moral obligation, nevertheless use the state's coercive authority to uphold it. However, they also reject the legitimacy of using the state's coercive authority to uphold other moral principles, and they often do so on the basis of impartialist arguments. Undoubtedly, there is a risk that impartialism is "just another sectarian creed," as John Rawls put it. However, unlike other sectarians, impartialists are dishonest about their sectarianism. Therefore, impartialists must defend their commitment to equality in order to avoid being accused of being dishonest. However, they cannot defend the diverse and competing moral convictions of others by using the coercive authority of the state. Thomas Nagel has proposed that, in response to this difficulty, impartialists should invoke a "higher level" of impartiality. It must be shown that liberalism derives from an understanding of impartiality itself, rather than from a specific idea of the good that is to be made impartially accessible, if it is to be maintained as a higher-order theory rather than simply another sectarian dogma. It is a given that any understanding of impartiality will be ethically debatable; it is not a matter of standing above all moral disagreements, but rather that the amount of disagreement will vary.

The challenge, in other words, is to demonstrate how impartiality can reflect a moral commitment and a contentious one at that while being something other, and more, than a conception of the good that should rightly take its place alongside all other conceptions of the good and an appropriate locus of value for individuals, but not something that can claim the coercive power of the state in its support. Naturally, impartialists often disagree that impartiality is a vision of the good. Barry emphasises this point several times, saying that it is neither a "guide to the art of living" or a "complete moral vision." What is required, however, is an argument to support the claim rather than merely a declaration that this is the case. If that fails, impartialists risk being charged with dishonesty if they employ state coercive power for their own defence but deny others the same right [7], [8].

Famously, Rawls contended that impartial standards of justice may result through a "overlapping consensus" among individuals who had quite different all-encompassing conceptions of the good. Although he acknowledges that this is a "speculative" matter, he continues by noting that "the history of religion and philosophy shows that there are many reasonable ways in which the wider realm of values can be understood so as to be either congruent with, or supportive of, or else not in conflict with, the values appropriate to the special domain of the political as specified by a political conception of justice." The overarching idea is that impartiality is not a notion of the good in and of itself, but rather a means of accommodating many conceptions of the good. Optimistically, Rawls tells us that history implies that impartiality will be supported by individuals who have a broad range of comprehensive conceptions.

Many others have questioned the viability of a Rawlsian overlapping consensus and, in particular, have questioned what supports his conviction that, notwithstanding continual dispersion, there may be convergence on impartial principles of justice. Furthermore, the criticism goes beyond pitting pessimism against Rawlsian optimism since it seems to rule out the possibility of valid political conflicts when it is assumed that there may be convergence on justice-related concepts. Once again, sectarianism looms large, and it is unclear how impartial justice can be effectively maintained by taking away the differences that separate individuals. The diversity of comprehensive theological, philosophical, and moral theories is not the only pluralism we must contend with in a contemporary democratic society, as emphasised by Jeremy Waldron. Disputes over rights and justice's plurality must also be addressed. Perhaps political

philosophy should be needed to accept that situation as well. Therefore, if we consider impartiality to be a means of achieving convergence between those who have divergent conceptions of the good instead of a conception of the good itself, we are still left wondering what justifications there are for the belief that impartial principles will emerge from divergent conceptions of the good. When Nagel makes the case for "an independent moral argument that can be offered to persons having radically divergent opinions," rather than appealing to consensus, he offers an alternative means of responding to the need for a "higher degree" of impartiality. It may be difficult to avoid pushing one's perspective on those who reasonably but mistakenly reject it if they are prepared to devote their lives to that notion and are persuaded that the alternative is awful. If he is really sure that Kantian regard would enable them to doom themselves, it could be difficult to put a concern for their well-being above a want for respect. The moral principle of Kantian regard for others ultimately supplies the "higher level" of impartiality, according to Nagel. But in the end, he must admit that this moral principle may not be enough to justify compelling individuals to act against their will.

The "higher level" of impartiality is elusive for both Rawls and Nagel; what is required is a justification for the use of the state's coercive power in defence of impartial principles of justice, but the justification must demonstrate that impartiality is more than a contentious conception of the good. While Rawls's approach is subject to accusations of political naiveté, Nagel's focus on impartiality as a moral principle leaves it open to accusations of covert sectarianism. However, the difficulties involved in trying to reach the greater degree of impartiality show precisely why impartiality is important. It is important because despite having divergent views on how to live, we must somehow find a way to coexist. Additionally, discovering that path requires that we at least attempt to move beyond simple modes of existence.

CONCLUSION

It is generally, if not unanimously, acknowledged that objectivity reveals a dedication to equality. What is harder to agree upon is the extent of that commitment and how it will be carried out. In the preceding sections, I tried to make the case that impartiality should be seen as essentially a demand of society's moral and legal laws. Additionally, they have made an effort to demonstrate that the idea of agreement is the most effective way to demonstrate impartiality. Asking what norms everyone might agree on is the greatest way to guarantee that the moral and legal guidelines of our society are unbiased in the sense that they show equal regard for everyone. However, consensus will often be difficult to come by, particularly in contemporary culture. If such is the case, we must devise means to justify the use of the state's coercive authority to uphold impartial norms, as well as the reasons why those rules are impartial rather than sectarian. Since equality is a moral idea in and of itself, impartial standards will not be impartial in every situation. This is a problem since impartiality represents a commitment to equality. They won't be fair, in particular, to people who disagree with the moral importance of equality. Neither remorse nor avoidance may be felt for this. An impartialist viewpoint cannot and should not apologise for its own impartiality, because no moral position of any importance can be justified to absolutely everyone.

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CHAPTER 9

JUSTICE, LUCK AND DESERT

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ABSTRACT:

Three connected ideas—justice, good fortune, and desert—have generated a great deal of philosophical discussion. Luck refers to occurrences or situations that are beyond of an individual's control, while justice is concerned with the equitable distribution of advantages and costs within a community. The notion that people deserve certain results or rewards based on their behaviours or attributes is known as desert, on the other hand. The connection between these ideas is nuanced and often disputed. Some contend that because people shouldn't be held accountable for circumstances that are beyond of their control, justice must take chance into consideration. Others argue that justice should only be based on merit, with people being rewarded or punished according to their own actions and deeds. Different philosophical systems provide various perspectives on how justice, luck, and desert relate to one another, such as utilitarianism, deontology, and virtue ethics. These theories' presumptions on the character of justice and the significance of chance and desert in establishing moral accountability and fair outcomes vary.

KEYWORDS:

Desert, Justice, Luck, Performance, Responsibility.

INTRODUCTION

What connection exists between justice and good fortune? If lightning hits one guy instead of another, who is walking only a few yards behind him on the sidewalk, or if one kid is born to loving parents and the other to uncaring parents. It may seem unfair that society hasn't made up for these discrepancies in luck. Other forms of luck also seem to be different: one player at the blackjack table wins large while the one next to him loses everything; a person born attractive gets a lot of possible partners while a person born ugly finds it difficult to locate any. What the lover and the gambler leave with doesn't seem all that unfair. It seems that certain instances of chance, but not all, are incompatible with justice. Is this true, and if so, what, if anything, may explain the variations in luck and how they relate to justice?

The concept of desert offers a well-known response to these queries. According to the "common view" of desert-based justice, individuals should be given what they deserve based on their accomplishments or the quality of their performances. Justice, for instance, mandates that individuals be compensated for their contributions to society or the results of their labours. According to this perspective, luck's compatibility with justice relies on whether it prevents people from being given credit for the appropriate accomplishments or performances. Only luck that prevents these attributions is in conflict with justice. Contrarily, chance that modifies the standard of an individual's accomplishment but does not prevent the attribution of that accomplishment to that individual is not incompatible with justice. So, for instance, if an athlete's physical capability roots the desert of the runner, the fortunate athlete who wins a running race

due to a fluke let's say his more capable rival suddenly has a cramp a few metres from the finish line does not deserve to win. Even though this fortunate athlete crossed the finish line first, his accomplishment of "being the most capable runner" is undeserved, and his deserts are "disrupted" by chance. Contrarily, according to the common perspective, the unfortunate performance of a top-class athlete hopeful who lacks skill results in disappointing performances does not create any issues of fairness. The conclusion that the ambitious athlete does not deserve to win the race is justified since her bad performance is plainly traceable to her. According to the common view, it may be preferable to neutralise or discount for chance in the first situation so that one may make accurate desert judgements, but justice does not advise doing so in the second scenario. The traditional understanding of justice grounded on the desert might be criticised on two different levels. On the one hand, it may be argued that desert doesn't necessarily need any chance neutralisation at all; on the other hand, it could be claimed that the traditional perspective gives luck an unfairly large, as opposed to unfairly little, role.

The conventional view is right to insist that not all luck is compatible with desert-based justice, but it is arguably wrong in stopping short of neutralising some justice-disruptive luck. This chapter examines each of these two challenges levelled against it after giving the conventional view a little more thought. It should be noted that the discussion that follows will only focus on distributive justice, which is concerned with the distribution of the benefits and burdens of social cooperation, as opposed to retributive justice, which is concerned with the meting out of punishment. Before moving forward, it should be made clear that "luck" in what follows refers to events outside of a person's control that she could not have predicted and could not have avoided.

Conventional Viewpoint

Personal desert is a three-way relationship between an individual, the good or treatment she is believed to deserve, and the justifications for that good or treatment. These reasons referred to as "the desert bases" must include some aspect of the person themselves, and they may include but are not limited to aspects that are important for determining if a person is a moral actor, that is, whether they are worthy of moral praise or condemnation. What characteristics make up desert bases is a topic that desert theorists have long debated and have often defended a variety of responses to. The notion that we deserve on the basis of our accomplishments, the results of our acts, or the calibre of our performances is what distinguishes the common concept of desert-based justice. This stands in contrast to the assertion that people deserve on the basis of the mere possession of certain characteristics, regardless of whether they act in ways that display and put those characteristics to use, and the assertion that people deserve on the basis of the quality of their will or the effort that they put forth, regardless of the results of those efforts or the results of their exercising their will. David Miller, whose description of the desert is the major emphasis of what follows, Jonathan Riley, and, most recently, David Schmidtz, are defenders of the mainstream viewpoint[1].

The conventional approach captures many common judgements of desert because it places a strong focus on performance and success as the criteria by which individuals earn respect. Consider assertions that people deserve to win sports or literary contests, the meritocratic principle that the person with the best qualifications for the job deserves to have it, or the idea that people deserve to be paid an adequate wage if it reflects the contributions they make to society through their work. In each of these instances, the conventional view appears to be cited. People are considered to be deserving of advantages in each of these situations because they

contributed to something that was favourably regarded, whether it was an artistic creation, a literary work, or a useful contribution. According to the traditional view, persons must participate in some kind of action that is both beneficial and admirable in order to earn their deserts, which vary depending on how well they accomplish the useful or admirable goal. The conventional approach may be appealing insofar as it respects people as responsible agents while acknowledging that responsible agents must behave in situations that are not of their own choice. This view is able to capture many common judgements of desert.

DISCUSSION

The traditional perspective views people as responsible agents because it assures that desert claims always reflect an assessment of people as agents rather than merely as patients or carriers of certain traits. This is done by maintaining that some performance or action is required for desert. After all, to be deserving of anything is to take credit for it or to earn it; as a result, one must take responsibility for it. Since responsibility appears to need control, and "luck" refers to things that are beyond of people's control, the conventional view must now adopt a particular posture towards the effect of luck on people's lives in order to maintain its position that individuals must be accountable for the performances that ground their deserts. According to the conventional view, when luck interferes with people's performance, that performance is not properly theirs, they are not accountable for it, and desert-based justice requires that we neutralise or discount for luck of this kind, as in the case of the winning athlete's good luck that his more capable competitor unexpectedly collapses before the finish line. Similar to this, if an entrepreneur's very profitable venture is the consequence of a lucky happenstance that she could not foresee, her accomplishments are less significant and her deserts are decreased. According to the traditional view, interventions of chance that impact how someone is credited for an accomplishment, such in the situations we just cited, are problematic from the perspective of desert-based justice. This kind of luck may be described as "performance-disrupting luck," however it could be argued that this is often not the case[2].

We do not know if and to what degree performance- disrupting luck has impacted that outcome, therefore we are unable to determine whether someone really deserves what she receives as a consequence of her activities. Contrary to the racing example, in which chance's appearance is vivid and obvious, the majority of instances in which desert is disrupted by luck are difficult, if not impossible, to pinpoint. Because of this, we are unsure of whether we should change our conclusions about the desert to reflect counterfactual conclusions about what people would have accomplished in the absence of intervening unanticipated stimuli. The idea that what someone deserves does not rely on chance that detracts from performance, however, is not refuted by this argument. Instead, it only emphasises the fact that we may not always be able to make accurate judgements about the desert.

The conventional view insists that in order to maintain the concept of desert, we must acknowledge that responsible agents necessarily act in circumstances not of their own choosing and that some background or underlying luck legitimately influences what they deserve. This is true even though the conventional view holds that desert requires responsibility. Thus, the traditional viewpoint takes a different attitude towards the effects of what we might refer to as "background luck" than it does towards chance that disrupts performance. Background luck, also known as situational or circumstantial luck, refers to the circumstances in which people carry out their performances. It includes both the luck of being born with particular talents and traits, or

what is known as "constitutive luck," and the luck of being faced with particular situations or being placed in particular circumstances. Background luck might include the unfortunate occurrence of not having the chance to develop or utilise one's talents and abilities due to unfavourable social circumstances.

According to the traditional opinion, this kind of chance does not weaken desert, unlike luck that disrupts performance. It argues that neutralising background chance in addition to performance-disrupting luck would implausibly require us to give up the desert completely. This is due to the belief that, in order to be responsible for an achievement and, therefore, deserve on its basis, we must have full control over the factors affecting our achievement; however, since we can never have full control over all the background factors that affect our achievements, we can never deserve anything. This belief underlies the commitment to neutralise background as well as performance-disrupting luck. However, the argument goes on to say that it is unreasonable to claim that a skilled athlete does not deserve to win a race any more than an untalented one does, just because the latter's superior athletic ability rests in part on her having had the fortunate background of being born with tremendous skills. Circumstantial luck may cause us to temper our assessments of the deserts of individuals who benefit from it. But we cannot entirely make up for second-kind luck if we wish to maintain the idea of desert and use it to guide our practical decisions. Circumstantial chance constantly exists in the background of human performances, and we only allow it to change our assessments of things when it intervenes in a rather evident and direct manner on what different individuals accomplish compared to one another[3].

According to the usual opinion, we cannot persist on seeing all chance as a danger to desert if we wish to preserve the notion of desert as a principle of justice. Instead, we must understand that although certain types of luck are best kept out of people's deserts, others are completely acceptable and consistent with justice and the desert. Those who believe that justice grounded on the desert may be compatible with greater luck than the usual view allows provide one challenge to the way in which the conventional view treats the relationship between justice, luck, and the desert. Defenders of this more forgiving view of justice believe that individuals should get advantages based on a variety of different characteristics, such as the simple possession of talents and attributes, in addition to their accomplishments and performances. In fact, a supporter of this viewpoint claims that we might broaden the definition of "desert" to include even chance itself as a meritorious quality. Being "blessed by good luck" might be said to ground desert as much as physical talent, work, and production do if it were a quality that people valued and wanted to reward. This viewpoint, known as "the laissez-faire view," is relatively lax in terms of what qualifies as basis of desert and contends that individuals are entitled to whatever benefits their good traits may provide[4].

It may help to understand the laissez-faire approach by considering it to be an extreme application of one of the arguments made by the conventional view itselfnamely, that what individuals deserve depends on what they do for others. If we exhibit the qualities that are valued, all that is necessary for us to merit those benefits is for others to value what we do and who we are and their readiness to show that value by bestowing upon us rewards. Although there are other things that are favourably evaluated, effort, constructive activities, and spectacular results are among those that are, which is why they ground desert. If one of them is doing well at the blackjack tableif other players appreciate the blackjack winner's luckthen the fortunate one "deserves" to be better off than his unlucky rival, and any disparity that results between them is justified. According to Jan Narveson, certain characteristics of individuals that pique people's

curiosity are their capacity for effort. That's undoubtedly a significant component. But not every. As we respect the sunset, so even if human characteristics cannot be intentionally developed, we nevertheless respect them. However, the laissez-faire view's assertion that a commitment to desert always results in no luck-neutralization is untrue.

One may argue that this viewpoint's flaw is the idea of desert, which is being misused since it implies assigning blame to the rightful party. Numerous generalisations about desert, as was previously said, appear to imply as much. Many other commonplace judgements, however, refute this assertion since it is absolutely reasonable to state that beauty merits praise or that all people are deserving of respect. The issue with the laissez-faire viewpoint is perhaps best characterised as failing to explain why desert should have any importance for justice rather than abusing the idea of desert. This idea might be expressed as follows: while if the word "desert" has many diverse meanings, only few of them are pertinent to issues of justice. In particular, desert has to have pre-institutional and autonomous normative power in order to be relevant for justice. In other words, there must be a theory that explains why individuals are due a particular amount of respect from others, and that respect is what supports the need for specific institutions. Additionally, it has to be a concept that communicates a clear need for justice.

These two requirements are not met by all usage of the word "desert." The claim that the owner of the longest beard should be included in the Guinness Book of Records is one such example. Were there no Guinness Book of Records, with its unique rules and standards, there would be no injustice in failing to express a favourable evaluation of the longest beard. The decision that someone deserves a specific medical care, in contrast, is not independent, even if it is made prior to institutionalisation. This claim communicates the demands of the principle of need rather than a specific requirement of desert. Institutional desert judgements and judgements of the desert that reflect other fair needs do not provide us with a description of what institutions ought to resemble in order to attain desert-based justice. Therefore, in order to determine if a theory of desert-based justice can be defended, one must determine whether the concept of the desert it relies on has pre-institutional and autonomous normative power in the meanings just described[5], [6].

In the case of the laissez-faire viewpoint, the answer is no. Take this into consideration: Why should someone who has a characteristic be deserving of anything at all just because others find it attractive? If the laissez-faire perspective holds that people who exhibit the favourably assessed trait are entitled to some kind of advantage since those who appraise that feature have declared that they would reward it, then the in-issue desert claim is institutional, similar to the desert listed in the Guinness Book of Records. Contrarily, if the favourably appraised characteristic is something that, for example, calls for a response because it is a necessity or a right, then the disputed desert claim is not independent, as in the instance of receiving medical care. In other words, the claims of desert identified by the laissez-faire view do not have any normative force unless a reason is given for why people who exhibit certain positively appraised features are entitled to something; however, the reasons the laissez-faire view can adduce in support of the normative force of desert claims do not point to a pre-institutional and independent principle of desert. Therefore, the idea of a desert is not pertinent for justice. This makes the laissez-faire view's argument against the idea that chance must be eliminated for there to be desert-based justice ineffective.

The Opportunity Perspective

In contrast to the way we just discussed, the traditional understanding of justice, luck, and the desert may also be questioned on the grounds that chance is given too much rather than enough credit. In a summary, the challenge contends that it is unfair for some individuals to have better or worse financial circumstances than others due to causes beyond their control. To the extent that desert permits any of these inequities, it should be rejected as a principle of justice. Defenders of the aforementioned challenge, including so-called "luck egalitarians," maintain that allowing some people to claim more than others based on performance or achievements gives some people an unfair advantage over others because it permits background luck to affect how well-off they are.⁴ However, if requiring more luck neutralisation than is permitted by the conventional view of desert-based justice is incompatible with desert, then, according to luck e, requiring more luck neutralisation than is allowed by the conventional view of desert-based Over the last 20 years or more, there has been a consistent and in-depth debate on how egalitarianism views chance and justice, and this topic has been covered in far more detail than can be covered in the sections that follow.

This paper focuses only on whether or not considering desert as a justice concept is consistent with the belief that fairness necessitates the neutralisation of unfair luck, both background and performance-disrupting. We specifically want to know whether there are compelling arguments that are consistent with desert that call for more luck to be neutralised than the usual view suggests. Exists a sort of desert-based justice that takes into account the argument that disparities that are the result of unfavourable luckboth background and performance-disruptingare unfair? The answer, as we shall see, is yes. According to a "fair opportunity view" of desert-based justice, people can only legitimately deserve more or less than others if they all have an equal chance to do so or an equal opportunity to be less worthy than others. Unfair desserts that satisfies this fair opportunity criteria might be grounded by uneven choices made against a backdrop where chance is neutralised. In order to defend the fair opportunity viewpoint, let me to first draw it. Acceptance of two claimsa substantive claim about justice and a conceptual claim about how chance should be neutralizedallows for the formulation of a view of justice rooted on the desert that demands greater luck neutralisation than the traditional view[7].

Desert

The first substantive assertion about justice is that the allocation of social and economic advantages relies on background circumstances that influence the distribution of the chance to deserve, in addition to the individual desert claims that persons have in isolation. And in order for these disparities to not represent unfair advantage of some persons over others, everyone must have had an equal chance to deserve more or less than others. This means that for deserved inequalities to be just, they must not reflect unfair advantage of some individuals over others. The allocation of chances to merit is unfair when there is uneven background luck present. There is an unfair disparity when one person loses out to another due to circumstances beyond her control, making it impossible for her to have achieved the same level of merit. If we agree with this initial claim about justice, we may then urge that the concept of desert that we wish to use as a guiding principle for justice should include this claim. Even while it may represent popular judgements, we may contend that a concept of desert that does not acknowledge this assertion cannot justify inequities.

Following on from the first claim, the second argument that supports the fair opportunity desert-based approach is concerned with the idea of a desert. There is an image of the desert among the many that are accessible that does, in fact, align with the belief expressed by the fair opportunity criterion. Individuals deserve unequally in this desert to the degree that they have made unequal choices against a backdrop in which unequal luck has been neutralised since this desert is based on the decisions individuals make. According to this perspective, to deserve is to accept responsibility for what one deserves, and one can only accept responsibility for one's relative worthiness in comparison to others if it is not due to unfair luck. It is feasible to think of desert as articulating the needs of choice-sensitive justice, and this idea of desert is not uncommon. In fact, some have said that the best way to understand the desert in general is as much chance neutralisation as possible. For instance, according to Wojciech Sadurski, the purpose of a desert is to "screen out all those factors that are 'unearned,' that are beyond human control, that are determined by dumb luck, and for which a person cannot claim any credit." Since there are several concepts of desert, some of which do not need luck neutralisation but instead seem to include good utilisation of the idea of desert, we do not need to generalise this argument about desert. What we can argue, however, is that, in light of multiple conceptions of the desert, the acceptance of one picture of the desert over others is supported by some autonomous belief about what justice demands.

One such belief is that disparities in desert only make sense when individuals have a reasonable chance of being unfairly worthy of them; choice-based desert is the conceptualization of desert that represents this belief. Therefore, the fair opportunity perspective of desert-based justice maintains that individuals must have a fair chance to deserve more or less in order to lawfully deserve more or less than others. They adhere to this fair opportunity criterion with their choice-based deserts. Uneven chance has to be eliminated in order to implement the so-conceived justice based on the desert. If someone is left in a worse situation than someone else as a consequence of a decision they made, it is OK to leave her in that situation since, in a world where unfair luck is neutralised, she deserves to be in that situation. This is a view of desert-based justice where more luck than is suggested by the conventional view appears as unfair and warrants redress. If, however, she were worse off as a result of worse luck, her being worse off reflected an unfair disadvantage, and she would not deserve to be worse off[8].

As a last point, we should address a potential criticism to the fair opportunity approach, according to which adopting a choice-based understanding of desert results in desert sabotage. Remember that the conventional view used this argument to support its modest assertion about the relationship between justice and luck? But it doesn't appear like the objection will be fatal. First off, the complaint is misguided inasmuch as it expresses concern that the need for accountability is excessively onerous, making it impossible for that requirement to ever be satisfied. The argument, then, seems to be that since the requirement to neutralise background luck is predicated on the idea that people should have complete control over the variables influencing their behaviour and since no one can ever fully control every variable on which their behaviour depends, requiring that level of control undermines the very concepts of responsibility and desert. It is important to note that John Rawls' critique of desert has occasionally been interpreted in the following way: Rawls has been taken to suggest that in order to deserve, people would have to be responsible and deserve "all the way down," but since it is impossible to have this kind of regressive control over the factors affecting one's achievements, no one can ever deserve anything.

In fact, as others have noted, this reading of Rawls is incorrect. In any case, the fair opportunity approach need not support the need for such comprehensive and regressive supervision. Instead, it maintains that only differences in luck should be balanced, and only insofar as they impact how each person may influence a given occurrence. Justice-wise, it doesn't matter if Jones' performance represents his skill if Smith and Jones both possess the same talent but choose to use it to different degrees, leading to distinct performances. The fair opportunity approach may, once again, overcome the argument if it is one concerning the challenge of recognising the existence of uneven chance and discounting for it. This is the second assertion that might be made in response to the issue. This is because by focusing on the background circumstances against which desert claims occur, we may be able to realise the needs of a choice-based desert to some extent. For instance, having free and equitable high-level elementary and secondary education helps to ensure that requiring desert as a prerequisite for admission to universities is reasonable. Such actions help to guarantee that everyone has an equal chance to become worthy. Additionally, and perhaps more importantly, there could be workable techniques to attempt to make trustworthy judgements about a choice-based desert. Therefore, the fair chance approach of desert-based justice does provide a convincing alternative to the mainstream view. To maintain that justice necessitates the elimination of unfair luck, we do not have to abandon the concept of the desert. If differences are to be justified, they must be the result of various decisions made by individuals rather than different chance.

CONCLUSION

Justice, luck, and desert are intertwined ideas that have generated a lot of philosophical discussion. There is disagreement on how these ideas should be evaluated or balanced because of the complicated link between them. According to one perspective, justice necessitates accounting for luck since people shouldn't be held accountable for circumstances that are beyond of their control. Another viewpoint is that people should only be rewarded or punished for their own actions, and that justice should only be based on their actions. Numerous philosophical views, including utilitarianism, deontology, and virtue ethics, give various perspectives on how justice, fortune, and desert are related. However, no theory offers a comprehensive and satisfying explanation of how these ideas need to be balanced within the framework of a fair society.

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CHAPTER 10

ACKNOWLEDGMENT AND REDISTRIBUTION

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ABSTRACT:

The idea of recognition has dominated the field of academic political theory for more than ten years. According to how the term is typically used, to be recognised is to be seen or regarded directly or through the intermediary of social and political institutions under some practically significant description; that is, under a description that affects how its bearer is treated and may even shape the terms in which she understands herself, helping to configure her abilities and possibilities. Thus understood, the concept of recognition has been used as a link between analysis of a wide range of concrete political topics, such as multiculturalism in higher education, official language policy, aboriginal rights, and land claims, gay and lesbian rights, religious conflict, racism, claims to national self-determination, and interstate relations, and broad philosophical themes, such as the relationship between freedom and intersubjectivity and the nature of identity and difference.

KEYWORDS:

Culture, Economy, Injustice, Recognition, Redistribution.

INTRODUCTION

These subjects have each given birth to vibrant literatures of their own, but they have also had an overall effect. By the mid-1990s, some scholars started to worry that the pendulum would swing too far in the other direction, obscuring the persistent and growing issue of "material inequality." If the explosion of interest in issues of identity and diversity among political theorists in the 1980s and 1990s represented a reaction against the field's preoccupation with distributive justice, as well as against the economism of some kinds of Marxist theory, then it was a reaction against that as well. This chapter's main goal is to present the lively discussion that has developed since then on the connection between "recognition" and "redistribution," or, more generally, between the issue of identity-based injustice and the issue of economic injustice. However, another goal of the chapter and the one I'll focus on first is to map out the remarkably wide variety of ways that the word "recognition" has been used in contemporary political philosophy. Despite its familiarity and the broad definition I gave in the beginning, the idea is still hotly debated, if not always explicitly. Paying attention to important but frequently overlooked differences between approaches to recognition can provide fresh perspectives on the problematic relationship between recognition and redistribution[1].

The Applications of "Recognition"

Soberingly, a broad variety of discourses use the idea of recognition. Charles Taylor's "The Politics of Recognition" and Axel Honneth's "The Struggle for Recognition," both initially published in 1992, are the two books that are often credited with sparking the current upsurge in interest in the concept. This immediately puts the reader in conflict with two quite different

works. Taylor's paper was a combination of his attempt to make sense of the political climate at the time and a new setting for the "liberal-communitarian" disputes of the 1980s. According to Taylor, events like the Canadian constitutional crisis and the canon wars in higher education can be seen as examples of the "politics of recognition," in which people attempt to alter how others perceive and value them in order to satiate the innate human desire to be acknowledged as the holder of a unique identity. Turning to the language of recognition, Taylor echoed other Anglophone political theorists who had used the term, including Michael Walzer and especially Isaiah Berlin; however, he also and more explicitly stated that "diverence-blind" liberalism cannot adequately respond to this need because, while it is also an instantiation of the norm of equal recognition, it is an excessively narrow one, which recognises only those qualities that are taken to be universally shared. Bakhtin, M., and Mead, George Herbert.

Axel Honneth saw "recognition" as more than just a way to understand phenomena like the emergence of identity politics or new social movements. Rather, he saw it as the cornerstone of a systematic reconstruction of the tradition of critical theory that would take Habermas's linguistic turn as its point of departure and ground critique in communication norms rather than production ones. According to Honneth, injustice is first felt as a denial of intersubjective recognition that violently disrupts a subject's relationship to herself, whether through physical abuse, the denial of basic moral respect or legal protection, or the "denigration of individual or collective ways of life"³. This approach to recognition shared some points of reference with Taylor's most obviously, the notion that recognition is a process of recognition. Contrary to Taylor, Honneth chose to concentrate on Hegel's pre-1807 Jena manuscripts rather than his *Phenomenology* decision that demonstrated Habermas' influence and indicated that Honneth was a participant in an ongoing discussion among experts in German idealism about the evolution of the concept of recognition in the work of Fichte and the young. Additionally, Honneth's use of Mead in his ongoing quest to understand the origins of human subjects' creativity opened the door for his increasingly intensive engagement with other psychological traditions, particularly the object-relations tradition. Mead helped him explain how identity could be socially constituted while also being open to perpetual innovation^{[2], [3]}.

Despite their potential for influence, these methods of recognition do not cover the whole spectrum. Thanks in part to the influence of Alexandre Kojève's lectures on the *Phenomenology* in the 1930s, political theorists interested in recognition are increasingly, if belatedly, engaging with the long and illustrious history of Hegelianism in twentieth-century French thought, where the idea of recognition has long played a crucial role. It is also true of Simone de Beauvoir's analysis of women's subordination in *The Second Sex*, Jacques Lacan's psychoanalytic theory, Frantz Fanon's critical use of Hegel and Lacan to understand the psychological dynamics of colonialism, Louis Althusser's account of the production of subjects through the "interpellating" address of authoritative institutions, Pierre Bourdieu's work on the meaning of being-with-others, and Sartre's *From Criticisms and Rewrites of his Philosophical Adaptation of Sophocles' Antigone* to broader investigations of the potential, or lack thereof, of Hegel's theory for female politics, recognition has been a recurring issue throughout the history of feminist readings of Hegel. The notion of tragic anagnorisis is also a significant predecessor of Hegel's concept of recognition. However, the word "recognition" has also had an active existence at a wider distance from Hegel. For example, as a term of art in poetics, it dates back to Aristotle.

How are we going to get through this tangled maze? Instead of attempting to explain the unique ways in which each of these writers utilises "recognition," I provide a set of three orienting

questions that can be used to the reading of any of them. A single author's work may be tensely stretched along these dimensions of conceptual space, which these questions delineate as some of the significant ones along which different approaches to recognition might be found.

The first question is: Is recognition a specific good or a universal social life medium? Political theorists often see recognition as one of many diverse things that people seek for, own, and distribute. Sometimes, this serves a rhetorical purpose of counterbalancing more well-known terms like interest or class. Other times, it is the outcome of efforts to incorporate the concept of recognition into a theory of distributive justice, either by using the same liberal principles that control the distribution of ordinary tangible goods, or by insisting that, like other social goods, recognition has its own proper sphere of influence and internal principle of distribution.

DISCUSSION

A sharply restricted good, or even a "good" at all, in the sense of an object that can be held, is more likely to be denied by theorists that approach the idea of recognition as part of a philosophical analysis of intersubjectivity. Instead, they often see recognition as a pervasive process through which meaningful social ties are created, whether on purpose or not. Such broad interpretations of the term can be found in the tradition of French Hegelianism I have described, among modern Hegel scholars like Robert Williams, who views "recognition" as a general structure expressed in a wide variety of specific social practises and institutions, and to some extent also in Honneth's reconstruction of recognition as a "unified framework" within which all different kinds of moral issues can be encompassed although, in what will subsequently be discussed, this reconstruction is not as comprehensive as Honneth Second, how, if at all, is the idea of recognition connected to the notion of justice? The term "recognition" is often considered by theorists as an inherently normative idea: to be recognised is to be treated fairly; conversely, an unfair relationship of recognition is in some ways not even a relationship of recognition but a kind of misrecognition.

In fact, a significant portion of the most recent wave of research on the topic has been dedicated to addressing the additional challenge of precisely how to discriminate between recognition and misrecognition. For some writers, receiving appropriate acknowledgment is treating people in a manner that affirms and upholds their unique identities or admirable traits. Other authors have moved towards what could be called formal rather than substantive criteria of successful recognition in response to the criticism that the politics of recognition ignores or, worse, undermines—the malleability of these identities. People are recognised properly when they are included in the ongoing collective activity through which identities are made and remade, or when the institutionalised evaluations to which they are subject permit them to participate. The formation of the ego through imaginary identification, for example, is a type of necessary misrecognition, according to Lacan; Bourdieu contends that the recognition of a form of social authority as legitimate is always also a misrecognition of its arbitrariness; and I and others have suggested that recognition and misrecognition are closely related, rather than antagonistic.

Third, what does an act of recognition recognise, or what is the object of recognition? Political theorists often see recognition as being focused on identification, namely the identity of another individual or group. Of all, there are many different ways to understand "identity" in and of itself. Identity is often defined as a multidimensional collection of affiliations with and differences from others along socially significant axes like language, country, gender, culture, and race by theorists who approach recognition via discussions of identity politics. Others,

particularly those who approach recognition via Hegel, see "identity" in a broader sense as individual personhood—a collection of admirable traits that beings should be respected for and whose expressions span from the peculiar to the universal. It is frequently unclear, however, whether identity in either of these senses is to be conceived as recognition's object, something given in advance to which an act of recognition responds, or its product, a social relation constituted through exchanges of recognition. This is due to the ambiguity of the word "recognition" itself. I have proposed that recognition can also be understood as directed towards the conditions of one's own action rather than towards an identity, whether it be another person's or one's own. In response to this ambiguity and the deeper tensions in identity-based accounts of recognition that it indicates, I have drawn inspiration from uses of the term "recognition" in Greek tragedy and Aristotelian poetics as well.

On recognition and redistribution: Fraser

We may now go on to one of the most significant answers to the importance of this subject in modern political philosophy while keeping in mind the variety of approaches to recognition that these three questions indicate. Nancy Fraser wrote two papers in 1995 in reaction to what she saw as the "eclipse of a socialist imagination" brought on by the growth of a politics centred on identity and culture. These writings looked at the tensions that might occur between the politics of recognition and the politics of redistribution. In fighting against cultural injustice, the politics of recognition tend to promote the specificity of social groups, while the politics of redistribution frequently works to undermine such specificity. As a result, social groups that have both cultural and political-economic dimensions such as those defined in terms of gender and race find themselves caught in the middle. Fraser's solution to this conundrum was to establish a general division between two different approaches to redressing injustice, whether it be political-economic or cultural. "Alternative" solutions, such as liberal welfare politics or mainstream multiculturalism, redress unfair results by granting respect to underrepresented groups or transferring resources to the disadvantaged. By contrast, "transformative" treatments, like queer politics or socialism, target the "underlying generative framework" that creates unfair circumstances in the first place, shattering identity hierarchies and radically changing relations of production. Fraser came to the conclusion that the most effective way to deal with the recognition-redistribution conundrum would be to pursue transformative solutions in both domains, as these would be least likely to conflict with one another, to strengthen the underlying structures that foster injustice, or to provoke resentful political backlash[4].

The controversy sparked by Fraser's pieces was swift and sometimes heated. Although Fraser had been cautious to criticise both economic and cultural reductionism even in these early interventions, some of her readers complained that her strategy had inadvertently relegated the politics of culture and identity to economic concerns. Even though Fraser's initial description of the recognition-redistribution dilemma assumed that the typical form of recognition politics was affirmative while the typical form of redistributive politics was transformative, Fraser's final support of an all-encompassing transformative approach did appear to imply that cultural politics, not redistributive politics, was the way to go. This reaction may not have done justice to Fraser's intentions, but it was not without foundation. In addition, her critics criticised her for reducing justice to only two dimensions, which they claimed prevented her from considering the unique issue of political exclusion and inclusion. Perhaps most importantly, they claimed that her conceptual distinction between recognition and redistribution, or between culture and political economy, was too rigid. First off, although the divide between transformational and affirmative

treatments served as the cornerstone of Fraser's argument in her earlier writings, it has been pushed to the periphery of her approach in more recent work.

The way Fraser integrates recognition and redistribution now is by treating them as inseparable components of a single, overarching notion of justice, which is embodied in the norm of "parity of participation." This norm "requires social arrangements that permit all members of society to interact with each other as peers," and it has both "objective" conditions involving the distribution of wealth and other resources, and "intersubjective" conditions involving the interaction between individuals. Second, from the perspective of moral philosophy, Fraser now defends this method against competing accounts in particular, Honneth's and Taylor's on the grounds that it makes recognition a matter of the right rather than the good, appealing to debatable notions of individual self-realization rather than to universal standards of justice. Third, Fraser also makes a connection between this two-dimensional norm of participatory parity and the social-theoretical position she refers to as "perspectival dualism," which aims to account for "both the differentiation of class from status" that is, of objective economic mechanisms from intersubjective orders of value and for the differentiation of class from status from intersubjective orders of value. causal relationships between them", avoiding ecological and cultural reductionism as well as the "night in which all cows are grey" she attributes to "post-structuralist anti-dualism." Finally, Fraser now acknowledges that there may be a third, distinct dimension of justice and injustice, analytically distinct from recognition and redistribution, which pertains to the inclusion and exclusion of people from political decision-making. For instance, through the "framing" of what are actually transnational political problems in national terms, which unnecessarily confines democratic participation within the boundaries of supposedly sovereign states[5].

Dualism, Anti-Dualism, And Beyond

The three orienting questions I previously posed about recognition will serve as a springboard for a closer examination of one contentious aspect of Fraser's account: her insistence on an analytical separation between recognition and redistribution, grounded in an understanding of modern political economy as a differentiated system of social integration. As we've seen, Fraser's interview subjects have criticised her differences between redistribution and recognition, class and status, culture and political economy, but they've done it in very different ways. One interpretation of the criticism highlights the causal links that exist between political economy and culture and identity. The ways in which persons are recognised often have significant distributive ramifications: the stigmatisation of non-normal sexualities, for instance, contributes to the unequal allocation of resources such as police protection and health care. The institutions through which resources are distributed, such as bureaucratic welfare states, also shape the identities of those who live under their control. These are vitally important insights, but they do not particularly cut deeply against Fraser[6], [7].

As she has noted, the analysis of such causal relations does not challenge indeed, it requires the underlying analytic distinct. The relationship between recognition and redistribution, according to a second, more radical criticism, is not only causal but also constitutive. Redistributive claims, for instance, cannot be understood without some reference to the idea of recognition because, as claims of justice, they depend upon "some understanding of the worth of persons." Majid Yar views the politics of redistribution as a subspecies of the politics of recognition because the economic goods with which it is concerned are actually the material manifestations of "shared

human evaluations" We fight to own things that "concretize" other people's respect for us or to distribute things in ways that affirm our membership in a community of meaning. The politics of redistribution, according to Honneth, are fundamentally reflective because they entail disputes about the significance and worth of various human endeavours. He argues that the new principle of modern capitalism is "individual achievement within the structure of the industrially organised division of labour." However, because this achievement principle depends on some prior knowledge of what constitutes valuable work, "distribution struggles under capitalism" typically involve efforts to change the prevailing understanding of what counts as valuable work[8].

Do these harsher criticisms of Fraser's "perspectival dualism" amount to a convincing critique? One response Fraser might make most directly applicable to Yar's challenge is that such attempts to resolve redistribution into recognition do not adequately account for the true if imperfect differentiation of modern political economy from more comprehensive ethical frameworks: the defining characteristic of capitalism is "its creation of a quasi-objective, anonymous, impersonal market order," which, while "culturally embedded," is not "directly grounded in culture. Of course, Honneth does offer an account of the uniqueness of capitalism; he reads its development as a differentiation of the field of recognition into three dimensions, governed by the distinct principles of love, law, and achievement, rather than as a differentiation of norm-dependent from norm-free modes of social integration.

Fraser, though, has a backup answer at this point. While some conflicts over distribution in capitalism may aim to alter popular interpretations of the achievement principle, this is by no means the typical form of redistributive politics. For instance, conflicts over neoliberal globalisation "aim to end systemic maldistribution that is rooted not in ideologies about achievement, but in the system imperatives and governance structures of globalising capitalism," and which is "no less paradoxical." However, I agree with Honneth and Yar when they argue that understanding redistribution and, more generally, the functioning of political economy requires some consideration of the concept of recognition. What does the word "recognition" mean exactly? In response to the first orienting question, I raised earlier, is recognition a specific good or a generic social life medium? Critics like Honneth and Yar often receive an ambiguous response because they continue to treat recognition as a good, something that people and groups seek and demand and may occasionally lack or possess despite the fact that they treat it as the fundamental ethical concept rather than just one good among many.

And their implicit response to the second orienting question, on the connection between recognition and justice, fits nicely with this idea of recognition as a good—possibly the overarching good: for them, to be recognised is to be treated justly. The way Honneth and Yar use the word "recognition" affects their explanations of the constitutive relationship between redistribution and recognition. Because they view recognition as fundamentally a normative idea, they situate this relationship at the level of norms, reading conflicts over distribution as requests for recognition. This leaves them open to Fraser's retorts. But how would the connection between redistribution and recognition change if we reduced the conceptual link between recognition and justice and went even farther towards seeing recognition as a broad medium of social interaction as opposed to a good?

In Judith Butler's reaction to Fraser, and particularly in a short note at the conclusion of her paper regarding the role of the divide between the "material" and the "cultural" in Marxism, the first half of a solution may be discovered. Butler contends that this distinction is not the "conceptual

foundation" of Marxism, but rather that Marx and some of his followers sought to "explain how the cultural and economic themselves became established as separable spheres—indeed, how the institution of the economic as a separate sphere is the consequence of an operation of abstraction initiated by capital itself". In her response to Butler, Fraser calls this a "deconstructive" argument whose goal is to completely eliminate the boundaries between recognition and redistribution. Butler's and Marx's claims may also be seen in another manner. The goal of understanding how capitalism's "operation of abstraction" caused the economic to become a distinct field is not to prove that there is no difference between culture and the economy. The goal is to highlight a contradiction within capitalist social forms: on the one hand, these forms do involve a separation of the economic from the cultural, and this separation is not merely an illusion; however, on the other hand, the very mechanisms that produce this separation, such as the emergence of a unique mode of valuation that abstracts "exchange-value" from use, also attest to a continuing continuity of "economic" and "cultural" forms. This is a different kind of "perspectival dualism" that complements Fraser's: if her dualism allows the analyst to examine any social practise now from the standpoint of redistribution, now from the standpoint of recognition, this dualism allows the analyst to acknowledge the reality of the social diVerentiations that underlie the distinction between recognition and redistribution while also understanding those diVerentiations as symptoms of a deep contradict.

We may be able to see connections between recognition and redistribution at a different level than Honneth and Yar suggest by adopting a different definition of "recognition": not only in the normative content of redistributive claims, but also and more fundamentally in the ways of perceiving, regarding, and evaluating people and things as bearers of quantitative labour power, for example, or as loci of exchange-value that are fundamental to economic forms. However, this in turn promotes another conceptual change. Although the approach I've just outlined differs from Honneth's and Yar's in how it responds to the first and second orienting questions about recognition, it still assumes a fairly conventional response to the third question, regarding the object of recognition. According to this view, recognition still involves seeing and treating something or someone else as a labourer or commodity, for example. However, the second meaning of "recognition"—a form of acknowledgment of one's own circumstances or condition—might also apply in this situation. For Hegel, it is recognition in this sense that actually performs critical work. His account of the struggle for recognition and the master-slave relationship is, in essence, an account of a subject's contradictory eVort to secure certainty of its own independence through the creation of a hierarchical social form an eVort that ironically attests to the subject's continued dependence on others while imperfectly materially shielding him from the force of this codependence. If capitalism's "recognitions" are inherently contradictory, then these "recognitions" might also be said to be "misrecognitions"—that is, failures to acknowledge and at least some of the structural inequality and hierarchies that characterise modern economic life might be thought to be supported in part by modern subjects' existential investments in the capitalist imaginary[9].

CONCLUSION

The implementation of the principle of participatory parity always involves some kind of distributive logic since the principle's goal is to guarantee that resources—whether material or cultural—are distributed in a manner that promotes equality within an identifiable group. Even when such networks extend beyond of what Fraser refers to as the "frames" that we often use to map our commitments, just distributions of this sort rely on an earlier readiness to identify the

networks of interaction and dependency that make one's own actions significant to others. This is the key distinction between recognition in the sense of acknowledgment, which is directed first and foremost at oneself and one's own practical finitude, and redistribution as those terms are typically understood. We do not know in advance who the others are to whom this prior sort of justice is owed.

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CHAPTER 11

BEING EQUAL AND DIFFERENT

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ABSTRACT:

"The endangered species of political ideas" is equality one of them? It appears that a focus on formal equality of opportunity has eclipsed a concern with equality of outcome in the public's mind, and that correlative theories of equality that emphasise the redistribution of resources have been marginalised by an emerging concern with the significance of cultural recognition and democratic inclusion. Therefore, modern "equality" ideas and initiatives in the first world often concentrate on concerns of political and cultural inequality rather than disparities in the distribution of commodities. The poor are no longer perceived as those who are "unequal," but rather racial minorities, the crippled, the elderly, homosexuals and lesbians, religious minorities, etc. The emergence of a dedication to seeking and theorising equality in a manner that respects and embraces differences is a result of this evolving concept of equality.

KEYWORDS:

Culture, Equality, Opportunity, Recognition, Redistribution.

INTRODUCTION

When addressing cultural and political inequalities, calls are typically made for differences to be acknowledged and respected rather than denied or eroded as a condition for securing equality. This contrasts with attempts to address economic inequalities, which traditionally have focused on distributive issues and sought to erase differences between people in order to secure their equality. In other words, a movement in emphasis from sameness to diversity coincides with the worry moving from economic to cultural and political inequities. Instead of focusing on similarities, equality today seems to demand a respect for differences in both policy and theoretical discussions. Some theorists worry that this emphasis on diversity may have diminished rather than heightened prior worries about economic inequality. Numerous liberal egalitarians contend that focusing more on groups than on individuals compromises the idea of equal treatment and diverts attention from more urgent economic disparities. Others, who are more sensitive to the issue of group disparities, claim that the distinction between acknowledgment and redistribution, or between the political and the economic, has been unnecessarily drawn as a result of the restricted emphasis on cultural inequalities and recognition. Even while some people now think this argument is wrong, it has still encouraged theorists to develop theories of equality that make an effort to negotiate diversity by addressing economic, cultural, and political issues[1].

In that "under conditions of modern social citizenship, it is inequality not equality which requires moral justification," equality is likely best understood as a distinctly modern virtue. "Modern social citizenship" has, according to T. Marshall, human rights include civil, political, and social rights. Equal protection under the law is referred to as civil citizenship, access to legislative institutions is referred to as political citizenship, and a guarantee of

economic and social well-being is referred to as social citizenship. Up until recently, discussions on equality among modern political theorists and liberal egalitarians in particular tended to centre on social citizenship. Liberal democratic polities are founded on their dedication to civil and political equality, including all citizens' equal access to the ballot box and the opportunity to run for office. Given the considerable wealth and income disparity that exists in capitalist nations, the quest of social equality has become more difficult and challenging.

There is a significant body of theoretical literature that attempts to explain and defend the role of social inequality from an egalitarian perspective due to the conflict between the principled liberal-democratic commitment to egalitarian citizenship and the persistent material inequality of economic and social well-being. Perhaps very uncharitably, this literature might be seen as a complex effort to balance the needs of citizenship with the desire for profit. According to this viewpoint, discussions on equality among liberal political theorists are efforts to reconcile acceptance of social disparity with a commitment to social justice. The concepts of meritocracy and equality of opportunity as opposed to equality of result or condition have been central to this endeavour. Political theorists are said to often function on a "egalitarian plateau," where everyone agrees that people should be treated equally. But if "treating people as equals" calls for anything more than formal civil and political equality, there is fierce debate. Disagreement over whether or not income and wealth disparities are legitimate from an egalitarian perspective has brought attention to what is now known as a "distributive paradigm," in which thinkers consider whether distributions are reasonable[2].

The first thing to observe in this literature is how few individuals really advocate for a wealth and income distribution that is "equal" in the sense that it is the same for everyone. The 1930s saw R. Although the goal of an equitable distribution of actual riches may yet escape us, H. Tawney was delighted to make the case that we should move quickly in that direction. The liberal egalitarian literature is characterised, with very few exceptions, not by a debate between equality of opportunities and outcomes, but rather on different types of equality of opportunity. In contrast, Dworkin states categorically that no one would now seriously propose equality of outcome as a political ideal. The three-fold typology of minimum, conventional, and radical proposed by Adam Swift serves as a useful framework for this discussion of different types of equality of opportunity.

The Equalisation of Chances

A person's ethnicity, gender, or religion should not be permitted to affect their chances of being hired, of receiving a decent education, etc., according to a minimum notion of equality of opportunity. Their abilities and capabilities are what count. Contrary to common belief, everyone should have an equal opportunity to obtain the necessary skills, qualifications, and competencies. This is in addition to the minimum concern with applicable capabilities. In a society with widely disparate levels of wealth, this requirement may entail limiting parents' ability to purchase education for their kids and redistributing resources to the kids from poorer families to make sure they get an education on par with kids from wealthy families. It may be impossible to completely eradicate the impact of social background, but this strategy aims to reduce the barriers to skill development for everyone. This makes the difference between equality of opportunity and equality of result weak, as Swift correctly notes, because ensuring equality of opportunity will need some resource transfer in order to partially offset socioeconomic disadvantage.

By contrast, the radical idea of equality of opportunity questions the underlying tenet of the two approaches discussed above that disparity is acceptable as long as it is driven only by skill and not by social or cultural forces. According to the radical theory, both brilliant and untalented people should be entitled to rewards. Because supporters of this strategy contend that just as it is unfair for children of wealthy parents to receive better opportunities than those of poor parents, it is also unfair for talented children to receive better opportunities and rewards than those who are less talented[3].

Many liberal egalitarians have criticised the minimal conception of equality of opportunity on the grounds that the meritocratic system produced by a commitment to equality of opportunities is widely perceived to be compatible with, and in fact to generate, a society with enormous income and status disparities where a talented elite rule and the underprivileged are perceived to have failed as a result of their own personal shortcomings. This method of achieving equality is defined by John Rawls as giving everyone a "equal chance to leave the less fortunate behind in a personal quest for influence and social position." He famously proposed a theory of justice in its place, one that includes the principle of equal basic freedoms and another that states that "social and economic inequalities are to be arranged so that they are to the greatest benefit of the least advantaged, and attached to offices and positions open to all under conditions of fair equality of opportunity."

The civil, political, and social citizenship rights outlined by Marshall are thus divided, with social and economic citizenship being evaluated in accordance with two additional criteria: equality of opportunity and the diversity principle, while civil and political rights are subject to a formal equality criterion. Ronald Dworkin proposes that everyone should begin with "equal resources" and then be free to pursue their goals in the marketplace. This is an extreme kind of equality of opportunity. Resources must be distributed with consideration for aspiration, but not for skill, since talent is "traceable to genetic luck" and as such is arbitrary in terms of social fairness. Dworkin, in other words, assumes that everyone is equal, asks what would justify inequality, and contends that, although differential skill would not, differential ambition would[4].

DISCUSSION

The little analysis of discussions around opportunity equality points to considerable differences among liberal egalitarians. However, there are also common beliefs that this literature's detractors contest, such as the significance of human choice and the function of the market as a tool for guaranteeing equitable distributions. These opponents often concentrate on liberal egalitarians' exclusive emphasis on resource allocation, as well as their reluctance to address the root causes of structural inequality and acknowledge human variation. According to some detractors, Dworkin's theory of equality of opportunity is effective because it takes into consideration the two main objections of the anti-egalitarian movement: choice and responsibility. The liberal egalitarian literature makes the assumption that one can distinguish between talent and ambition and be reasonably certain which aspect of an individual's life is the result of each. In this case, equality becomes a discretionary privilege that one must earn and whether one does so will depend upon one's "choices." Armstrong contends that this emphasises the market and is consistent with the neoliberal discourse on economic competitiveness. Liberal egalitarians are, in fact, more likely than ever to support the free market as the best path to egalitarian justice. By continuing to focus on material and financial distributions rather than

distributions of power or status, they "facilitate the colonisation of all spheres of human activity by the market," according to this definition.

According to some thinkers, egalitarianism cannot be boiled down to the distribution of a single good or to a single value. For instance, Jonathan WolV believes that respect and fairness are the two concepts at the heart of egalitarianism. He contends that in order to be fair, no one should be adversely affected by arbitrary elements, and as a result, "a great deal of knowledge of individual circumstances is required" in order to execute truly fair rules. He says that in order to ascertain if someone is jobless due to a lack of skill or a lack of desire, it would be necessary to interrogate them incessantly and expose them to humiliation and embarrassment. This raises the possibility of a clash between the pursuit of justice and the bestowal of respect. In light of this, WolV suggests that egalitarians appreciate both fairness and respect, and more generally, that "distributive justice should be limited in its application by other egalitarian concerns."

The distribution of one item should not constitute equality, according to Amartya Sen. He criticises Dworkin's and Rawls' accounts of the initial equality of resources for ignoring the significance of variety in that different persons would need different quantities and types of commodities to achieve the same degrees of well-being. Due to social variation, different individuals will convert resources differently into opportunities, requiring different amounts of resources to accomplish the same skills. Different options for quality of life may exist for two persons with the same "commodity bundle" depending on their age, gender, handicap, and other factors. Human variability, according to him, "is no secondary complication; it is a fundamental aspect of our interest in equality," he claims. By introducing the concept of multiplicity to the distribution process in this manner, Sen shifts the conversation around equality issues from resources to whatever is required for individuals to grow as individuals[5].

While this is going on, writers who advocate for gender justice often criticise liberal-egalitarian ideas of distributive justice as being androcentric and gender-blind. For instance, many egalitarian justice theories take distributions within the family as given and presume that the idea of justice solely relates to the public arena. Social justice analyses that are gender-sensitive must take into account the private realm and the gendered division of work within it, according to feminist political theorists. They have also criticised the individualism that is a defining characteristic of most conventional egalitarian theory, which dismisses the importance of social groups, minimises the influence of social structures, and fails to recognise structural disparities. According to this viewpoint, liberal conceptions of equality lack a theory of inequality and hence are unable to examine the causes of the types of inequality they want to eliminate.

Dworkin's liberal equality, according to Ingrid Robeyns, is "structurally unable to account for the cultural characteristics of gender, race, and other dimensions of human variety that produce unjust inequities between individuals. Equal opportunity is a difficult goal to pursue in the face of human variability. The goal of gender equality, according to feminist thinkers, is always stymied by exaggeration and denial in a patriarchal culture. When discussing how employment policy should be written to cope with the possibility that women would need pregnancy leave and benefits, two different ideas have often surfaced. Pregnancy should be covered by broad gender-neutral leave and benefit policies, according to the first strategy. Any physical ailment that prevents anybody, male or female, from working would be covered by such policies. The second strategy contends that since it privileges men's lives and disadvantages women, it does not genuinely represent the aim of gender neutrality.

According to this viewpoint, the issue isn't only that policies that seem to be neutral are really biased, but also that the uniqueness of women's contributions isn't favourably acknowledged. On the other hand, some feminists advocate a gender-differentiated strategy that would acknowledge and publicly affirm the social role of childbirth. This comprises the suggestion of constructive action plans based on the differences between men and women. The lack of broader disability, health, child-rearing, and care-taking assistance, however, continues to be a chronic problem for the vast majority of employees, male and female, throughout their working lives, according to Deborah Rhode, who claims that this strategy reinforces gender stereotypes rather than feminist principles.

A third gender equality technique, known as gender mainstreaming, has emerged as a result of the uneasiness with the swing between advocating for equal treatment and taking constructive action. The goal of mainstreaming is to uncover "how existing systems and structures cause indirect discrimination and altering or redesigning them as appropriate" in recognition that the standards of equivalence used to establish fairness may be biased as well. Therefore, the mainstreaming strategy's emphasis is on the structural factors that contribute to gender disparity and its transformation of the policy-making process to eradicate gender bias. As for the political theory literature as a whole, the response to liberal egalitarianism's drawbacks is to expand the account of equality of opportunity so that it engages with cultural and political forces in addition to economic ones and takes institutional and structural barriers into account in addition to personal ones. This brings civil and political rights back into focus and emphasises how many marginalised groups still have a long way to go before enjoying full realisation of these rights. A more complicated explanation of the ways in which social institutions, and the decisions others make within them, construct and restrict the environment in which we behave replaces the liberal egalitarians' seeming contradiction between the "choices we make" and the "circumstances we face."

Thinking About Difference

Difference, which denotes a statement of group cultural and political equality, is commonly used in attempts to advance beyond the liberal egalitarian approach to equality within political philosophy. Liberal egalitarianism, according to proponents of a politics of recognition, or difference theorists, has privatised cultural, religious, and other differences, which the state ought to acknowledge and take into consideration in its laws, institutions, practices, and policies. Treating people fairly does not necessarily involve treating them equally; for example, certain groups may rightfully get exemptions from the law, while others may not, and governmental policy may prioritise those whose cultures are under danger. According to this viewpoint, a politics of redistribution defines justice too narrowly and neglects to emphasise the significance of the variety of viewpoints, preferences, and moral principles[6].

Charles Taylor, one of the most important proponents of a politics of recognition, argues that although treating individuals equally would include distributive issues, treating them as equals requires recognising what is unique and different about each individual. Giving each individual their due respect and acknowledging their unique characteristics are necessary for treating them as equals. Therefore, in order to recognise each person's distinct identity, it is necessary to publicly acknowledge each person's unique value rather than provide everyone the same set of rights. The notion that each person's personal identity needs to be acknowledged in order to

accord that person respect commonly morphs into a related yet separate thesis that collective identities also need to be acknowledged.

Assuming that groups provide a legitimate manifestation of one's uniqueness, these two propositions are connected by the idea that the expression of one's distinct identity will take the shape of a group identity. The second argument for the significance of group diversity opposes the individualism of liberal equality and places more emphasis on the fact that individuals are rooted in their cultures. Liberal egalitarians, while acknowledging that people have different cultural and religious backgrounds, often see these differences as temporary and politically irrelevant. This action is questionable from the standpoint of a politics of recognition since liberal politics and policies have typically institutionalised the values and norms of the dominant culture rather than abstracting from differences. Therefore, according to diversity theorists, rather than discounting the importance of these cultural norms, the state should recognise the diversity of cultures present in the polity, pass laws exempting some groups from them while not others, establish political institutions that grant marginalised groups special rights of group representation, and alter cultural symbols to reflect the presence of diverse groups.

Even some distributive paradigm theorists now recognise the significance of cultural acknowledgment in the achievement of equality. For instance, Will Kymlicka contends that real equality necessitates granting racial and ethnic minorities rights tailored to their particular groups. In light of this, he concurs with the Canadian Supreme Court's conclusion that "the accommodation of differences is the essence of true equality"). He argues against those who say that achieving equality calls for all people, regardless of race or ethnicity, to have equal rights, and instead contends that certain minority claims may reduce inequities and are, thus, reasonable. In order to address the disadvantages of being outvoted by the majority group, it is argued that group-specific rights, such as territorial autonomy, veto powers, guaranteed representation in centralised institutions, land claims, and language rights, should be granted. This argument for group rights therefore invokes a distributional perspective. To guarantee that everyone has the same chance to live and work in one's culture, these requests for more authority or resources are important. Insofar as the claims are grounded on what groups already need to maintain themselves as separate civilizations, the case for group-differentiated land rights is founded on a distributive justice theory. Kymlicka's defence of group rights is set apart from other critics of the distributive paradigm by this [7].

As a result, cultural acknowledgment is added to the egalitarian agenda, displacing the predominant prominence traditionally accorded to redistribution-related problems. In this sense, the emphasis shifts from sameness to diversity when the concern over economic to cultural inequities changes. Instead of looking for commonalities, equality now seems to demand tolerance for differences. In addition, it often incorporates assessments of the systems and structures that create and maintain the disparities under examination in the first place, emphasising the significance of equality between groups rather than between individuals. Maldistribution is seldom dismissed by equality proponents and theorists who concentrate on oppression, although they do sometimes bring up more urgent issues, which some detractors now contend takes attention away from this goal.

Questions Regarding Recognition

There are others who disagree with the contemporary movement to theorise equality as requiring the acceptance of diversity, notwithstanding how prominent this movement has been. Two issues

have come to light as being particularly urgent: the first is the extent to which the tendency to privilege groups causes the wider polity to become fragmented, and the second is the extent to which the focus on political inclusion and cultural recognition results in the marginalisation of issues of economic distribution. These issues might be categorised as the relative difficulties of reification and displacement. Regarding the first of these, many liberal egalitarians have argued that the politics of recognition hinders intergroup solidarity by formalising and freezing identities that are genuinely susceptible to ongoing change. Focusing on a Yrming identity, according to one critic, "produces debilitating political fragmentation, diverts attention from growing economic inequality, and leads to a fetishism of identity groups, reinforcing the tendency of such groups to become exclusive to outsiders and coercive to insiders." Others contend that group-specific claims' intrinsic "retribalization" weakens civic virtue and imperils the integrity of the country. Given the contentious status of groups and group rights within the equality/diVerence debates, it is important to pay attention to where groups fit into the various articulations of a politics of recognition and diVerence. It is also important to note that the transition from asserting the "ontological" claim that recognition is crucial to the dialogical self to asserting the "advocacy" claim that group rights are crucial to a just society is hotly contested.

According to Benhabib, for example, it is "theoretically wrong and politically dangerous" to think that a person's quest for true self-hood should take second place to the efforts of groups. This presents an intriguing dilemma since Benhabib endorses certain elements of a politics of diversity, in contrast to many of the group rights opponents. She contests the idea that the moral self is an abstract, disembodied person and opposes moral theories that are limited to the perspective of the "generalised other." She argues that this form of theorizing's intrinsic abstraction causes the denial of diversity. She still asserts that Taylor makes an "illicit move" from the assumption that parties pursuing a politics of diVerence would allow for the realisation of such individual authenticity to the right of the individual to seek an authentic style of existence. Benhabib believes that the notion of groups implied by the latter argument is too unitary to be attentive to the conflicts and hostilities both inside and between groups.

Advocates of a politics of diVerence contend that groups may best be regarded in relational rather than substantive terms as a result of worries about "the problem of reification." The picture of definite, physical, tangible, delimited, and lasting "groups" leads us to think about groups in these ways instead of relational, processual, dynamic, eventful, and disaggregated concepts, which is how groups should really be conceptualised. They want to "retain a description of social group differentiation, but without fixing or reifying groups" in this manner. The influence of this rethinking of "groups" on the real political strategy promoted in their names is still an open topic, however. Barry, for instance, argues that Young still believes that belonging to a group is determined by having a unique culture. This is true despite the relational idea of social groupings that Young advances. By doing this, she misdiagnoses the issue and thus comes up with bad solutions.

In fact, Barry contends in his "egalitarian critique of multiculturalism" that the suggested group-based remedies are not only ineffective but also counterproductive since they undermine the foundation of solidarity required for a politics of redistribution. All group recognition regulations will truly accomplish, according to him, is "a minor reshuffling of the characteristics of the individuals occupying diVerent locations in a un- changed structure that creates grossly unequal incomes and opportunities." He contends that the politics of diversity is incorrect in its claim that acknowledgement of people' identity-related differences is necessary for equality, and that the

issues raised by diversity theorists can simply be boiled down to issues with formal economic inequality. Traditional liberal legal principles may thus be used to address the issue. Furthermore, the focus on difference erodes the unity required for redistribution politics[8].

This last assertion establishes a connection between the reification and displacement issues as two major criticisms of the politics of diversity. It is believed that the former, which has to do with an unwarranted obsession with groups, both conceptually and practically contributes to the latter, which has to do with a waning concern about economic disparity. Liberal egalitarians contend that the emergence of a politics of difference not only shifts theoretical focus from redistribution-related issues to recognition-related ones, but also informs a variety of policy initiatives that further erode the prerequisites for pursuing a redistributive politics. One drawback of emphasising group rights is that it obscures the fact that inequality is a problem of systematic structural injustice by framing it as a problem relating to the group as an entity. This is because the claim implicit in a politics of recognition that groups have differences that require state recognition shifts focus away from the characteristics of the "claimant. In other words, the efforts to redress economic injustice are displaced as a result of the reification of group identities. In *Which Equalities Matter?* Anne Phillips questions the "parting of the ways between political and economic concerns," while showing greater sympathy for the concerns of diversity theorists.

Her argument, that there has been a shift in focus from the class inequalities that threaten democracy to the gender, racial, or cultural hierarchies that undermine equal citizenship, grapples with the "problem of displacement." She adds that this shift has led to a polarisation between economic and political approaches to inequalities, with political approaches seemingly dumping concern with economic issues altogether. In a similar vein, Nancy Fraser contends that the focus on cultural dominance serves to downplay worries about economic inequities. As a result, she offers a theoretical framework that takes into account both the political economy and culture, and it views both redistribution and recognition as appropriate responses to inequality, though ones that stand in conflict with one another.

The affirmative politics of recognition conflicts with the transformative politics of redistribution because the former promotes group identity while the latter seeks to eradicate the group as a whole. The protracted discussion around recognition and redistribution illustrates the degree to which worries about unfair distribution of wealth and racial discrimination increasingly dominate efforts to formulate theories of equality. However, this debate's binary structure may have obscured the significance of dominance in terms of equating equality with theory. The clear division between recognition and redistribution seems to leave little room for problems that are particularly political, such as citizenship and political involvement. It contrasts cultural oppression with economic inequality, leaving little conceptual room for ideas about democratic inclusion.

Diversity And Inclusion in Democracy

While "equality theorists" have concentrated on economic inequality and "diversity theorists" have concentrated on cultural oppression, those who concentrate on political dominance may be more appropriately referred to as "diversity theorists." These individuals are critical of liberal egalitarians' economic individualism and concerned with the essentialism of recognition theorists. Diversity theorists concentrate on both equality of political participation and the process by which the meaning of equality is determined. Diversity theorists emphasise the need of political voice and democratic inclusion in an effort to resolve the seeming contradictions

between equality as recognition and redistribution. Redistribution, according to Bhikhu Parekh, necessitates principles to determine who is qualified to make what claims, and these principles "can only be arrived at through a democratic dialogue, which generates them, tests their validity, and gives them legitimacy."

This focus on democratic inclusion diverts attention from the age-old question, "What is equality?" inquiry to the more general problem of who participates in this discussion. Its main thrust is to draw attention to the validity of the actual procedure used to develop the criteria of equivalence. Procedural standards take on a crucial role in the achievement of equality in this manner. Thus, a concern for democratic participation adds to the discussion of substantive equality. Every universalizability technique, as noted by Benhabib, assumes that "like cases ought to be treated alike"; the challenge, however, is defining what exactly qualifies as a "like" circumstance. Such a process of reasoning must take the perspective of the concrete other in order to be even somewhat feasible. When considering the implications of adopting the perspective of the concrete other in relation to liberal-egalitarian theories of equality, one is immediately struck by Dworkin's unilateral suggestion that, while differences in talent should not be taken into account when treating like cases similarly, differences in ambition should. However, as Monica Mookherjee correctly points out, the redress of unfair conditions "cannot be achieved by applying preconceived interpretations of the term equality itself." This is due to the fact that allowing excluded groups to upset and destabilise meanings and interpretations that the institutional culture has previously considered as universal and complete is a necessary, although not sufficient, prerequisite of equality. Democratic inclusion is crucial to both the meaning and the realisation of equality since it will enable excluded groups to challenge institutionally accepted concepts of equality.

Young makes a significant argument that although there are urgent reasons for philosophers in modern American society to focus on questions of wealth and resource distribution, "many public appeals to justice do not concern primarily the distribution of material goods." They are also worried about unfair decision-making processes, stereotyping, and derogatory cultural portrayals. She contends that whereas political equality necessitates democratic decision-making, civil equality necessitates the eradication of "cultural imperialism." One must address and eliminate oppression, which is defined as "systematic institutional processes which inhibit people's ability to play and communicate with others or to express their feelings and perspectives on social life in context where others can listen," and domination, which is defined as "institutional conditions which inhibit or prevent people from participating in determining their actions," in order to advance these broader goals of equality.

Therefore, in contrast to Taylor's politics of recognition, which emphasises cultural acknowledgment more than democratic inclusion, Young's politics of diversity attempts to confront both oppression and dominance. Young suggests that institutional and financial support for the self-organization of oppressed groups, group generation of policy proposals, and group veto power regarding specific policies that affect a group directly should all be included in mechanisms for the elective representation of all citizens. The implementation of candidate quotas for women, seats allocated for racial and ethnic minorities, and group participation on a broad range of governmental bodies have all virtually been mirrored by these suggestions. This indicates a change in emphasis from the study of substantive theories of equality to those of procedural standards. It's fascinating to note that mainstreaming as an equality approach might be developed from the previous equality/difference discussion within gender theory. However,

procedural issues cannot take the place of substantive issues since it may be required for us to have considerable economic equality before we can be considered political equals. As a result, discussions regarding equality must be iterative processes. After all, although fair procedures are necessary to determine what constitutes substantial equality, substantial equality itself may be necessary to ensure fair procedures.

CONCLUSION

In conclusion, inequality is increasingly being theorised as a problem of injustice, oppression, and dominance. While a politics of recognition tackles cultural oppression and liberal egalitarianism focuses solely on maldistribution, theories of democratic inclusion address the need to end dominance. As a result, the theorist's emphasis switches from only attempting to explain equality's meaning to also outlining the procedures by which others can equally participate in its formulation.

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CHAPTER 12

EQUALITY, PROPERTY AND LIBERTY

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ABSTRACT:

The concept that distributive systems should guarantee that we participate equally in each other's successes and failures has been a topic of discussion among political philosophers working in the analytic tradition for almost three decades. This discussion, like some of their more recent ones, began in 1971 with the release of John Rawls' seminal work, *A Theory of Justice*. This chapter explores the significant impact on the discussion of under-recognized property rights assumptions, similar to those more commonly identified with Rawls's leading libertarian antagonist, Robert Nozick. My argument is that Ronald Dworkin's alternative liberal egalitarianism declaration, and by extension, following non-Rawlsian egalitarianisms, were significantly influenced by Nozick's challenge to egalitarians. I'll start by making some very quick comments regarding Rawls' original formulation of the luck-sharing project before looking at those latter viewpoints.

KEYWORDS:

Distribution, Equality, Luck, Liberty, Market.

INTRODUCTION

Few, if any, reasonably wealthy people can plausibly assert that those who are less fortunate might have had a higher quality of life if they had been willing to make the same decisions. Instead, as Rawls frequently points out, it is more believable to argue that the material disparities that exist in modern societies are the result of outside forces, most obviously the less fortunate people's poorer luck in the social and natural lotteries that determine family, class, and genetic endowment. "To seek for a theory of justice that avoids the exploitation of accidents of natural endowment and the contingencies of social conditions as counters in a pursuit for political and economic benefit," is Rawls' reaction to this sociological cliché. Initially focusing on disparities in professional opportunity and appealing to the anxiety many people feel about hereditary discrepancies in job possibilities, he offers ideas to distribute the benefits of luck.

Then, Rawls contends that because it is illogical to confine our attention to only these involuntary disparities, we should take a similarly critical approach towards income and wealth disparities that result from differences in both social and natural chance. For this reason, Rawls does not get to the conclusion that justice condemns all involuntary occupational and financial disparities, unlike more extreme egalitarians. Instead, his renowned "difference principle" and principle of equality of opportunity call for distributive institutions to set up income and wealth disparities to work in everyone's favour, giving those who are less advantaged priority in distributive conflicts, and to ensure positions are allocated through a fair hiring process[1].

Various criticisms of democratic equality have been made, as Richard Arneson explains in this book. While others agree with Rawls' desire to equally distribute the benefits of chance, they contend that his efforts to accomplish this goal have not been sufficiently comprehensive. The degree to which his principles condemn injustice resulting from gender-based disparities in the division of labour within the family, for instance, is where Rawls, in Susan Okin's opinion, falls short of G. According to A. Cohen, Rawls' justification for incentive-generating inequalities hinges on an arbitrary limit on the application of his difference principle. The early criticism of democratic equality that received the greatest attention was far harsher.

Robert Nozick argued against any effort to lessen the consequential effects of the social and natural lottery in *Anarchy, State, and Utopia*. Nozick's key argument in favour of this result was that an appropriate theory of historical entitlement would account for distributive fairness. Nozick did not just mean that any such theory must use historical data for determining distributions when making this assertion. More controversially, he also made the contentious assumption that people have entitlements to, or significant private property rights over, their bodies, their labour, the results of their labour, and non-produced resources. These rights include comprehensive powers to dispose of property by waiver, gift, bequest, and market exchange, in addition to claim rights against certain types of interference by third parties in an owner's property. Nozick emphasised the strictness of rights, implying that they have near absolute importance and that they may only be overcome, if at all, in extraordinary situations, such as when "catastrophic moral horror" would otherwise be inevitable[2].

Nozick made some additional specific arguments regarding how to effectively develop an entitlement theory in addition to these broad assumptions. He argued that people have complete self-ownership rights that forbid both involuntary redistributive taxes on labour income and involuntary slavery. He relied on a modified Lockean proviso to explain how individuals could unilaterally acquire ownership rights in previously unowned natural resources. It states that appropriators of a previously unowned resource need only make sure that others are not worse off than they would have been otherwise. Nozick maintained that because non-ownership is inefficient, his condition would be readily met, necessitating only seldom the use of political action to redistribute money or restrict the transfer of power.

Nozick came to the conclusion that a system of property rights could be just without mitigating the differential effects of the social and natural lottery or eradicating destitution because his entitlement theory did not include any provisions requiring a system of property rights to protect individuals from differential luck. Additionally, he contended that many redistributive state measures are prohibited by justice. He argued that such policies implicitly presume that resources are accessible for distribution, but that premise is false since people are self-owners and would have uneven claims to resources as a result of using their legal authority to appropriate and transfer property. Nozick came to the conclusion that given ignorance of what would have occurred in the absence of injustice, any actions mandated by the difference principle could only be justified, at most, as corrective efforts to make up for prior abuses of people's rights.

Economic Freedom

Nozick's refusal to argue any specific principles of rectification made his view's positive implications for public action very ambiguous given humanity's history of genocide, enslavement, and violent expropriation. It is doubtful that Nozick's own take on entitlement

theory would have gained more adherents even if they had been less ambiguous. Because despite the fact that Nozick's work on distributive justice often displays brilliant invention and significantly rekindled political theorists' interest in property, it also sparked a number of strong criticisms[3].

One response to Nozick's counterintuitive findings about even moderate redistribution is to criticise their dogmatic dependence on weakly supported assumptions regarding the categories of rights that a distributive justice theory ought to assign. Nozick's notorious effort to demonstrate "How Liberty Upsets Patterns" is a good example of the accusation. The argument starts by encouraging opponents of the entitlement approach to picture the distribution they prefer, for example, one in which everyone receives an equal part or one in which shares are allocated in proportion to some personal trait, such as deservingness. Now imagine that all 1 million onlookers are prepared to make this trade in return for Wilt Chamberlain showing off his basketball skills. Only then will he be willing to do so. Nozick first argues that we accept the supposition that if the relevant transactions happen willingly, then the later distribution, D2, is no less equal to the original distribution, D1. To achieve this, however, we must give up on our dedication to egalitarian or patterned ideals since Wilt's privileged status in D2 contravenes them.

Then Nozick continues, hinting that his example also demonstrates how the distributions favoured by egalitarian or patterned principles can only be maintained by limiting people's freedom to dispose of their holdings as they see appropriate. The strength of Nozick's example, the plausibility of his favourable judgement of D2, and his opposition to transfer restrictions, have all been pointed out by opponents, and they don't only depend on the assumption that D1 gives people the freedom to skip an additional quarter to see Wilt play. The illustration also implicitly presupposes that people have the ability to provide Wilt a wildly excessive or uneven payment for his services, which Wilt may subsequently use in ways that have even more disruptive effects. However, given their effects, it is not at all clear why any of us, much alone egalitarians and pattern theorists, should concur with Nozick's premise on the scope of people's capacities.

Furthermore, Nozick asserts in other places that he shouldn't take other people's ownership rights' material for granted. So, he dishonestly admits that his Lockean proviso necessitates "a more complex principle of justice in transfer" that restricts owners' abilities to sell their possessions, and presumably the same is true for the provisions of a bequest that restrict future owners' abilities. More broadly, Nozick acknowledges that ownership entails a complicated bundle of rights that may be disaggregated in his comments about people dividing their self-ownership rights in order to sell some of the components. Despite this acceptance, Nozick provides nothing more to support his claim on people's abilities in D1 except to pose the hypothetical question, "If... Wasn't it true that individuals had the right to dispose of the resources to which they had access, including the right to offer them to or trade them for them with Wilt Chamberlain?" . Anarchy, State, and Utopia is an example of "Libertarianism Without Foundations," according to Thomas Nagel, who claims that Nozick does nothing to prepare for a negative response.

DISCUSSION

It would be wrong to just ignore Nozick's research on distributive justice despite its illogical and incomplete nature. Hillel Steiner set the precedent for self-identified left-libertarians who claim

that policies intended to address wealth disparities may be supported by an entitlement theory and are compatible with some kind of complete self-ownership. It's arguable whether these defences are strong enough to stand on their own, but they deserve consideration and at the very least counter libertarian criticisms of the luck-sharing initiative with convincing ad hominem defences. In addition, Nozick's approach presents a significant challenge to any philosophical explanation of distributive justice, therefore it should be taken seriously even by those who deny complete self-ownership or any assumption that full ownership rights over impersonal resources exist. T. S. Eliot has stated that "the specific framework of property and contract rights which Nozick proposes does not constitute an adequate account of the claims of economic liberty" When discussing anarchy, state, and utopia, M. Scanlon makes the following points that effectively capture the difficulty.

It is a strength of the book that it makes us think about economic institutions as more than just means for the distribution of products; they also, like political institutions, impose obligations on us in the form of demands and constraints. When things are seen in this manner, it becomes clear that requirements for the validity of social institutions must be taken into account, along with political, civil, and economic liberty, as well as equitable distribution. I'm hoping that this will have an effect on modern moral and political philosophy, which has typically ignored economic rights and freedoms in favour of other types of political and civic liberties and rights. Scanlon's observation serves as a reminder that even if we reject Nozick's implausibly permissive conclusions about inequality and destitution, as well as his assumptions about income tax and broad transfer powers, we still need to decide what degree of control over their holdings individuals can legitimately demand of social institutions[4].

Imagine a situation where a group of equally skilled people must allocate arable land and other natural resources among its members. This easy exercise will help you visualise the difficulty. Any effective solution to the group's distributive issue must specify not only how to share those assets but also what should be distributed, or the specific ownership rights that should be granted to each recipient of a fair distribution. Consider that we prefer a resource-focused explanation over a welfare-focused one in the latter case despite this, there are still many more problems that need to be addressed about the obligations that people have to one another when distributing the rights to manage and profit from their resources. More or less broad unilateral decision-making rights may be enjoyed by individuals with regard to the modification, consumption, or productive use of resources as well as the production of externalities. They could also have rather different rights to deny others the advantages of their choices and, as we've seen, to change how the rights to resources are distributed.

Consider the situation where we must choose between ownership rights that allow people to use their possessions just for consumption and rights that allow them to use their possessions for production and trade as well. In addition, if we allow productive use and everyone has equal productive talents, we should think about the choice between rights that distribute the benefits of people's decisions in different ways. For instance, consider the difference between rights that allow the producer to keep the entire product and rights that allow others to take an equal share of the product. Simply relying on arguments that it is unfair for certain people to have greater ownership rights than others owing to circumstances beyond their control will not enough to settle these extra conflicts. We also need to determine the specifics of how each person's rights will be distributed. In order to resolve these disagreements, one tactic is to make strategic claims about which ownership rights system offers the incentives that best influence individual actions.

The choice between liberal market socialism and property-owning democracy is dependent on "the traditions, institutions, and social forces of each country, and its particular historical circumstances," according to Rawls, who also claims that "the principles of justice are compatible with quite different types of regime." However, relying only on tactical justifications is not totally adequate. For instance, requiring equally talented people to share whatever they earn appears undesirable due to the restricted amount of control it offers them over their property. This argument holds true even if the condition does not result in ineptitude. The significance of Nozick, in my opinion, was to push egalitarians to investigate these questions in a manner that presupposed there were non-instrumental reasons why people may seek significant control over material resources[5].

The most significant philosopher to take up Nozick's challenge was Ronald Dworkin. Dworkin presented a theory of economic justice intended to guarantee that people participate in each other's destiny while also enjoying a variety of economic freedoms in papers published in over two decades and his book *Sovereign Virtue*. Although Dworkin's explanation of his theory of equality of resources begins with a simplistic picture, it is complicated. Imagine that a group of stranded individuals must equitably distribute the island's resources. When the survivors do, Dworkin advises them to make an effort to pass a suitable version of what economists refer to as the "envy test". They should make sure that no one prefers anyone else's resources and that everyone has an equal say in determining the characteristics of the resource bundles that are available for distribution. The greatest method to do away with jealousy in this manner, according to Dworkin, is via the market. In further detail, he explains an auction in which each bidder has equal bargaining power and where lots are continuously divided by the auctioneer until the market settles and no bidder wants to repeat the procedure. When production, investment, and commerce complicate the island's economy and differences in luck as well as ambition determine the islanders' possibilities, Dworkin then questions whether a market approach is still suitable[6].

Dworkin makes a key difference between a person's luck in her choices and the circumstances she encounters regardless of her actions in this passage. "Option luck is a question of how intentional and premeditated gambles play out whether someone profits or loses via taking an isolated risk he or she could have foreseen and should have refused," he says in describing the two sorts of luck. When risks take unexpected turns that aren't necessarily purposeful bets, it is what is known as brute luck. According to Dworkin, people have the right to utilize their resources productively and retain the profits in situations where everyone has the same level of raw luck and there is no diversity in productive skill or other natural qualities. Dworkin also contends that people have the right to use resources in ways that subject them to various levels of chance. He comes to the conclusion that there is no reason to object to some islanders having more resources than similarly situated islanders who refused to gamble or who opted to bet but had poorer choice luck.

This is if they choose to gamble with their endowment and have excellent option luck. Dworkin's observations concerning the fairness of choice luck disparities play a vital role in resource equality after his simple assumption about the lack of differential brute chance is loosened. Imagine that some people are born with sight while others become blind, or imagine that Adrian earns more money than his equally driven colleague Claude because he is more naturally endowed. Dworkin uses the concept of a hypothetical insurance market to address these disparities in fortune. In this market, purchasers are equally endowed and, unlike in real

insurance markets, are only aware of the distribution of brute luck as a whole, not their own individual fortunes, so they are in a more equitable position to make decisions based on their own attitude towards risk.

Then, he makes the case that those who were the unfortunate recipients of bad luck had a right to the same amount of compensation provided by the typical package of protection bought in such a market. Additionally, a system of general taxation that includes a progressive income tax is supposed to support such compensation. In conclusion, Dworkin's main argument is that a resource allocation is only equitable if the parties concerned, given their beliefs and aspirations, could have achieved it via a particular market mechanism. In order to complete the process, the participants must exercise specific rights to manufacture and sell goods, use resources they won in an equitable auction, and pool risks in a way that resembles a fair insurance market[7].

After summarising, it should be clear to see how much Rawls' luck-sharing initiative, which Nozick criticised, is continued by equality of resources. Inequalities in fate are addressed by a number of factors in Dworkin's thesis, most clearly the equal endowment of persons in the first auction and their submission to the same ignorance veil in the subsequent insurance market. However, the argument also takes into account beliefs in economic liberty that are far more similar to Nozick's than Rawls's. Dworkin believes it is a matter of principle that people have the right to become private owners of the means of production as opposed to only what Rawls refers to as "personal property." Therefore, Dworkin's perspective far more easily accepts Nozick's argument that socialism objectionably limits the freedom of prospective entrepreneurs who wish to use their own property as means of production and hire others to work alongside them.

Given that both Rawls and Nozick only show a conditional commitment to capitalism, depending on either instrumental arguments or historical assumptions about how previous owners used their bequest powers, equality of resources may even offer more robust support for private ownership than either of their positions. It's also important to highlight that Dworkin's explanation of how justice necessitates people sharing in each other's success relies heavily on assumptions about economic liberty. As previously indicated, equality of resources rewards people for tragedy in a manner that is dependent on how real people, given their values and attitude towards risk, would have chosen to use specific rights to buy protection against misfortune. Dworkin's method deviates greatly from Rawls' since it presupposes the existence of such rights and aims to achieve "endowment-insensitivity" in a "ambition-sensitive" way. According to the former perspective, what constitutes misfortune as well as the proper form and quantity of redress rely on the various preferences of people, modified solely to adjust for typical cognitive and informational flaws. In contrast, there is no effort to replicate fictitious market behaviour in Rawls's perspective. The idea that the kind of protection from disaster provided by democratic equality is optional really appears foreign to his business[8].

So far, I've created a story in which Dworkin's theory of resource equality plays a role as an effort to meld ideas from the seemingly diametrically opposed perspectives of Rawls and Nozick. Although I must acknowledge that I took Nozick's own version of historical entitlement theory's implausibility for granted, my main goal has been diagnostic in nature. However, I did not imply that the limited history that has been so far presented represents progress, in which Dworkin cleverly blends the strongest arguments for two opposing viewpoints. Furthermore, I did not imply that Dworkin corrupted the luck-sharing enterprise because of an undue passion for

private property rights. In my concluding comments, I examine the latter option and briefly discuss some of the other egalitarian ideas that Dworkin's viewpoint has inspired.

The Agency's Opposition

Certain reasonable presumptions regarding responsible agency, human liberty, and personal responsibility, according to anti-egalitarians, give justification for rejecting egalitarian distribution principles. Consider the following defence, which I'll refer to as the agency objection: We are morally competent beings who may behave in a way that makes our actions either deserving of praise or condemnation. As a result, we should be free to choose how to best further our goals as long as we respect the rights of others. Furthermore, it is unreasonable to hold us accountable for paying for some expenses caused by others' choices or for giving up certain benefits we accrued as a result of our own efforts.

However, egalitarian ideals require that results stay within a specific range. Therefore, applying such ideas entails unjustly taking away our ability to make judgements or having us pay for others' actions. Therefore, egalitarian ideas should be rejected on the grounds that they unfairly restrict liberty or distribute blame. Because it does away with the outcome-based conception of egalitarianism that the objection criticises, distributes different choices to people, and then holds them accountable for their varied responses, equality of resources suggests a relatively accommodative response to this objection. Since Dworkin first advocated for equality of resources in 1981, political philosophers have supported other instances of what I will refer to as post-libertarian egalitarianism.

Along with the left-libertarian viewpoints previously mentioned, they also contain competing resource-based approaches like Eric Rakowski's equality of fortune and Philippe Van Parijs' true libertarianism. Along with hybrid ideas like G, there are also welfareist alternatives like Richard Arneson's equality of opportunity for welfare. Equal access to advantage according to A. Cohen. Many post-libertarians seem to have arrived to the conclusion that any uneven outcome may be justified by well-informed, voluntary choice in the face of equal opportunity, even if some people suffer greatly as a consequence. For instance, Dworkin claims that "if everyone had an equal danger of suffering some calamity that would leave him or her disabled, and everyone knew approximately what the probabilities were and had plenty of time to insure.

Afterwards, disabilities wouldn't present a unique issue for resource equality. Dworkin continues, "The bare idea of equality of resources, apart from any paternalistic additions," in the situation of two people who had the same chance of becoming blind, the same insurance possibilities, but different purchasing preferences. ..If, cruelly, they were both blinded in the same accident, they would not advocate for transfer from the one who had insurance to the person who had not. He comes to the harsh conclusion that "the situation cannot be different if the individual who elected not to insure is the only one to be blinded".

In a similar vein, Arneson and G. A. Cohen has argued that the right genesis may make even a very uneven result fair. People have equitable access to welfare when, according to Arneson, ". ..Any genuine disparity in welfare in the jobs they hold results from variables that are within each person's control. Therefore, any such disparity won't pose a difficulty in terms of distributive equality. Likewise, on G. According to A. Cohen's definition of egalitarian justice, "The egalitarian asks if someone with a disadvantage could have avoided it or could now overcome it" when determining whether or not justice necessitates redistribution. From an

egalitarian perspective, he has no right to compensation if he could have prevented it. Although I continue to believe that the goal of sharing in each other's fortunes should be central to egalitarianism, I agree with critics of luck egalitarianism in regards to the post-libertarian attitude to voluntary inequality as being implausibly permissive. Elizabeth Anderson has dubbed the willingness of post-libertarians to accept that extreme inequality can be just when cleanly generated. It would be too costly to adopt that mindset in order to demonstrate that equality can endure agency opposition. However, as we will show in the following, it is still difficult to choose which aspect of the post-libertarian viewpoint to reject.

The Conflict

Adopting a mixed conception of justice that addresses both absolute and relative deprivation which I will refer to as sufficientarian egalitarianism is a natural way to avoid the excesses of the post-libertarian view. On this view, people have significant claims against suffering from certain types of absolute deprivation that cannot be waived through voluntary decisions, no matter how favourable the background circumstances. So, only certain disparities can be defended by pointing to individual accountability. The irresponsible biker who causes his own death is shown in a way that egalitarians who subscribe to the mixed conception may agree with Marc Fleurbaey: "however criminal and stupid his behaviour may have been, there is a limit to the kind and amount of suffering he should endure."

They may agree with Anderson that "justice does not condone the abandoning of anybody, even the foolish," and that "starting gate theories, or any other ideas that enable law-abiding persons to lose access to acceptable amounts of" some goods are unacceptable." The scientific approach questions the agency objection's fundamental moral presumptions rather than its depiction of equality and offers a less accommodative answer to it than post-libertarianism. The objection's reluctance to restrict freedom or increase accountability to protect certain people from complete deprivation is particularly rejected by the viewpoint. The fact that this answer may take at least two different forms should be noted. These variations differ in how they handle externalities, or the unexpected effects of people's behaviour on others, depending on whether they advocate restricting liberty as opposed to increasing accountability.

One variation argues that restricting our freedom to waive certain claims against other people is acceptable when doing so prevents total deprivation without making everyone pay the price for the actions of others. Since it seeks to shield individuals from suffering expenses associated with other people's choices, I will refer to this viewpoint as internalising sufficientarianism. The alternative version argues that if it is required to prevent extreme deprivation without limiting individual liberty, it is justifiable to have some people pay for the consequences of other people's actions. I'll call this reaction externalising sufficientarianism since it accepts cost displacement. Even though the agency argument demonstrates that egalitarians sometimes must choose at least one of these possibilities, let's assume that sacrificing sufficiency, restricting liberty, and increasing responsibility are all unappealing choices to some extent. One way to summarise what I've said is to say that egalitarians seem to be faced with a trilemma that calls for at least three different solutions. The first post-libertarian reaction reveals a readiness to forgo efficiency. Both sufficientarian varieties, in contrast, reject such a sacrifice.

However, they differ in the tradeoffs they suggest being made to protect efficiency. Externalizers defend liberty and increase liability, while internalizers restrict liberty and reduce responsibility. Consider some people who voluntarily choose to engage in some potentially harmful activity in

an environment of equal risk and opportunity. If some of them urgently require medical care as a result, post-libertarians are most likely to favour funding it only from private health insurance and countenance denying it to those who exercised an entitlement right. This illustrates the trilemma and the differences between the internalising, externalising, and post-libertarian responses. Both internalizers and externalizers disagree with this denial and provide treatment to people who choose not to purchase insurance. Externalizers, on the other hand, could finance medical care by general taxation, but internalizers prefer particular levies on the activity, mandatory insurance, or even outright ban. Bear in mind that these are only opinions. There is little doubt that impure viewpoints may be developed that undermine all three goals.

Let's say that, like chance egalitarianism's detractors, we disapprove of the post-libertarian readiness to forgo efficiency. The relative benefits of the internalising and externalising sufficientarian reactions may still be unclear to us. It is doubtful that thinking about genuine criticisms of post-libertarian equality can dispel our scepticism. Because of this, such criticisms often concentrate on the post-libertarian view's most illogical implications as opposed to its guiding presumptions on liberty and culpability. They do not properly distinguish between the two methods of ensuring sufficiency because they focus on that view's most obvious flaw rather than its underlying appeal. Additionally, they do not consider how important it is for people to have the freedom to choose their own actions rather than to be exempt from paying for the consequences of others' decisions. For instance, Anderson does mention that luck egalitarians "have been most susceptible to critiques of equality based on notions of desert, responsibility and markets" but he doesn't go into great detail about the attraction of their viewpoint.

Her argument about desert is unfounded, and there doesn't appear to be any evidence to support the idea that desert is more important than its egalitarian antecedents, such as justice as fairness, in preserving luck egalitarianism. Anderson neglects to mention that those points are important to luck egalitarians because they support a particularly expansive conception of economic liberty that gives people the power to jeopardise their own access to minimum levels of certain essential goods. It is true that her claims about responsibility and markets are more pertinent, especially in relation to resourceist forms of luck egalitarianism, but Anderson does not acknowledge this. Furthermore, she ignores the fact that sustaining people's access to such commodities comes at a cost since doing so necessitates either a less limited understanding of economic liberty or a more restrictive notion of our responsibility to cover the expenses associated with others' exercise of their freedom.

CONCLUSION

Later egalitarians have extended Rawls's claim that welfare inequalities are a matter of personal responsibility because people can avoid relative frustration by exercising an ability to revise their ends, according to Will Kymlicka's influential history of the current debate over egalitarian justice. There are compelling arguments against Kymlicka's interpretative hypothesis, which Samuel Scheiner has emphasised. Given the availability of strong arguments to benefit egalitarian principles that avoid making use of controversial assumptions about what is avoidable, there are also solid grounds to question that anything would be lost by rejecting Rawls's claim. Anti-welfarists may cite Rawls' own concerns about the informational requirements of welfarist principles as an example, or they may claim that those principles are objectionable because they either reward people with involuntary acquired expensive tastes or penalise those with voluntarily acquired inexpensive tastes. I have sketched an alternative history

that takes seriously the presence of non-Rawlsian elements in more recent statements of egalitarianism in order to pursue G. A. Cohen's claim that Dworkin "performed for egalitarianism the considerable service of incorporating within it the most powerful idea in the arsenal of the anti-egalitarian right: the idea of choice and responsibility." Cohen is correct to acknowledge the role played in resource equality by conceptions of economic liberty and liability that are more frequently associated with equality critics like Nozick, even though I am less optimistic than Cohen about how much Dworkin's accomplishment serves egalitarians. Additionally, I have argued that such ideas make post-libertarian egalitarianism excessively tolerant of artificial inequality. Egalitarians must now carefully consider the relative benefits of liberty-restricting and liability-spreading strategies to guarantee that inequality stays within allowable bounds in order to avoid that issue. They can only expect to achieve this by carefully examining the assumptions Dworkin introduced into modern egalitarianism on liberty and property.

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CHAPTER 13

A BRIEF DISCUSSION ON JUSTICE IN HISTORY

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ABSTRACT:

Throughout human history, justice has been a basic idea in social structures. Justice has had many varied definitions and manifestations throughout history, but it has always been associated with concepts of fairness, equality, and moral rectitude. This essay examines how cultures have attempted to establish fair institutions throughout history, from ancient civilizations to the current day. The first section of the essay looks at how ancient cultures like the Greeks and Romans saw justice. It examines how these civilizations saw justice and how they tried to establish just legal and governmental structures. Then it continues on to the Middle Ages and the Renaissance, when the concept of divine justice and religion both had a significant impact on justice. The study investigates the impact of these theories on the evolution of law and legal institutions.

KEYWORDS:

Accountability, Injustice, Moral, Responsibility.

INTRODUCTION

Historical injustice has plagued humanity throughout time. Almost every institution important to human political life has a history marred by injustices of varying degrees. Slavery, genocide, widespread seizure of property, widespread internment, target murders of people, and extreme political repression are all depressingly common occurrences in human history, both in the distant past and in the more recent past. Should governments be held responsible for their violent pasts, such as the savage colonisation of Australasia's and the Americas' native populations? Should the descendants of persons who were colonised by previous imperial nations get compensation? Should compensation be given to the descendants of slaves and Holocaust survivors for the damage done to their people? For example, in Central and Eastern Europe after the fall of Soviet Communism, as well as in post-colonial Africa, South America, and Asia, dealing with historical injustice has become a significant task for nations struggling to found new institutions and forms of collective life[1].

What relevance do these past injustices have now, then? Of course, at the time, they were important to the victims. But are there any moral repercussions for the victims' and murderers' offspring? Why should justice be an issue today if an injustice committed decades ago by persons who are now dead against others who are also deceased? On the one hand, it seems evident that history matters, particularly to people for whom it is still recent history. To simply ignore any past wrong as being outweighed by the passage of time would be immoral and probably unfair. On the other hand, time unquestionably affects things; it alters the actual facts, and it perhaps should alter our perception of the moral relevance of what happened. Is the justice connected with requests for reparations inevitably retrograde and, thus, politically very

problematic? These are challenging philosophical concerns, but they are also contentious political ones. In reality, the growing political importance of historical injustice reparations has been matched by the scepticism of many philosophical interpretations of their likelihood.

Therefore, it is intentional for me to emphasise the politics of historical injustice. The difficulty of addressing historical injustice as a whole touch on a number of hotly debated but crucial ideas in modern political philosophy, such as the essence of justice, rights, and accountability.

However, there are also urgent matters of practicality. There is often some kind of past resentment at the root of major confrontations today. Many of these assertions are questionable, and the historical accounts that support them are often untrue. However, many are not. As a result, political life often requires dealing with the essence of historical injustice. Six points must be addressed in order for a reasonable argument to be made in favour of making up for past wrongs: How much normative weight should the past have in discussions about what we owe to one another? Which historical wrongs are significant, and why? Who is due reparations? Who is responsible for covering their costs? What kind of restitution? And lastly, what political and prudential factors should be considered while supporting (or opposing) reparations? I'll attempt to answer these concerns as I provide a critical overview of modern political philosophy that deals with the issue of historical injustice. I provide a brief defence of making amends for past injustices in the concluding part. But there are no simple solutions. One of the most crucial political challenges of our day is also one of the most difficult to resolve: understanding and coping with the moral repercussions of the past[2].

Methods Of Repair

When I refer to historical injustice, I mean wrongs or damages perpetrated by individuals, organisations, or institutions against other people and groups who are no longer alive but whose ancestors still do. And when I say "descendants," I don't just mean people in general; I also mean different sorts of groupings made up of people who have a common identity that has endured through time and is expressed in various institutions and practises. As a result, even if significant damage may have been caused, there is no case of historical injustice to address when neither the victim nor the offender has descendants. Where one is present while the other is absent, things get more complex. Typically, requests for reparations are closely related to historical injustice. Additionally, reparations are often conceived of as comprising payments to claimants based on historical wrongs, but where the transfer between the victim and the recognised offender is complicated by the passage of time and when a traditional legal remedy is unavailable.

Restitution, compensation, and what I will refer to as "recognition" or "acknowledgment" are at least three distinct types of reparation, all of which can then take a variety of concrete forms (such as monetary or "in-kind" payments like apologies, affirmative action initiatives, new legal or constitutional provisions, truth and reconciliation commissions, etc.). Although these modes are often combined, it is important to recognise their differences. One reason for this is because sceptical and vindictory arguments often presuppose that eliminating (or validating) one kind of restitution also eliminates the others. This, however, does not follow. For instance, it must be shown why no recompense or acknowledgement is needed even if complete restitution is unattainable. Therefore, when I use the term "restitution," I mean the return of the object that was unlawfully seized. I get my money back if it's taken, and we get our land back if it's stolen. When I refer to compensation, I mean an effort to right a wrong or mitigate its effects while acknowledging that it is impossible to fully replace what was lost.

When the consequences of the mistake are such that actual restoration is unattainable, we often speak about compensation. There is no amount of money that can make up for the death of a child, torture, or the effects of colonialism. Sceptics of restitution claims often make much of this fact. However, a number of measures of restitution, including financial compensation, may help fix a damage. Without ever claiming to make that individual (or group) whole again, it may aid in a fresh start in life or in coping with some of the effects of the damages (Kutz 2004). Finally, when I use the terms "recognition" or "acknowledgment," I mean it in the sense that receiving compensation compels acknowledging the victims' fundamental humanity and subjectivity, which were denied when damage was done to them. The process of repairing or repaying someone for damage they have suffered naturally includes recognition.

However, accepting responsibility also has additional connotations, particularly when it is expressed in a formal apology and other forms of group remembering. In fact, an excessively technical examination of these problems sometimes overlooks the reality that openly acknowledging historical injustices is a particularly political effort. The law can give a victim back some of their legal authority or rights, but it cannot (on its own, at least) remedy the denial of their social or political agency. Reparations in this situation are meant to aid in the rebuilding or refounding of a political community that has been torn apart by civil war or damaged by past injustice. Reparations are therefore seen as advancing the principle of democratic inclusion, defining what it means to treat others fairly, and safeguarding and upholding a democratic way of life[3].

The idea that previous injustices matter for determining present-day justice is subject to a number of strong objections, as we will show. But it's important to note one overarching idea that comes up often in both public and scholarly arguments. It is often said that emphasising past injustice excessively is a sign of political correctness and encourages victimisation and animosity, most of it unwarranted. The prevalence of historical injustice is not just a reminder of human fallibility, but also a confirmation of certain painful realities about human nature and the naïve moralism of most normative political theory, according to a somewhat divergent criticism that is deeper and more difficult in my opinion. There can never be enough focus on past injustice. These criticisms, however, go too far in the same vein. First of all, as I've previously attempted to demonstrate, attributing guilt before assigning responsibility is premature. Attributing blame is only one of many potential outcomes, and it's not always the most probable or advantageous. Context is crucial. The specific histories' specifics important. But if we value being part of a culture that values freedom, we must also respect accountability. So, we must critically consider past injustice.

DISCUSSION

We must first have a fundamental understanding of the relationship between accountability and justice. When is it appropriate to hold an individual or group accountable for their deeds and when is it not? Naturally, responsibility is essential to thinking about distributive justice as well as corrective justice. Corrective justice entails making right any violations of legal rights that persons may have, such those to moveable or fixed property or to physical integrity and well-being. As a result, it often refers to the penalty that a person is due. The proper distribution of advantages and (non-punitive) obligations within a political system, on the other hand, relates to what we are really legally entitled to in the first place, both negatively and positively. What connection exists between distributive and corrective justice? A group of people who enjoy (or at

least should enjoy) certain entitlements, such as fundamental freedoms, rights, and opportunities, and therefore a political system within which they are granted, must unquestionably be presupposed for corrective justice. This is a vast issue. As a result, distributive justice issues cannot be entirely separated from corrective justice. In fact, our assumptions about distributive fairness are essential in establishing a normative standard by which we determine whether or not a breach of an entitlement calls for some kind of "correction".

Therefore, both distributive and corrective justice assume that individuals may be held accountable in a variety of contexts and are therefore culpable. In political discussions, this may sometimes be forgotten. Liberals, for instance, are often assumed to hold the view that no one can be eventually held accountable for their deeds due to their focus on considering seriously the circumstances surrounding an individual's acts before holding them accountable. On the other side, "Conservatives" are accused of assuming guilt from blame, regardless of the circumstances surrounding an action. However, the conflict does not exist between those who support personal responsibility and those who do not. Real discussion focuses on more fundamental political issues. Liberals thus have a propensity to see someone as accountable when we assign to her the results of her activities such that, all things being equal, the associated advantages and liabilities should belong to her. However, we need an idea of how they should be distributed generally in order to decide which advantages or obligations she should get in the first place.

Assigning blame in this situation serves a normative function. The concept that individuals should be accountable for the consequences of their actions to others "gets its content from an interpretation of equality, not vice versa," as Arthur Ripstein puts it. Whether or whether my conduct "revealed proper respect for you" determines whether or not we are able to assign blame for the results of an activity. My desire to go about my affairs and your need for security must be balanced in some way, according to Ripstein. In other words, we take responsibility claims seriously in part because the underlying social and political ties that these claims allude to and work to preserve are so important. Now, may organisations as well as individuals share anything like this fundamental notion of responsibility? Can a group be held accountable for its members' conduct collectively? There is a continuum of potential actors suitable for assigning blame, including mobs that form out of crowds, businesses that pollute rivers, and other types of governmental and private groups, all the way up to and including countries and governments. But what prerequisites must be met before doing so? The answer to this issue is complex, but here is a quick sketch of one powerful model: We start with an agent that has some level of locus of decision-making power and some level of capability for acting as a result of those choices. So in order to "resolve conflicts, make decisions, interact with others and plan together for an ongoing future," we require a collective agent with a "unit of agency".

The reciprocal identification of the members with one another, who share a public culture and set of embodied debates through time about a certain set of goals or values, shapes these interactions in the case of both countries and states. Additionally, membership provides access to a range of advantages that individuals appreciate and that improve the quality of their lives. These characteristics are now prevalent in most countries and states, although to various degrees. And for allocating accountability, these variances are crucial. We are thus more confident in our attribution of collective responsibility, for instance, the more individual members have the chance to influence or challenge the choices and acts that their representatives make, and the more they are able to identify with or at least not feel alienated from the consequences. However, the majority of us have not consciously chosen to be citizens of the states in which we reside,

and leaving a state or country if one is profoundly dissatisfied with its current or past actions is not always simple. If there is any communal blame for Saddam Hussein's genocidal treatment of the Kurds and others, it is because the people of his Iraq had little ability to influence or oppose the choices he made. Despite this, it does not follow that a truly authoritarian or undemocratic state's citizens are never accountable for its policies. As long as it is not too expensive or difficult to do so, citizens in autocratic nations have a responsibility to take whatever measures they can, no matter how little, to ensure that they do not assist in the commission of serious wrongs against others. We might believe that dissidents and others who have resisted the regime are much less morally blameworthy for their state's actions than those who did nothing the duty is stronger in states that offer greater opportunities for voicing one's opposition safely and effectively. Despite all of this, it may be difficult to assign collective responsibility to institutions like governments and countries. Nations are always evolving and changing. States exist and then vanish. States and countries may coincide, but this is not always the case, which makes assigning blame much more difficult[4].

The last point to make is that there are limitations to thinking about responsibility just in terms of criminal or personal culpability since it cannot be understood solely in terms of consent. Although I am not legally responsible for the working conditions in sweatshops when I purchase things created there, the anti-sweatshop labour movement wants me to feel guilty about them. The argument is that I have some responsibility for improving these unjust situations merely by participating in interrelated and interdependent social, economic, and political processes that result in them which serve as the backdrop to many individual activities. I'll come back to this broader understanding of political duty later.

Contrary To Repairs

How can we expect to hold people accountable for things that occurred in the past if it is difficult to demonstrate how both individuals and organisations may be held accountable for their conduct in the present? Can we inherit duties or obligations, for example as members of political communities? It is impossible to return a deceased person's possessions to them. The wrongdoings of the dead cannot be punished by the living. It is neither possible nor appropriate for guilt to be transmitted via blood. For instance, it is a fundamental principle of common law that the passing of the offender puts an end to legal claims for remedy. However, we often feel obligated to respect the last wishes of the deceased in numerous ways. Although we don't always, we generally honour their desires about how their property is divided.

At least temporarily, we worry about how others will remember them and how they will be seen in the future, just as we do with how people will remember us. And others have claimed that by fulfilling their morally upright preferences or goals, such as seeing their offspring prosper, we may genuinely aid the deceased [5]. However, it is a tricky thing to base our decisions concerning compensation on the choices of the deceased. Should the preferences of the recently deceased take precedence over those of the missing dead? Do the preferences of the current generation not have the authority to exclude those of the past?

The idea that any responsibilities or costs that are placed on future generations are illegitimate because they were not consented to by the current generation is the most sceptic. However, there are significant issues with this test of legitimacy, chief among which is the fact that nearly no political organisation could endure the categorical reliance on meaningful free assent. It suggests a deeply implausible conception of personhood a kind of heroic self-shaper, constructed only out

of the materials he chooses to use which not only seems to make the very idea of political society impossible and ignores the issue of how institutions and social practices are sustained across time. The concerns of emphasising the inviolability of property rights are just as severe. According to Robert Nozick (Nozick 1974), property rights are justified on the basis of a Lockean appropriation from nature or via a series of (real) voluntary exchanges that can be traced all the way back to the first (lawful) expropriation. It adhered to that quality. Its acquisition in this manner was improper and ought to be restored to its rightful owners. The disagreement is partially about whether those property rights were justified in the first place, therefore relying on these rights does not assist settle issues over justice (Waldron 1993, 21). Second, the implications of such a theory would be both unrealistic and gravely unfair. Almost every title in existence would fail the Nozickean test, at least in regard to land. What would happen if other types of physical property were destroyed or lost all of their economic worth, for example? The overall number of claims may be more than what can be corrected along clear rights-based boundaries, as Tyler Cowan and others have shown (Cowan 1997; Elster 1992). The argument has a wider scope.

There are moral and practical restrictions on seeking to correct injustices when there are many of them and little resources available for reparations. This amounts to a reductio of the reparation's arguments, according to some: If previous injustices are pervasive, then either everyone is, in theory, entitled for compensation, or just certain people are. But how can one discern (non-arbitrary) between those who deserve restitution and those who do not if the first is absurd? One answer is to turn away from assertions that are only based on rights and concentrate on counterfactuals. Why don't we consider what my condition would be like if my ancestors' land theft had never happened? This could give us an idea of the extent of the first injustice's harm up to this point. For instance, the economic condition of the Aboriginal peoples of Canada today would be significantly different if they had been able to keep the majority of the land given to them in the many treaties signed with the Crown in the seventeenth and eighteenth centuries. However, this strategy has at least three flaws.

The first is that counterfactuals are always underdetermined. There are still difficulties in coming up with any sort of conclusive response to the issue of what would have happened had X not occurred, given a range of pertinent alternatives, even if we are modest about the potential futures envisioned. What else do we imply, even when we are aware that, for instance, Aboriginal chiefs would not have lost their land in a poker game? These problems are exceedingly difficult to answer since there is no established fact to find and no obvious spot to halt our calculations, in addition to the fact that our knowledge is incomplete. Be aware that this implies that conclusions drawn about politics based on counterfactuals may be biased. African-Americans today are not in such a dire situation as they would be if slavery had never taken place, according to opponents of reparations for slavery in the United States who have suggested, for instance, that the relevant alternative future is one in which the victims and descendants of slavery remained in Africa.

Time has passed, which is a second serious issue. It is more difficult and harder to use counterfactual reasoning when there are more generations between the injustice of the present and that of the past. The variety of intervening actions by many actors between the time the injustice happened and the present make it more difficult to separate and ascribe unambiguous lines of cause and effect [6]. Finally, even if all of these difficulties could be solved, why presume that going back to the way things were before the injustice is justified? What if the

property system in place at the time was very unjust? What if, for instance, any of those contemporary descendants who are now demanding compensation for the abuses that toppled that same property system had been excluded? Why should we assume that a claim based on an entitlement from 100 or even 300 years ago is still valid today if we reject the pure rights approach and do not just wish to support the status quo?.

Another approach to the moral foundation of restitution that is immediately appealing is undercut by the types of issues mentioned above. Call it the "benefits argument": if past wrongs done to others are linked to my well-being, then I must bear some responsibility for those wrongs, right? Or, if the unpaid labour of slaves set the foundation for the prosperity of my family or even my nation as a whole, then I must certainly owe something to those slaves' descendants, particularly if they continue to suffer in different ways from the legacy of slavery. The case for advantages appears clear-cut. But there are challenges once again. Finding out who precisely is a net benefactor or loser, given the effects of prior injustices, is sometimes difficult, particularly given the passage of time. The discussion of reparations for slavery has often brought up this issue. What if it could be shown that slavery and even the legal and social persecution of black people after the Civil War did not result in any net economic benefits for slave owners or white people in general? Why should the argument hinge on the fact that whites benefitted from slavery in numerous ways, even if that could be demonstrated? Whether or not white people benefitted from slavery and Jim Crow, these were nonetheless grave injustices.

Whatever the alleged advantage to Americans and Canadians may have been, interning Japanese during the Second World War was immoral. Regardless of whether anybody else profited from the strategy, it was unethical to remove Aboriginal children from their families without their permission or for a valid cause. However, our perception of how poorly indigenous people or African Americans are being treated both individually and collectively appears to have a significant role in determining how likely reparations are to occur. Modify the examples accordingly. Imagine if I had less economic resources than the descendants of those whose property was taken from them or whose salaries my predecessors failed to pay, and if the capital I had only allowed me to live on the barest minimum. Is the demand for restitution made against me still valid? What if the state's capacity to provide for all of its inhabitants' fundamental necessities was threatened by the amount of compensation due or the quantity of land that needed to be returned? There would be opportunity costs even if the resources needed to pay reparations were not as high as they are now.

The resources may be employed in other ways, potentially to the advantage of a larger variety of individuals who are in greater need. Therefore, opponents of reparations contend that our intuitions in these situations point to claims for distributive justice or the "reconciliation" of a divided community as the true motivations behind what seem to be backward-looking demands for reparations. According to Jeremy Waldron, "it is the impulse to do justice now that should lead the way, not the reparation of something whose wrongness is understood primarily in relation to conditions that no longer apply". Therefore, there is basically a dependent relationship between making amends for the past and pursuing justice in the present. Various than merely paying them reparations, there may be various methods to provide justice now for historically marginalised communities and to encourage rapprochement or non-humiliation[7].

Repairs Evaluated

Therefore, the argument for making up for past wrongs has some difficult philosophical and political obstacles. Does this imply that we should start over and let the past go? Is it required to forget instead of remember? Then, history would only be significant in the broad sense that it offers crucial information about what occurred in the past, and these facts should be included in our practical judgements in a variety of ways. However, no moral precedence should be given to historical injustices over those that exist now. Although many philosophers have been quick to dismiss the argument for reparations, as I noted above, their political relevance has increased. It is noteworthy that at one point in his significant paper, Jeremy Waldron asserts that while "full" or "genuine" reparations are not owed to indigenous peoples for the injustices committed against them in the past, other forms of public remembrance are. Waldron claims that "public remembrance" or symbolic payments are "a method putting oneself out, or going out of one's way to apologise" (Waldron). Comparing the acknowledgement of historical injustice with a present you give a date for whom you have stood up is unsettling. Waldron's difficulty in expressing what is owed, however, demonstrates that even if we reject the idea of pure rights and acknowledge that the passage of time may alter the nature of different entitlements, we still cannot simply forget the past. What do we do, though? We should embrace these statements and the challenges they raise as an opportunity for critical reflection and to explore how they hint to new ways of thinking about duty rather than attempting to fit the issue of historical injustice into our preexisting conceptions of accountability.

Today, many demands for restitution and the acknowledgment of historical injustice are meant to be political assertions about both the past and the present. Additionally, many of them are connected to more in-depth assertions about the structural nature of injustice in modern societies, such as the connection between the legacy of slavery and racial injustice in the United States or the persistence of colonialism in interactions between indigenous peoples and the state in the Americas and Australasia. Since it's difficult to show things like legal accountability for the deeds of previous generations, sceptic arguments have an intuitive appeal that's in large part due to this. And the public discussions of these issues undoubtedly reflect this. It is unfair and certain to cause anger to place moral responsibility on people or corporate actors who do not deserve to be held accountable or punished for the wrongs that have already been done. However, when we speak about the legacy of slavery or the theft of indigenous lands, we seldom discuss human responsibility and especially not criminal responsibility. They push us away from the traditional legal conceptions of culpability and towards a sort of communal accountability that is more akin to civic or political duty. There are now two conceptions of collective responsibility in this sense, each with a different amount of historical background. The first is to consider assertions about past injustice as primarily forward-looking insofar as their main goal is to connect current wrongdoings to a long history of wrongdoing and to inspire and mobilise collective action to get people to take political responsibility for changing the situation. "Politics of memory" is what we would refer to as being the major way in which history matters in this context. Our perception of whether and how the past remains in the present is significantly shaped by the many ways that "we" both individually and collectively remember the past and place ourselves in relation to it. It may be beneficial to build understanding and perhaps even more trust amongst disparate ethnic, cultural, or national groups while we fight injustice in the present. But it's possible that it won't [8].

Certain elements of the liability standard are maintained in the second meaning of collective responsibility, but they are given a slightly different setting. The personification of a political community as a collective agent—whether a state, a country, or a group—involves collective accountability in this situation. And accountability is shared among all members, not necessarily based on each person's involvement in historical injustices like the use of slaves or the mistreatment of Native Americans, but rather on their civic participation or identity. When considering collective responsibility for the past in this manner, the highly difficult-to-prove requirement of demonstrating strong causal linkages between current persons and the past's acts is relaxed. It is essential for this understanding of responsibility that political community membership be interpreted in a certain manner. It is necessary to abandon the libertarian consent norm, but this does not imply that the past has actually shaped who we are. Instead, we should focus on how a political organisation, particularly a democratic one, is structured through generations.

A political community is formed through time by the development and upkeep of its identity, which includes both the activities of individuals in the present and those in the past. As a result, the anchors of legitimacy in a democracy are not only rooted in the present but also connected to the past through ideals and norms derived from constitutional "foundings," in addition to past legal precedents. This temporal aspect of political membership also takes other forms. When we identify with a country or state, we often link ourselves to both its history and present—not only to the things in which we take pride as a group, but also to those for which we can feel regret or shame. For instance, when we make promises in the present, we often intend for them to bind our successors in different ways. Whether or whether that feeling of remorse can be linked with the attribution of responsibility is what is now under question.

Additionally, when we uphold agreements and duties established in the past, we acknowledge that we share a set of moral principles with our forebears. These principles are a big part of why we initially chose to identify with that political group. However, just because such promises are made does not mean that keeping them is always ethically needed. Situations might change, and prior pledges can suddenly be seen as morally questionable. Therefore, it is quite feasible for both current and future generations of people to elect not to uphold a variety of historical promises, without necessarily diminishing the importance of honouring promises generally. Here, a variant of the benefits defence might be used. A set of unique responsibilities are associated with citizenship, including those that pertain to individuals that one shares political community membership with. We have a specific responsibility to defend and preserve the political structures and social norms that make it possible for us to live decent lives. We also have other duties to do. In addition, we have universal moral obligations to people both within and outside of our borders. Special duties are always revocable, at least in theory.

But they contribute to creating meaningful relationships. The land, institutions, customs, and different forms of physical and cultural capital that have been contributed to, developed, and fostered by previous generations are passed down to us as citizens. The historical facts that show how we were formed by and contributed to maintaining this way of life on these territories throughout time are what bind us to these institutions. Now, since we have specific duties in this regard, it follows that we also have special accountability for the wrongs done via those same contacts and through the institutions we hold dear. The fundamental idea is that if we inherit the benefits of our political society and the duties that follow from them, we also inherit responsibility for the ills that have resulted from them. Of course, there are still a lot of nebulous

uncertainties about the proper course of action or remedy. However, keep in mind that there are a variety of methods to comprehend what results from accepting responsibility for the past, as well as a variety of modes and forms of restitution, which may be combined in a variety of ways depending on the situation. Here, prudential and substantive factors interact in nuanced ways. There are other options than monetary compensation. As I previously said, further types of reparations in kind are feasible, including affirmative action programmes, apologies, group rights of different sorts such as voting rights or rights to land, truth and reconciliation commissions, and hybrid variations of these.

CONCLUSION

There are significant challenges to these claims, and I'll focus on four in this last section. First of all, the objection to the most recent iteration of the advantages argument may be extended to prior iterations as well. There may be equally compelling reasons to not cherish and even reject such relationships if a person believes they have not profited significantly from belonging to a community or if they or their ancestors were forced into it. In other words, the argument assumes that everyone has a same perspective on the historical significance. And it poses serious problems. What about recent immigrants or their descendants, who are expected to make amends for wrongs committed decades before they even considered becoming a part of that community? What about refugees or other "resident aliens" who may not have all the rights and abilities associated with full citizenship? It can be argued that immigrants also contribute to the intergenerational structure that supports civic responsibility for the benefits and costs produced by the community over time if they are given an equal opportunity to engage in and benefit from the collective practises and institutions of that community. It is less obvious when it comes to refugees or other resident foreigners. They often do not have the same opportunities to engage in and profit from society's general well-being, thus they shouldn't be expected to shoulder the same responsibility for assisting in the redress of historical wrongs.

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CHAPTER 14

STUDY ON MULTICULTURALISM, NATIONALISM, AND PLURALISM

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ABSTRACT:

This kind often start with a brief and concise description of the topic to be examined, however as desirable as this may sound, any effort at a definition of nationalism would certainly leave out some elements of this vast and complicated notion. Both in political theory and in actual politics, nationalism comes in a wide variety of shapes and manifestations. We might potentially characterise nationalism as having three fundamental components in the absence of a specific definition.

KEYWORDS:

Autonomy, Freedom, Identity, Nationalism, Nationality.

INTRODUCTION

The first of them is the simple notion that countries exist and that there is a characteristic that distinguishes members of one country from members of that nation's neighbours. Germans and Canadians are not the same as Poles or Americans. Different people have different ideas about what that something is the standards by which we classify nations but all nationalists agree that it goes beyond simple citizenship in a single state. The fact that someone is a citizen of the Federal Republic of Germany does not automatically make them a German. The important point is that, regardless of the narrative we tell about the historical beginnings of countries, today's nations are real and people who identify with them are not merely delusional. Nationalists need not dispute that political borders have through time served to produce the nations that exist today. The second component is that belonging to a country has real-world implications, since it bestows rights and imposes duties. Nations are communities in that we recognise unique links to our compatriots and owe them certain things that we do not owe to outsiders by virtue of membership. They are also important communities that we have a responsibility to protect, even at the cost of some personal sacrifice. Even though a person's nationality is often unchosen, all nationalists agree that it is morally relevant. The scope of these responsibilities might be disputed, as we will see in a moment.

The political importance of nationhood is the third component. Nationalists advocate for political structures that will let the country make its own decisions about its destiny without outside interference. The majority of the time, this entails political independence, with the country having its own state. However, for pragmatic reasons, nationalists may sometimes settle for more constrained types of autonomy, such as devolved administration. The fundamental tenet is that each country has its own unique character and that in order for it to thrive, it must have the political freedom to grow in that manner without being constrained by rules intended for other people.

Therefore, whether these are the harsher borders between states or the softer limits that, for instance, split the members of a confederation, political boundaries must be set in a manner that respects the national identities of the peoples in issue. Although nationalists tend to agree on these three points, there are many different ways to interpret them. Considering each in turn, national identity may be viewed either objectively in terms of physical or other traits that people of the same country share or subjectively in terms of a shared sense of belonging. As a result, some nationalists have used characteristics like language, religion, or even race to define "national character" and draw distinctions between different nations, while others have argued that what distinguishes one nation from others who may share its language or religion, for example, is not any objective feature shared by its members but rather their desire to associate with one another.

To emphasise the idea that national identity always rested upon members' acceptance of one another as having memories, customs, etc. in common, Ernest Renan, a prominent lecturer, once defined a country as "un ple'biscite de tous les jours." Regarding the second component, the ethical significance of nationality, there is a spectrum of opinions between those who believe that obligations to one's fellow citizens are the most demanding moral commitments we can make and those who do not believe that nationality has any significance at all. On this second perspective, we should only acknowledge particular responsibilities to countrymen insofar as this appears to be the most effective manner in which to practise to discharge such duties. Our fundamental duties are due equally to human beings wherever. People who strive to strike a balance between national and global ethical obligations fall somewhere in the middle[1].

Finally, when it comes to nationalism's political ramifications, there are a variety of opinions. Nationalists who think that the nation's cultural life must be allowed to thrive and develop, but whose main political demand is for an environment that affords enough freedom for this to happen, are at one extreme. A country is a body with a general will that must be permitted to rule itself, to administer the national territory, and, if necessary, to enforce its rights against other countries. At the opposite extreme are nationalists, for whom political self-determination is fundamental. The first sort of nationalism is liberal and tolerant, but the second variety may be authoritarian and combative depending on the situation. Therefore, how and why national self-determination is valued politically has a big impact. Later in the chapter, I will revisit these contrasts.

Brief History

As I have described it, nationalism is a contemporary ideology. It initially developed in the late eighteenth century and is intricately linked to other aspects of contemporary society, such as industrialization, social mobility, democracy, and the sovereign state. It is crucial to understand how the two ideas differ since it incorporates certain traits from the far older notion of patriotism. To be a patriot, one must first love his or her country and then be dedicated to furthering its interests in a variety of ways, such as by protecting it from assault or striving to ensure its prosperity. Here, a nation refers to a geographical location, but it may also refer to a political system; for example, a Roman patriot can be dedicated to both the city of Rome and the Roman Republic or Empire. In two ways, nationalism transcends patriotism. A nation

undoubtedly has a territorial homeland, and its political system may be one of its defining characteristics, but in addition to these, it is thought to have distinctive cultural traits, such as a language, a religion, a national style of art or literature, genres of music or dance, possibly a national cuisine, and so forth.

And since these are seen as constituting an essential totality, it is considered to be an act of specific injustice when one country is forced to live under the laws or institutions that were created for another. Second, countries are seen as collective actors with unique goals and objectives, deserving of self-determination, often in the form of political self-rule. Even though not all nationalists have held democratic beliefs, there is an implicit connection between the two: since nations are the organisational units within which democratic institutions should function and since each member of a nation has something to offer to its cultural development, political democracy becomes the obvious means of achieving national self-determination. There are no such explicit political implications of patriotism[2].

DISCUSSION

The first political thinkers to advance recognisable nationalist notions were Herder and Rousseau, and these two factors are weighted differently in their works. The cultural component is predominant in Herder. Herder emphasised the enormous differences across national groups as a response to the Enlightenment concept of the homogeneity of humanity. He compared nations to plants, saying that each needs a certain set of circumstances to grow most abundantly. Furthermore, each has unique virtues and flaws, making it absurd to attempt to rate countries according to a single accomplishment measure. As a result, it was gravely wrong to subject one country to the laws of another. Herder detested multinational nations and empires. Therefore, the artificial expansion of states and the racial and national mixing that results under one sceptre are more obviously at odds with the goals of political governance. His notion of legitimate governance, however, was imprecise; wise leaders should draught rules that took into account the customs and cultures of all people[3].

In contrast, Rousseau's nationalism was motivated by political factors. In his *Social Contract*, he talked about people coming together to form an association that is "as perfect as it can be," in which "each of us puts his person and his full power in common under the supreme direction of the general will; and in a body we receive each member as an indivisible part of the whole." However, he did not specify the circumstances in which this might be accomplished, other than to say that the state should be small and the society simple. However, he later emphasised the development of separate national cultures and the rejection of foreign components while giving advice to the Corsicans and the Poles on how to best defend their freedom against domestic corruption and foreign persecution. "It is national institutions," he said in *The Government of Poland*, "which develop the genius, the character, the tastes, and the morals of a people, which make it be itself and not another, which inspire that fervent love of fatherland established on habits difficult to eradicate.

Accordingly, he advised the Poles to have ceremonies to remember significant occasions, maintain their national attire, establish national sports festivals, and implement a public

education system that would ensure every kid had a complete understanding of Polish history, law, economics, etc. Despite the fact that Rousseau valued national variety and bemoaned the fact that "there are no more Frenchmen, Germans, Spaniards, even Englishmen," today nationalism finally served a useful purpose when he said, "There are only Europeans." Political freedom could only be ensured by national unity, particularly in countries like Poland that had powerful, dictatorial neighbours. In the post-Enlightenment nationalism of the early nineteenth century, German philosophers, particularly Fichte, Adam Muller, von Humboldt, and Hegel, combined the notion that each nation formed a culturally distinct community with the notion that such nations could only fulfil their destiny when politically organised as independent states. Fichte went on to say that "the devouring flame of higher patriotism, which embraces the nation as the vesture of the eternal, for which the noble-minded man joyfully sacrifices himself" a concept that refers to the idea that each person can only find ethical fulfilment by participating in the life of the nation state and that states may be justified in using force against other states in the pursuit of their own national destiny. In fact, war was seen favourably by Muller, who said that it "gives states their outlines, their firmness, their individuality, and their personality."

Hegel believed that conflict protected "the ethical health of peoples" by making people realise "the vanity of temporal goods and concerns." In this tradition, nationalists were able to acknowledge social heterogeneity and often argued that the internal structure of the state should be liberal. However, their beliefs on the moral subordination of the individual to the country and their opposition to cosmopolitan restraints on the behaviour of states when they are not at home created a chasm between liberalism and nationalism that, as we will see, still exists today. Liberal intellectuals who stood up to the imperial powers of Europe in the middle of the nineteenth century helped to close the gap by connecting individual freedom, national independence, and representative governance. Mazzini, who zealously advocated for Italian unification and independence while protecting individual liberties and a republican form of government, and J. S. Mill, who backed the independence struggles in Poland, Hungary, and Italy, contended in *Considerations on Representative Government* that a "united public opinion" that could hold the government accountable was necessary for the maintenance of free institutions inside a country.

According to Mazzini, these latter obligations were fundamental: "You are citizens, you have a country, in order that in a limited sphere, with the concurrence of people linked to you already by speech, by tendencies, and by habits, you may labour for the benefit of all men whatever they are." For these thinkers, national loyalties had to be balanced with duties to humanity. In addition, Mill set his idea of nationality as a foundation for political unity apart from its more commonplace connotations, such as "a senseless antipathy to foreigners," "a cherishing of absurd peculiarities because they are national," etc[4].

However, authoritarian beliefs that in many ways paralleled the works of the German thinkers a century earlier smothered this early blooming of liberal nationalism throughout the majority of the twentieth century. "Integral nationalism," as Charles Maurras termed it, was his theory that France could only maintain its unity and develop as a country by giving up democracy and restoring the monarchy. Carl Schmitt believed that nations have to be internally uniform and

clearly isolated from the outside world. Therefore, national differences helped to distinguish between "friend" and "enemy," whose hostility constituted the political relationship. Fascism was created when the authoritarian nationalism of philosophers like these was mixed with political engagement. Liberal political thinkers either openly opposed nationalism or, at worst, welcomed its mildest manifestations while warning against the excesses that they believed it was prone to. Nationalist ideologies did not once again find favour with political philosophers in the liberal tradition until the closing decades of the century. How well has the gap between liberalism and nationalism been closed?

The Critics of Liberal Nationalism

Liberal nationalists assert that a political community whose members share a common national identity is the only setting in which liberal ideals can be realised. They also contend that national self-determination may be sought while remaining compatible with liberal principles. For this reason, liberals should see nationalism as a friend rather than an adversary, when correctly understood. How is this assertion supported? Three primary arguments are present.

The first is a defence of what constitutes personal autonomy. The core tenet of liberalism is that each person must choose their own course in life after considering all available options. But no one makes a decision alone. Only national cultures are complete enough to provide the entire range of options since the alternatives themselves are contained inside the culture to which the individual in question belongs. Therefore, it is crucial for autonomy that the national culture be preserved and that people who engage in it are appreciated rather than denigrated. This calls on the community in issue to really have political self-determination. Liberal nationalists assert that while one can theoretically picture a multinational state or empire where each national culture received appropriate protection and deference, in reality such nations inevitably favour one specific culture at the detriment of the others.

Living in a community whose culture you share and where the decisions you make within that culture are valued is necessary for freedom. The second argument, which builds on J., links democracy with nationality. Free institutions are "next to impossible in a country made up of diVerent nationalities," according to S. Mill. Democratic institutions need a population of people who have a certain amount of civic spirit in order to function effectively. Elections, for instance, must be fair, the results must be recognised by the losing party, governments must be held accountable for honouring their election pledges, and minorities' freedoms of expression and association must be upheld.

In turn, this calls on people to have faith in one another to act democratically: Why accept electoral loss unless I have faith that the victorious party and its supporters would cede power when they are defeated in turn? The "similar sympathies" that shared nationality fosters are what Mill referred to as the source of trust. Each group in multinational nations prioritises its own interests, harbours mistrust towards the other factions, and often views politics as a zero-sum game. In these circumstances, civic spirit vanishes, and maintaining democracy becomes difficult, if not impossible.

Social justice is a prerequisite for nationhood, according to the third argument. The welfare state and other social justice institutions stand for an agreement to pool resources to provide each citizen some degree of protection from life's unforeseen events. You have access to healthcare if you become sick, and you get financial assistance if you lose your job. The system is designed with some redistribution from the brilliant and strong to the weaker members of society. Since we share a shared identity, we feel a feeling of solidarity with our fellow citizens and trust that they would reciprocate when it is our time to require protection.

This sense of solidarity is what leads us to accept to share our destiny in this manner. Thus, modern liberals like John Rawls explain their principles of justice as holding inside a self-contained political society whose "members enter it only by birth and leave it only by death" in practise, a nation state without explicitly advocating nationalist ideals. However, a large portion of liberals disagree with these claims and insist that liberal values may be wholly dissociated from country. The next part will address the moral concerns. In this section, I will concentrate on three political arguments against liberal nationalism. The first of them questions the idea that autonomy needs the stable cultural foundation that a person's country offers. Liberals in this camp point out that the majority of contemporary civilizations are multicultural and contend that autonomy often involves selecting components from other cultures; the more cultures one has access to, the more independent they are from the customs of any one specific culture.

The chaotic cohabitation of enterprises, pursuits, ideas, images, and snippets of culture inside one person, as described by Jeremy Waldron, has therefore been lauded as a form of life that is at least as autonomous as a life lived within the confines of a single community. The second anti-nationalist argument also starts from the premise that multicultural contemporary societies lead to people having multiple identities, with no one identity dominating the others. People identify as belonging to their families, local communities, ethnic groups, religious congregations, places of employment, and so on. As far as is practical, a liberal state should recognise all identities equally by setting up institutions that accord them all the same respect. However, nationalism entails the artificial elevation of one identity over another: National cultures often get official backing and public prominence at the expense of minority cultures [5].

As a result, some people have their primary identity defined by the state while others do not, which goes against the liberal idea of equal citizenship. The assertion that social justice and democracy need a common sense of national identity may also be disputed. Liberal opponents have maintained that all that is required is for individuals to identify with and feel loyalty to their political community, and that this identification need not include any of the cultural baggage that comes with nationhood. And this makes it simpler for minority groups to feel like they belong and can be accepted as equal citizens for example, immigrant groups that may not share the indigenous' language or other cultural traits. The concept of constitutional patriotism the notion that the centre of devotion should not be the cultural country but rather a set of political values given forth in a constitution has often been utilised in this context.

It is said that such devotion provides a sufficient foundation for democratic institutions and social justice measures; more social cement is not required. These disagreements between liberal nationalists and their detractors are difficult to resolve. For instance, we do not know whether

cultural coherence or cultural melange is more likely to foster personal autonomy. We also cannot say with certainty how much cultural similarity is necessary for democratic institutions to function successfully. But at the very least, liberal nationalists have brought attention to a crucial issue: under what conditions can liberalism itself be a realistic political philosophy rather than merely a lofty ideal?

Nationalism is usually criticised for being a manifestation of our primal inclinations triumphing over our ability for reason. This accusation can be broken down into two other claims: that when we identify with a nation, we invariably adopt false beliefs, such as those about the nation's history and the unique qualities that purportedly distinguish it from other nations; and that by elevating the interests of our compatriots above those of foreigners, we violate the fundamental moral principle that states that every human being is deserving of equal value.

Acknowledging that national identities are creative constructs is the first step. These constructs include selected readings of the history and current features of the country in issue. Other occurrences are seen as anomalies or are entirely overlooked, while certain events and behaviours are recognised as iconic. A country may overlook embarrassing failures or the fact that a sizable portion of its populace now spends their time watching reality TV and Australian soap operas in favour of celebrating its military triumphs or the artistic and literary accomplishments. National groups, however, are similar to individuals in this regard since both create narratives about their lives that omit or minimise much of what has occurred.

They do this because having a strong sense of one's identity demands a compelling story, and doing effectively in the future relies on feeling worthy of doing so. Identifying with a country is similar to aligning with a group that has endured over many generations and has a consistent, if changing, character. Additionally, it gives you something to aim towards. National histories have a moralising aim when they describe the great achievements of our predecessors. Nationality addresses two well-known aspects of human nature: our need to situate our existence within a supra-personal story and our need to be ethically motivated by sources other than the icy dictates of reason. National identities need selective interpretation, but do they really need to be based on demonstrably erroneous assumptions? These identities should be seen as ethically or politically dubious wherever they occur. For instance, every country makes territorial claims that include identifying a national heartland and that sometimes conflict with claims made by neighbouring countries.

Outright rejection of historical reality, such as the assertion that a certain region was voluntarily given when it was really seized by force, may imply that current national claims are invalid. Or a governing class can spread lies intended to strengthen its hold on power, and an uninformed populace would believe them to be true. Simple lies are unlikely to endure in environments where national identities are protected and widely discussed by the public and via the media. As seen by the current wave of apology speeches made by democratic countries for historical injustices committed against indigenous peoples and other minority groups, a far more open admission of horrible acts committed by countrymen in the past may instead take place.

This is sometimes seen as a sign that we are entering a postnational era, but paradoxically, in order to make sense of the practise, a continuing national identity is needed: How can we apologise for what our forefathers have done unless we see ourselves as connected to them by something more than just the coincidence of living in the same place? Even if blatant fabrication can be avoided, there will likely still be some conflict between a country's perception of itself and what we may refer to as "the view from nowhere"the perspective of an impartial observer. Citizens in modern free countries often accept the national tale in their hearts even when they are aware at least to some extent that it includes elements of fabrication. But if the needs that national identities fill are legitimate ones, this doesn't seem any more unreasonable than, say, thinking that your kid is the prettiest newborn ever born but still realising that all parents feel the same way on the inside[6].

What about the argument that it is irrational to recognise special duties to fellow countrymen? This argument claims that it is unreasonable since our moral obligations to them are determined by a morally arbitrary reality. According to cosmopolitans, every human being should be treated equally, hence limited responsibilities may only be justified in cases when doing so turns out to be the most efficient manner of carrying out commitments that are, at their core, universal in nature. Given the severity of global inequality and the appalling circumstances in which many people currently live, institutions and customs of compatriot assistancesuch as the extensive welfare states found in developed societiescannot be justified unless they are accompanied by robust initiatives for international redistribution.

Nationalists have responded by pointing out the logical discrepancy between the assertion that every person is of equal value and the assertion that every actor, whether individual or collective, has equal obligations to every other. We owe each individual somethingrespect for their human rights, for examplebut we also owe certain people more than others because of our shared history, our current practises, our ties to our communities, and other factors. And these unique connections are essential to the relationships in issue, just as friendship cannot survive without placing a specific emphasis on our friends' needs and interests. In the near run, nationalists and cosmopolitans may agree on the necessity for international redistribution to help countries that fall below this level since the nationalist vision envisions a future in which each national community has sufficient resources to sustain its own citizens.

The basic idea is different, though: Nationalists contend that favouritism towards one's countrymen might be acceptable provided it is supported by worldwide obligations of a more constrained character. Cosmopolitans base their demands on a global ideal of equality. Additionally, they contend that a more realistic ethics than one based only on rational abstraction is one that acknowledges the motivational significance of both national ties and other types of community. The answer to the question at the top of this section ultimately relies on one's conception of reason. Nationalists contend that given a conception of reason that appropriately considers the psychological needs and limitations of people, both identifying with a country and accepting particular commitments to fellow-nationals may be justified[7].

Secession And National Self-Determination

The significance nationalist ideology places on self-determination is a reflection of the fact that gaining political independence for the people you represent is often the main goal for real-world nationalists. However, there are important differences that must be made. Political self-determination only important to cultural nationalists in the tradition of Herder if it permits the nation's cultural life to flourish naturally, free from outside intervention. When one country rules over it and forces it to abide by its laws, no nation can prosper. A more compelling argument is made that strong governmental backing is necessary for cultural growth. Native languages and other cultural traits will be obliterated, especially in a world of global communication, unless they are protected by a state that offers cultural subsidies, supports the national media, and erects barriers to the importation of foreign films, TV, and other media, etc. Only a state supported by fellow-nationals is likely to do this.

National self-determination has so far been valued for practical purposes. However, some nationalists see political autonomy as having inherent worth. Whether political action is taken against other states or their own citizens, nations are seen as collective agents having a common desire that can only be expressed via political action. National autonomy is important in the same way that personal autonomy is important: Just as a person who is unable to act independently in the world is unable to express her identity, a country that lacks political freedom is unable to leave its unique imprint on the globe. This last explanation is subject to the criticism because it presumes that all countries share a common desire, despite the fact that this is untrue. Political choices, at best, reflect the preferences of the majority, and at worst, those of an elite that purports to speak for the general populace.

There are, however, further practical arguments against national self-determination. One is that the ability of states to shape their own policies is really severely hampered by external economic factors and other countries' choices. As a result, self-determination may be an illusion that hides, for instance, neocolonial relations of dominance between affluent and poor countries. Another is that, except in a few rare circumstances, state and national borders cannot be constructed in a manner that corresponds to the geographic distribution of inhabitants. Self-determination cannot mean that people of each nation have an equal opportunity to decide on their future because nearly every existing state contains national minorities. There are favoured nations, like the Kurds and the Tamils, whose citizens form minorities in one or more of the national states of other peoples, and disfavoured nations, like the Arabs and the Chinese, whose citizens dominate an entire state. What conditions make it acceptable for such minority to secede and establish their own state? This is the far from academic matter of secession, a topic that has sparked bloody wars around the globe, including in the former Soviet Union, the Balkans, Indonesia, Sri Lanka, and other regions. Political philosophy has generally adopted three viewpoints on the matter.

The most restricting rule is that secession may only be justified when minority' rights are being infringed by the state they currently belong to or when their area has been wrongfully annexed. In other words, secession can only be justified as a response to injustice, because the denial of national self-determination in and of itself is not an injustice. The most lenient view, in contrast, is that any territorial majority has the right to break away from the state it now resides in,

provided that it is willing to allow minority within their own territory an analogous right. According to this perspective, secession is a personal choice that has nothing to do with one's nationality, even if in actuality it is more likely to be made by majority groups of fellow countrymen. The nationalist perspective on secession is in the midst of these two views. Only insofar as they support national self-determination and take into account not only the claims of the would-be secessionists but also the claims of those who would remain in the remainder state after the secession had taken place, as well as the claims of minority groups within the secessionist territory, are secessionist claims justified.

These allegations need to be handled fairly. The national majority may realise that by ceding some of their territory, they lose some of their rights to self-determination and lose national landmarks, monuments, etc. If the first, bigger state had an active multi-cultural policy, minorities in the new state could discover that their culture is regarded with less respect than before. Secession almost always results in winners and losers, both economically and culturally, and from the viewpoint of nationalists, the best course of action is one which comes the closest to giving each country an equal chance to be self-determining[8].

Therefore, it is false to claim that nationalism fosters a separatist free-for-all in which each state splits into ever-smaller fragments. It's crucial to remember that nationalists in regions with varied populations might choose one of two ways. One is redrawing political borders to more closely line them with national boundaries, whether this entails secession or less drastic methods of gaining self-determination, such as federal arrangements that provide minority countries some degree of sovereignty over their own affairs. The second technique is nation-building, which involves encouraging all the groups residing within the state's boundaries to take part in forging a shared national identity utilising the cultural resources offered by each community.

In the majority of today's nation states, nation-building practises have a long history, but in the past they often included the more or less forced imposition of the majority culture on the minority populations. National identities today must be reformed democratically via interaction amongst the constituent nations as well as disadvantaged minorities from racial and other backgrounds without a geographical foundation. These two approaches are not exclusive of one another: gaining self-determination may include creating new, inclusive national identities while concurrently acknowledging the uniqueness of national minorities via devolved or federal systems. However, they also cannot be used in every instance of a national struggle.

Building a shared identity between two or more nations may be impossible, at least in the short to medium term, while secession may only lead to more conflicts and leave minorities on the wrong side of the new border vulnerable to ethnic cleansing or worse. It's crucial to understand that not all national disputes can be resolved using nationalist methods. In certain situations, establishing a political system that may reduce conflict and guarantee that, at the very least, fundamental human rights be respected may have to take precedence over the right to self-determination.

CONCLUSION

Nationalism of some form is inevitable in a society where there are so many diverse cultures. Now we can better understand its advantages and disadvantages. On the one hand, it helps to link people to the area they see as their national homeland; on the other hand, it inspires them to work together and defend their weaker countrymen; and on the third hand, it offers them a feeling of control over their own fate. On the other hand, it may lead to indifference or even animosity towards strangers; difficulty integrating new groups who do not already share national identity; and destabilising effects when political boundaries and national borders do not align. Liberal nationalism uses these virtues as a model for political action, while avoiding the limitations. However, this could only be feasible in hospitable political conditions.

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CHAPTER 15

A STUDY ON CRITICISM OF MULTICULTURALISM

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ABSTRACT:

Political philosophy did not prioritise cultural groups and group rights until the late 1980s. However, a greater interest in the role that groups play in theory and practise was sparked by the rise of nationalism in Eastern Europe following the fall of the Berlin Wall in 1989, the allure of communitarian thought in the 1980s, the increased political activism of religious conservatives in the USA in the 1980s, and the increase in Muslim immigration to Western Europe in the 1970s and after. Since that time, both liberal and non-liberal thinkers have taken an interest in a wide variety of organisations, debating whether these groups can or should have rights, or something less powerful like recognition, and, if so, what kinds of rights these groups should be given. The term "multiculturalism" can refer to a variety of concepts, but in this concentrate on what are known as "ethnocultural groups," which are frequently ethnic and national cultural groups. These intergenerational communities have some shared practises and history that its members believe to be essential to the group.

KEYWORDS:

Autonomy, Culture, Equality, Support, State.

INTRODUCTION

Liberal multiculturalists often regard respect for cultural groups from an instrumental standpoint, meaning that they respect them because doing so advances the liberal ideal of human liberty. Contrarily, non-liberals often assert that cultures should be respected since they are valuable in and of themselves. The origin of the liberal respect argument may be traced to John Rawls, who claimed in his long Theory of Justice that self-respect is a fundamental good. According to Rawls, liberal nations should ensure that their citizens have a social foundation for self-respect. Liberal multiculturalists adopt this position and contend that people's sense of respect for themselves and their cultural group are intertwined. If a culture is not universally recognised, its people's self-respect and dignity will likewise be at jeopardy. A person will not feel confidence in pursuing her goals and objectives if she lacks self-respect. Because we are not likely to undertake much of anything with vigour or enthusiasm without it, self-respect is an essential component of autonomy.

A related claim is that in order to make meaningful decisions, humans need a stable culture, or "cultural framework. One can only access the possibilities that "give shape and content to, individual freedom" by being socialised into a culture. People's self-respect and capacity to make decisions would be compromised by a fading culture, which is why it could need active governmental assistance to survive. Smaller cultures, which often run the risk of losing their distinguishing qualities in the face of the bigger majority, are particularly at risk of this. Multiculturalists often concentrate their arguments on minority groups since the dominant

culture frequently gets adequate implicit and explicit cultural support from the state. It is important to emphasise that the liberal case for supporting cultures is not because they are worthwhile in and of themselves, but rather that they foster personal liberty and self-respect.

The vast majority of advocates for cultural rights are aware that cultures evolve through time and do not want support for culture to ossify societies. In order to live an independent existence, individuals must be located inside a safe culture, but it doesn't tell anything about which culture. This is one argument against multiculturalism made by liberals. Why advocate for governmental backing for any culture since certain cultures will be secure even if others are not? If a culture is perishing, the best course of action may not be to support it but rather to assist its people in assimilating into another, more diverse society. People have, after all, lived between or among two or more civilizations or changed cultures throughout history. David Laitin observed that some Russians did experience a loss of self-respect after the Soviet Union's dissolution; in regions where their citizenship was revoked, they often felt embarrassed.

Laitin's research focused on Russians who had moved to Latvia and Estonia after those countries became new republics. However, many Russians managed to adapt; they made an effort to acquire the official language of the new state in order to become citizens. While this was difficult for many adults, their kids had better luck adjusting. According to Laitin, the community of Russian speakers will likely effectively adapt within a generation or two. Others claim that although the case for cultural support is often made in terms of liberalism, many cultures do not adhere to liberalism, which creates a contradiction in certain forms of liberal multiculturalism. Will Kymlicka contends that solid group-based safeguards should not be obtained at the expense of eroding essential individual rights. According to Kymlicka, multicultural citizenship and minority rights do not seek to let groups to limit the rights and autonomy of their own members; rather, they seek to provide communities with external safeguards from outsiders. Some observers have assumed that Kymlicka is trying to liberalise non-liberal organisations because of this reasoning, however this is not the case.

Kymlicka only asserts that these organisations shouldn't have internal limits, a position he thinks they would support. Kymlicka is hesitant to have the state assure that national minority groups do not impose internal restrictions. This gives those who are granted rights the freedom to behave as they like, with the exception of circumstances of egregious and systemic human rights abuses like slavery or genocide, which Kymlicka contends are also grounds for state intervention. Since Kymlicka refuses to give the liberal state the authority to interfere in illiberal organisations in practise, one critic has said that it is "hard to see what work Kymlicka's liberal principles, emphasising the importance of [individual] autonomy, are doing here." However, given that Kymlicka bases his theory on the liberal ideal of individual liberty, one would wonder whether the state should not interfere in cultural groupings to make sure they support individual autonomy on Kymlicka's own grounds[1].

Part of Kymlicka's argument addresses feminist critiques of multiculturalism. Susan Okin argues that societies do not deserve respect if some of its own people, especially women, are not treated with respect. Accordingly, it would be preferable for members of the cultures that oppose liberal ideas of autonomy and gender equity if these cultures "gradually disappeared" or underwent changes to strengthen women's equality. While Ayelet Shachar shares Okin's concerns about patriarchal societies, she may be more sympathetic to providing them with some kind of protection. While some criticise the liberal instrumental argument for cultural rights for too

easily granting rights to cultures that could conflict with individual rights, non-liberals contend that the instrumental argument's emphasis on individual rights will too easily withhold respect from cultures that merit it.

Since the claim that one would accept cultural variety as long as the cultures are liberal is a relatively constrained argument for diversity, the non-liberal opponents contend that the dominant theories of liberal multiculturalism are really arguments for homogeneity. They contend that liberal multiculturalism is limited because it does not adequately assist non-liberal cultures since its foundation is in a liberal ideology of autonomy. These conservative multiculturalists make a case for the inherent value of culture. According to this line of thinking, cultures deserve respect not because they help other things, like individual liberty, develop, but rather because they are worthwhile in and of themselves. Indigenous peoples are cited as one famous example. These peoples may not always value individual autonomy, yet they are nevertheless respected for having valuable traditions. Because cultures are products of human activity and because identities of individuals are entwined within them, they are fundamentally deserving of respect.

Given that we should respect individuals, it follows that we should appreciate culture as well, as nothing is more fundamentally human. On this logic, liberal and non-liberal civilizations are both deserving of respect. Liberal and non-liberal cultures alike should be respected because they enhance our lives as a whole and because the multiplicity of cultures provide a useful context for individuals to consider their own values and practises. However, respecting a culture does not entail unquestioning approval or backing of all cultural customs. These multiculturalists are opposed to the state just imposing its norms on cultural minorities when it comes to dubious practises. Instead, they often advocate some type of discussion and communication between the majority and minority to examine any potentially harmful practises and see if a negotiated compromise is possible that all parties can accept.

The claim that people's identities are significant to them and that they thus have a right to retain their "way of life and the traits that are central identity components" for their culture is similar to the non-liberal respect argument. People have a basic interest in retaining their identity since their personality and way of life are so intertwined with it. "People who speak a particular language, for example, consider it important to preserve their language, not because giving it up would mean giving up the use of language altogether, but because their culture is phrased in terms of the language, and they find particular linguistic treasures in it that they could not find in any other language," says linguist Richard Heinberg. People's identities are in some ways shaped by the groups they belong to; as a result, they have a legitimate interest in maintaining their group since their identities are an integral part of who they are and they have an interest in maintaining them in some manner[2].

DISCUSSION

As Margaret Moore notes, identity and culture are not the same. Though seldom totally defined by culture, the group identities that multiculturalists analyse do include some cultural elements. An ethnocultural group is defined in part by its cultural practises, as well as by the belief that its members are linked by a variety of factors, such as a common past, destiny, or just a sense of mutual belonging. As the Francophones went to the city, notably Montreal, leaving Catholicism and the country life behind them, they started to behave more like Anglophones, which led to the desire for more Que'be'cois autonomy. The rise of Que'be'cois nationalism was accompanied by

a sharp decline in cultural uniqueness. Despite having certain cultural differences with Catholics, Protestants in Northern Ireland believe that their fates are intertwined and as a result, they connect with one another. Despite having only slight cultural differences, Bosnians and Serbs believe that their destiny is more closely related to those in their own group than to those of the other. The sole aspect of an ethnocultural group's identity is not necessarily its cultural practises.

Limitations And Equivalence

The identity and non-liberal respect arguments sidestep some of the uncertainties seen in liberal multiculturalism since they do not promote group-specific rights out of a sense of autonomy or self-respect. These arguments, however, fall short of addressing feminist concerns and are open to the criticism that identities may and do change over time. Although a person's identity may be significant to them, it may not be clear-cut to claim that the state should protect such identities. Multiculturalism is criticised for seeking to set rigid borders around various cultural groups and for designating some of them for special treatment. This criticism applies to both liberal and non-liberal multiculturalism. People do, after all, often belong to many organisations. Which individuals deserve respect? A political community that aspires to assist any organisation that promotes people's self-respect will be backing an unimaginable variety of organisations. Some self-respect theorists circumvent this issue by favouring some national groupings over others, but they almost never explain why.

Undoubtedly, certain ethnic or religious groupings, as well as certain neighbourhoods and sports teams, may help some individuals feel more respect for themselves. Which groups need to be acknowledged is a "moveable feast. The concept underlying the phrase "encompassing group," which was created by Avishai Margalit and Joseph Raz, may be one approach to respond to this critique. An encompassing group "provides an anchor for their self-identification and the safety of eVortless secure belonging" and "shapes to a large degree the tastes and opportunities" of members. Encompassing groups are often rival groups; its members frequently cannot be a part of another encompassing group of the same kind. For instance, it is uncommon for someone to be both Jewish and Muslim. While it is sometimes difficult to pinpoint encompassing groupings, most of the time we can do it with ease once we know which organisations heavily influence how individuals define themselves[3].

The lack of distinct cultural borders is another objection raised against multiculturalism. Cultures coexist and converge, but they are also "internally riven and contested." Jeremy Waldron contends that although it is true that humans do need cultural meanings, this hardly implies that they must adhere to a particular cultural framework. Instead, a variety of different components from many civilizations have been freely incorporated into our cultures. We "draw our allegiances from here, there, and everywhere," especially in today's globalised society. From various sources, little pieces of other cultures enter our life. Arguments for cultural rights have the drawback of attempting to artificially maintain cultures. As the saying goes, "Cultures live and grow, change, and occasionally wither away; they amalgamate with other cultures." A "favoured" picture of a culture is often selected and maintained at any costs in order to preserve it. According to this argument, multiculturalists assume incorrectly that our allegiances to certain cultures can be easily recognised and kept.

People have a variety of cultural ties in today's globally interconnected society, and cultural borders themselves are permeable. Nevertheless, this critique of multiculturalism makes the incorrect assumption that multicultural justifications inherently shield civilizations from change.

The kind of protection provided will determine this. Some cultural rights are not held by organisations, but rather by people, as shown by the contrast between what GeoV Levey refers to as personal cultural rights and corporate cultural rights. Since the enjoyment of certain cultural rights is choice, they do not reify borders between groups of people. The language rules in Finland do not compel Swedish-speaking Finns to speak Swedish or uphold cultural boundaries; rather, they provide them the freedom to do so in contexts where their number is above 8% in the relevant district. Individuals who own these personal cultural rights may or may not choose to exercise them. The organisation is in charge of corporate cultural rights including setting membership requirements. Even while they may protect certain identities, it is unclear if corporate cultural rights perpetuate cultures. For instance, maintaining French as the official language of Quebec would not stop the culture from evolving in a variety of ways. While some may argue that maintaining French is artificial in some sense, Quebecois might counter that practically every state maintains the majority language in a variety of ways.

Jewish ceremonial slaughtering being exempt from regulations governing animal slaughter is a corporate cultural right, but it does not maintain Jewish culture in its present form since Jews have the choice to not purchase kosher meat. Shall Kymlicka uses the phrase "group-differentiated rights," which I shall employ because cultural rights are sometimes granted to groups and other times to individuals. Liberals who believe that classic liberal remedies should be enough to address multicultural demands are another group who criticise multiculturalism. They contend that the liberal model of religion and state can be applied to ethnocultural groups, where the state should separate itself from culture and identity rather than favouring any particular religion over others and allowing each to flourish as best it can in the private sphere. Barry contends that one need just cite the sanctity of the private sphere's historical centrality to liberal ideology to demonstrate how crucial it is in the context of culture.

Similar to this, liberal equality has its uses. We do not need a new, sophisticated theory of multiculturalism if we wish to right historical wrongs or treat equally members of groups who were previously invisible in public life. Simply applying the concept of equality to new situations is all that is required. According to this claim, equality and multiculturalism are mutually beneficial. This argument has a lot of merit: if Christian schools in the UK get government support, equity requires that Muslim schools that meet a comparable set of criteria do so as well. As liberal polities grow increasingly diverse, multiculturalism in some ways only serves to inform us of a new way to think about equality[4].

However, even if equality and privacy are significant, their interpretation is necessary before we can determine whether or not they are adverse to multiculturalism. One problem with the privacy argument is that it downplays the difficulties minority groups often face in maintaining their identities. Since culture and language cannot be separated from public life as easily as religion can, multiculturalists claim that this principle of "benign neglect" does not apply to culture. However, a state cannot separate itself from language or religion. Government may steer clear of religion, but not language, and it isn't allowed to do business in an endless number of tongues. Instead, it must typically choose one or two; similarly, the majority of public school systems only use one or two languages.

It is certain that the linguistic communities that are not supported by the government would struggle to survive. This indicates that the state will unavoidably favour certain ethnocultural groups over others since language and culture are so intimately related to one another.

Multiculturalists also emphasise how state holidays often favour certain groups over others. For instance, Christmas is a Christian holiday yet is observed as a public holiday in many areas. Certain multiculturalists contend that benign neglect favours certain groups over others rather than producing neutrality. On this point, equality and justice may instead include protecting minority languages, which does not entail treating all languages equally. Comparably, before we can understand how equality interacts with diversity in education, equality's definition must first be established. According to some multicultural educators, for instance, equality entails recognising and accommodating the various learning preferences of other ethnic groups. This is a weak argument with questionable group stereotyping throughout and little empirical support for its validity. Does achieving equality include revising textbooks to include all groups? Or is the requirement for a common citizenship necessitate emphasising similarities rather than differences? In the same way, the argument between education and religion cannot be easily resolved in the language of equality unless we clarify what we mean by equality.

For example, does equality imply that religious conservatives' demands should be met in schools? Or does equality imply that their kids are exposed to the same liberal arts education as other students? Another perspective on equality is to simply assert that it is just impossible to treat all ethnocultural groups fairly and that any effort at doing so should be abandoned. Chandran Kukathas also makes the case for a smaller, less significant government in an effort to refute the notion of benign indifference. Kukathas imagines a democratic society in which various organisations rule themselves as they see proper. The central government has no place in them as long as members may officially depart. These organisations are free to instruct and treat its members whatever they see fit; nevertheless, they are not permitted to prevent members from leaving if they so choose. Group cultures may vary in response to the desires of its members, and the state does not favour any one group over another. Groups can only remain for as long as they have the support of their members.

A society with various organisations will have power spread out in many places, therefore it will not be especially hazardous, according to Kukathas, who emphasises how readily power can be misused, leading him to conclude that we should avoid placing too much power in the hands of the state. The group-centered theory of Kukathas, however, leaves no room for central governments to prevent injustice. Kukathas admits that under his theory groups will be permitted to physically abuse their members and without any kind of mandated education, it leaves children at the group's mercy and may refuse to give them the tools to leave. It is significant as well that many of Kukathas' instances of the misuse of governmental authority occur in non-liberal cultures. However, given that liberals of all shades are concerned about repressive state authority, these instances do not necessarily call for a reevaluation of our opinions on modern liberalism. Liberals support limited democratic governance, power separation, and other concepts for this reason. Kukathas praises the checks and balances of American democracy and claims that we should acknowledge that "democratic regimes have typically been nicer and softer rulers.

Even if we agree that certain organisations need governmental assistance and recognition, we still need to choose which ones. Some thinkers, like Iris Young, contend that in addition to the dominant language, all minority languages and cultures need to be fostered. But it is difficult to see how this may be accomplished. With sixty to seventy different linguistic groups present in places like Toronto, New York, and Chicago, it might be challenging to support all minority languages there. It would be a logistical headache to support each, and even if we tried, we

probably couldn't. Young's theories have also come under fire for downplaying the significance of citizenship and a shared public realm. These opponents contend that the democratic polity cannot pursue shared objectives without a feeling of togetherness. For democratic politics to bring about justice, the state's citizens must be somewhat united.

The argument that certain groups are unjustly denied governmental assistance because group identification is significant to many people is all that is left. States support some groups more than others. It may be challenging to determine which organisations should get governmental assistance and what sort of assistance they merit. After all, there are many different types of organisations and several methods to help them. They can't all be supported, and even those who can't all be supported differently. One approach is to claim that since the specifics of each instance are so important, a generic theory of multiculturalism cannot be valid. Joe Carens makes the argument for what he refers to as justice as evenhandedness, which accepts the specifics of each situation rather than trying to find a method to abstract from them. Evenhandedness entails a delicate balance of conflicting demands for support and acknowledgment in relation to issues of culture and identity. Each case involves a variety of factors, including history, statistics, the relative weight of the claimants' assertions, and more.

Carens is correct that context cannot be disregarded, as I will now show, but he does not provide us with guidelines on how to handle future situations since he has not provided a comprehensive theory. A broad rule of multiculturalism may be that historically marginalised communities have a strong case for recognition and perhaps even group rights. Some groups have been treated violently instead than benevolently. These groups weren't just overlooked; the state actively oppresses them now or in the past. Although other oppressed groups are often utilised, the best arguments for multiculturalism started out by utilising the case of indigenous instances as their major example. It's possible that oppressed group examples influenced many individuals to support multiculturalism. However, there are three hazards to be aware of while working with disadvantaged communities. The first is when the argument generalises about all groups, whether or not they are oppressed, after using instances of oppressed groups to elicit sympathy from the reader. In his first novel, Kymlicka does this.

However, the case for oppressed people is stronger than the case for those who are not oppressed, hence the two sets of reasons should be kept separate. The second issue is that oppression is defined so broadly that the majority of the people of the nation is implicated. For Iris Marion Young, for instance, more than 80% of Americans are under oppression. We might, however, focus on the difference between malicious policies and innocent negligence to reduce the number of oppressed groups. Neglect may have some unfavourable effects, but this is not the same as actively suppressing someone in different ways. The third issue arises when we presume that every instance of group persecution calls for a collective response. This is sometimes true, but not always. Anti-discrimination legislation or improved working conditions may sometimes quickly ease economic oppression and prejudice. In certain circumstances, the necessity for group-diverse policies may be eliminated by a stronger implementation of the liberal principle of equality. If we can stay away from these fallacies, we'll discover that sometimes finding a solution for group oppression requires a collective effort.

A group's members could need particular support to live decent lives if they were divided by the state, as many indigenous peoples were. When opponents of multiculturalism assert that there are no clear-cut group borders and that everyone has the same rights, they implicitly share this

perspective on how all citizens relate to the liberal democratic state: as an unmediated connection between state and citizen. The state has complete control over the citizen, who also possesses some rights, such as the ability to vote. However, this typical liberal approach does not account for the state identifying and repressing a certain minority. The ruthless group-oriented policies of the Western liberal democracies, rather than scholarly scholarship, are a major contributor to the necessity for diversity. When this occurs, guaranteeing equality and assuring the state's protection of individual rights are not sufficient to constitute considerations of justice. The direct link between the state and the citizenry must sometimes be questioned since there are moments when the group deserves to have or maintain some degree of autonomy. The motivation for this is that the fairness of individual rights and equality for everyone must be weighed against the injustice of a state imposing reform onto a group it oppresses. Complications emerge when the group has internal repressive practices [5].

It is important to consider the context in this issue since the specifics of the case will often determine the kind of recognition and privileges that are warranted. Not all groups ought to have rights or merit them. Numbers, price, and the degree of tyranny may all be important. I would want to add the following to Carens' argument: while we might theoretically determine that oppressed groups have the greatest case for rights and recognition, context does not inform us which groups have the strongest case for rights and recognition. However, the context does provide information about the kinds of rights and recognition that are acceptable and justified in certain circumstances. Since states are not culturally neutral, they should accommodate the cultural practises of non-oppressed groups within the constraints established by a common liberal citizenship and where the cost is not prohibitive, according to a second general rule that is based on the criticism of the benign neglect argument.

Immigrants and refugees demonstrate that individuals may change their environment of choice with relative ease, therefore this is not an argument based on autonomy or self-respect, but rather an argument based on identification. Once again, the concept aids in determining which groups are candidates for rights that are exclusive to groups, but context is important since certain groups may be accommodated more easily than others because it may be simpler or less expensive to do so. The too-many-groups issue makes the second principle susceptible. Separating national groupings from immigrant or polyethnic groups and claiming that the former need more assistance than the latter is one technique to get around this difficulty. While polyethnic groups do not have a claim to a specific piece of territory and are often more recent members of the polity, national minorities are groups that have a historical connection to a territorially contiguous piece of land. This divide makes fewer groups eligible for a comprehensive set of rights, which is advantageous and lessens concerns about fostering political community cohesion.

The state may need to make some adjustments when new immigrants with new customs enter the country, and it may be able to provide some financial assistance for certain polyethnic festivities, but none of these things pose a serious danger to the state's unity. For instance, a Sikh would want to wear his turban instead of the customary Mountie cap while joining the Canadian Mounties; a Jew might prefer to enlist in the American army while continuing to wear his yarmulke. Multiculturalists contend that these novel behaviours should be sanctioned and accepted. The multiculturalists contend that as long as they don't do damage, they don't threaten the state or threaten its unity. What could be more Canadian than becoming a Mountie? These

instances demonstrate how eager new immigrants are to integrate into the institutions of their new state. However, they do not wish to do so at the expense of total absorption.

Nevertheless, some people are curious as to why refugees or immigrants do not have the same rights to their language or culture as do national minorities. After all, if a safe cultural environment is crucial for immigrants' autonomy and sense of self-respect, why isn't the same true for national minorities? One explanation is that when immigrants migrated, they deliberately gave up the entitlement to a safe cultural background. However, given that we have several rights that liberals do not believe we can give up, this argument is not particularly persuasive. Undoubtedly, refugees do not relocate freely [6]. Furthermore, why offer them any form of polyethnic rights if immigrants really relinquish their cultural rights?

Even yet, if we ignore the point about cultural context, we may simply state that national minorities often have economies of scale that make it possible for them to gain greater protection for their identities than immigrants or refugees. However, this is just a rough guide to determining which groups will be granted more or stronger group-differentiated rights. When it comes to group-diverse rights, a scattered or tiny national minority may need to be handled similarly to an immigrant group. Similar to how certain groups clearly do not fall neatly into either category, this just indicates that we must study the specific situation to determine if a set of rights exclusive to a given group is suitable. Separating immigrants from national minorities should be seen as a general rule rather than a strict division.

According to this line of reasoning, a national minority like the Que'becois is big and concentrated enough to affordably fund institutions like government offices, colleges, and schools that only speak French. It is difficult to understand how liberals can oppose to the Que'becois' desire to establish a liberal French-speaking society. The many immigrant communities in Canada, which are less in number, more scattered, and equipped with fewer institutions than the Quebecois, need to be given much fewer privileges based on their ethnicity. Because it is sometimes exceedingly expensive to safeguard one's identity, immigrants and refugees should be provided with less effective methods of doing so. Additionally, if governments were required to pay for expensive measures to maintain immigrants' and refugees' identities, they could decide to stop welcoming newcomers. The common citizenship exam is another that is most effectively understood in a certain setting. Providing multilingual education to sixty different linguistic groups would be too expensive and may jeopardise a sense of community.

The liberal citizenship test would be failed by any immigrant group that demanded official protection for actions such as gender discrimination. These rules are an acknowledgement that group attachments need some respect even if they may not be as important as some multiculturalists claim. They may be discounted, but they shouldn't be unless there is a compelling reason to do so. All of this demonstrates how multiculturalists have fallen short in their attempt to explain why individuals identify with certain communities. While detractors often denigrate these ties as weak, flimsy, and unreliable, it seems that some individuals are at least deeply committed to a specific group [7], [8].

CONCLUSION

Although group affiliations must be taken into consideration, multiculturalists fail to adequately explain why individuals are so devoted to their communities. This may be because theories are

not well-suited to provide a response to this empirical inquiry. But there are numerous unanswered concerns, such as why so many immigrant groups or their descendants in immigrant nations succeed in assimilating into the wider community while only keeping mostly symbolic ties to their ancestors' cultures. Although the theoretical debates between multiculturalists and their detractors have not yet been resolved, these problems imply that many empirical issues regarding group life, the modern state, and liberal democracy have still to be fully investigated. These inquiries also imply that the multiculturalism argument might be strengthened if researchers focused on non-Western nations, something the multicultural literature which has mostly concentrated on the USA, Canada, and Western Europe has just recently started to do. The character of the multi-cultural debate may alter as a result of the answers to these issues and the expansion of the discussion outside the West.

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CHAPTER 16

IDENTITY, DIVERSITY AND TOLERANCE

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ABSTRACT:

Tolerance is the social virtue and political ideal that permits peaceful coexistence of people and organisations with different ideologies, lifestyles, and personalities within the same community. This extremely broad definition emphasises that the circumstances in which tolerance is necessary are those in which societal differences exist but do not peacefully coexist; if they did, there would be no need for such a concept. Tolerance is vital to create social order and peace because it is necessary for differences that are incompatible or might be incompatible to exist. Thus, the connection between tolerance and diversity is established right once. Tolerance problems must first exist in contrast to one another. Social differences must, however, be further defined as conditions for tolerance.

KEYWORDS:

Culture, Moral, Identity, Recognition, Tolerances.

INTRODUCTION

For modern theories of tolerance, it is critical to debate whether differences qualify as appropriate themes for toleration. Alternative perspectives on differences connect to different points of view where identification may or may not be important. I will thus begin my study by concentrating on the relationship between perspectives on tolerance and approaches to analysing differences. Thus, four distinct concepts of tolerance will be highlighted: the idea of tolerance as a moral virtue; the two liberal concepts of tolerance, as seen from the perfectionist and neutralist perspectives, respectively; and tolerance as acknowledgment. Only the latter correctly recognises differences as components of a collective identity and, as a result, views identity as a problem that requires toleration. Theories of toleration that omit identities from their rightful scope simply do not address a primary difficulty of modern democracy, given that the most controversial differences of contemporary plurality have to do with collective identities.

Tolerance is explored as a moral virtue and is defined as the disposition leading to the suppression or at least suspension of the power to interfere with others' disliked or disapproved behaviour, which is considered important by both the tolerator and the tolerated, according to a conception that has been very influential in contemporary moral and political philosophy. Tolerance must possess the following qualities in order to be considered a virtue. They must both be despised and significant to the prospective tolerator in order for tolerance to be distinguished from intolerance. The topic of whether only moral or also non-moral differences should be accepted, and in the latter case, whether they should be only elective or also ascriptive, remains unresolved. I believe that in order for the moral model to be coherent, differences that must, at the very least in theory, be open to choose are the best candidates for tolerance. Tolerance must be the act of putting aside one's distaste or disapproval for higher moral considerations, such as

respect for others and their autonomy. But it goes without saying that one's negative attitude must be supported by some arguments; otherwise, hate or disapproval are unjustified in the first place, and respect for others calls for total cessation of criticism rather than just tolerance. As it is ethically unacceptable to disapprove of or detest a person's ascriptive differences, which they have no control over, tolerance cannot apply to them. Similarly, the ethically repugnant but not universally condemned differences must fall under this category. It is not acceptable to tolerate attitudes and behaviours that are widely seen as morally reprehensible and unfair, such as racism and slavery or torture. Tolerating these practices is obviously not a virtue, but rather a moral sin. In conclusion, differences that are appropriate candidates for the virtue of tolerance are those that are hated or disapproved of, significant, choosable or revisable, and not included in the category of things that are generally condemned.

As a result, the moral model of tolerance appears to be rather narrow in its application because, on the one hand, it only suggests the negative connotations of toleration and non-interference, and, on the other hand, it omits many of the most important and contentious issues in modern pluralism, which have more to do with ascriptive traits like race, sex, nationality, and collective identities than with eccentric beliefs and heterodox behaviour. One simple approach to avoid this is to simply assert that ascriptive differences do not fall under the umbrella of tolerance and do not, therefore, belong there. Instead, they are dealt with in the specific area of anti-discrimination, which deals with identity rather than changeable behaviour or ideas. However, this strategy is self-defeating in that it essentially admits failure. It is the admission that the most pertinent and controversial differences defining modern pluralism cannot be accommodated by the moral philosophy of tolerance.

It doesn't even take into account how tolerance and intolerance are expressed in everyday speech, where racial, sexual, and ethnic differences are mentioned as often as, if not more so than, differences in moral, political, or aesthetic ideals. As a result, the moral model cannot serve as the microfoundation for social and political tolerance, which is intended to find a way for many different and potentially antagonistic practices, traditions, and cultures to coexist in peace and respect. This is because the moral model is unable to capture both chosen and ascriptive differences. As an alternative, tolerance may be seen as a political tenet that defines the liberal heritage. Neutralist or political liberalism, whose most outspoken representative is John Rawls, and perfectionist liberalism, which has been distinctively outlined by Joseph Raz and then taken up by many others, are two influential strands of contemporary liberalism that have an impact on the concept of toleration[1].

The neutralist position begins with the reality that pluralism is difficult before generalising the paradigm of political toleration that ended the religious conflicts in early modern Europe. Political tolerance promotes peace and civil cohabitation by drawing a distinction between topics that are vital to public order and peace and those that are unrelated to those concerns. The private sphere is defined by the latter area, in which the state has no jurisdiction and has no justification for interfering with coercive action. Therefore, the principle of tolerance depends on the distinction between the public and private spheres and is appropriate for use in private-personal matters, but in the public sphere it necessitates the state neutrality principle. If tolerance is the suspension of governmental involvement in people's moral and religious beliefs, then neutrality is the absence of such favouritism in the public realm.

From this concept, modern political liberalism has broadened the notion of impartiality into a justification for political legitimacy in the constitution. In this way, neutrality is not only a principle for how the public should treat citizens, whose differences in opinions and affiliations should be publicly disregarded for the sake of equality before the law, but it is also a key component of liberal institutions that should be designed independently from any substantive moral outlook, in order to be accepted as legitimate by people who have strong disagreements about values and morals. Non-discrimination in public treatment is valued by perfectionists, but they also claim that liberalism displays its moral worldview just like any other political ideal and that it is not a political ideal devoid of any substantial values or principles. They contend that tolerance, pluralism, and variety are only a few examples of the substantive virtues and ideals that support liberal politics and imply a certain kind of human character. In order to uphold the concepts of autonomy and independence, the person must be given genuine options about her life goals and way of life.

Therefore, pluralism is a need for the development of an independent personality, and as a result, tolerance of difference is a crucial element of a liberal society. Therefore, despite the potential for disagreement, differences are positively valued as options allowing for individuals to make informed and free decisions. However, only differences that are compatible with autonomy and that can, generally speaking, be accommodated within the hospitable bounds of the liberal conception of the good are the proper subjects of liberal toleration. Contrarily, in order to protect the liberal order and its moral rectitude, it is often advisable to eliminate from acceptable pluralism those differences that seem incompatible with liberalism. State compulsion, however, would be ineffective and destructive for many social differences that are incompatible. In certain situations, tolerance should be used as an alternative, but only if there is no harm to the social order as a whole and no rights have been violated.

In this way, perfectionist liberalism considers two concepts of tolerance: a positive one, such as recognition and acceptance, when applied to differences that fall within the purview of the liberal good; and a negative one, such as putting up with, when applied to differences that are fundamentally at odds with liberalism, differences that it is nevertheless counterproductive or pointless to forbid or repress. Three groups of differences are thus implicitly separated. First, there are the social differences that may be accepted within the liberal order's moral ethos and which permit the emergence of independent individuals. They are the appropriate targets of unrestricted liberal tolerance. Because they are differences, which are in essence the topic of free individual decision about what is valuable in life and how life should be lived, which is what requires respect, regardless of how they are selected or accepted and regardless of how they are socially despised. Second, there are social differences that go against liberal outlooks but don't endanger the liberal system or hurt anybody directly, save from making their bearers dependent on their culture.

The veil is not just a religious symbol but also a cultural one that denotes women's submission and public invisibility, and many faithful Muslim women wear them as a sign of their devotion. For the liberal perfectionist, tolerance in the sense of robust acknowledgement is inappropriate when it comes to this second category of differences since they are not the result of free will. Because infants lack mature logical abilities and agency, their carriers are in a sense only seen as prospective moral partners. Coercion, however, would be ineffective and unethically prohibitive, thus these differences must be permitted by default. This suggests that they cannot get proper legitimacy in the liberal order, but only a small area outside of the public sphere. Last but not

least, there are societal differences that not only run counter to a liberal worldview but also weaken the liberal system and/or individual rights. Under any interpretation of liberalism, such differences are unacceptable and need to be simply eliminated from liberal society.

In conclusion, tolerance arises as a means of addressing divergent personal preferences and serves to safeguard individual liberties from government or outside interference.

Diverse collective identities, on the other hand, are only tolerated when there are no workable alternatives and only within the confines of the damage principle. In this sense, liberal perfectionism highlights how liberal society only has a limited amount in common with diverse illiberal civilizations while also demonstrating how unable it is to cope politically with modern heterogeneity. However, recent advancements in perfectionist thought have shown a divergent attitude towards social and cultural differences that supports a distinctive liberal viewpoint on multicultural concerns. However, embracing many cultures does not need a rethink of the idea of tolerance, which is simply seen to be an infantile phase of liberal politics and categorically unprepared to address concerns of cultural diversity. Joseph Raz is the finest representative of the pro-multiculturalism perfectionism perspective, which is also held by a growing number of academics who are also referred to as the new-autonomists. They give culture a specific place in the context of individual autonomy and well-being, which results in the right to culture and places responsibility for cultural assistance on the government. In this approach, new-autonomists support multiculturalism and policies that respect cultural rights. However, as I have said, their notion of tolerance remains intact because they see tolerance as a politics of state detachment from moral and religious matters, making them completely unable to understand identity issues.

DISCUSSION

Comparatively, political or neutralist liberalism seems to be more tolerant of differences and really accepting of anyone's identity within the framework of universally accepted ideals of fairness. According to the neutralist perspective, tolerance is more about adopting a neutral stance towards conflictual social differences that have been acknowledged more unimportant for political life than it is about suppressing the ability to interfere with unwanted differences. Because of this, moral disapproval, even if it may be the cause of the conflict between some social differences, is unquestionably a circumstance to be politically disregarded, whereas in the perfectionist interpretation, dislike or approval of the difference in question is necessary conditions for toleration. In reality, the justifications for tolerance are unrelated to the difference's substance and instead stem from a general stance against repression and compulsion in certain circumstances. Therefore, confrontation between social differences which is therefore unavoidable and difficult to resolve via generally accepted processes is the only situation that matters for political toleration.

Furthermore, any public moral judgement about differences is precluded as a matter of principle if the generalisation of the paradigm of political toleration involves the concept of public neutrality. Tolerance in this context is both a result of and a prerequisite for the feasibility of the just ideals. Although its justification, which is based on fairness, presupposes the principles of justice, its adoption as a political principle is the requirement for the possibility of generalising the principles of justice as the core of liberal legitimacy far beyond those who belong to the liberal tradition and already share the liberal culture. Indeed, the characteristics of the neutralist as opposed to the perfectionist interpretation include openness and prospective inclusion; these

characteristics are believed to represent the attractiveness and uniqueness of liberalism above other political ideologies. The neutralist version of liberalism, where everyone, regardless of origin, culture, or creed, can find a just and respectful social arrangement where their expectations and life plans can, in theory, be fulfilled, is made possible by the liberal commitment to them[2].

However, due to the constitutive nature of the argument and its reductive interpretation of plurality, which together result in a fundamental insensitivity to social differences, the neutralist programme aiming at openness, inclusivity, and non-discrimination turns out to be mainly self-defeating. First of all, the argument's constitutional structure conceals the reality that certain divergences are more divergent than others by making them seem to be equally divergent. However, other differences most notably race, ethnicity, sexual orientation, and culture are indicators of oppressed and marginalised collective identities to which a variety of disadvantages are connected, chief among them being exclusion from or second-class status in the polity. But since differences are not taken into account in the public domain, this reality is ignored, and the problem of inclusion is only seen as the extension of rights to everybody regardless of who they are. Instead of reducing the exclusionary effect of certain differences, the consequent difference-blind mentality actually amplifies it.

Additionally, it is thought of as a plurality of possibly at odds views of the good. Whether they are shared or not, ideas about what is good may, in theory, be reduced to the beliefs of the people who hold them. Differences in communal identities are once again pushed to vanish. Therefore, the neutralist model is available to everyone, but only as an individual. This method does not assist those who carry different identities in joining the majority, whose collective identity is established, taken for granted, and ingrained in society norms. Because of this, the neutralist model encounters a unique conundrum that the perfectionist model does not. Given the neutrality of liberal political legitimacy, the neutralist model suggests liberalism as the political model for an open, inclusive, and free society, whose fundamental values can purportedly be recognised and accepted even by individuals from other cultures. Thus, inclusivity and openness play a significant role in the liberal appeal and are essential commitments for liberal justice.

A fundamental insensitivity to social differences as markers of collective identity and the issue of their inclusion, via public recognition, into the public space of liberal polity, however, underlies this move towards openness, which in fact lies at the heart of the generalisation of the ideal of toleration and neutrality by the constitutional argument. The pursuit of "diverent" communal identities is actually seen by neutralists as a violation of public neutrality. As a result, the original liberal promise of inclusivity for all people regardless of their nationality, culture, language, religion, or ethnicity is transformed into opposition to granting downtrodden or foreign populations full citizenship. Such opposition is justified by the purported danger posed by parties who reject the idea of neutral citizenship to the public realm. In other words, it serves as justification for the liberal order's defence.

However, I argue that in order for the liberal state to follow through on its promise of openness, it must first take steps to include marginalised groups as full citizens. Additionally, the essential commitment to justice, which according to the neutralist viewpoint forms the basis for the neutralist definition of toleration, must deal with a failure in this area. The majority's distinctive and partial identities, which are fiercely protected against invasion, already occupy the neutral public sphere, making the strict exclusion of other identities appear harsh. Furthermore, there are

valid conceptual and logical grounds to believe that neutrality can never be total, therefore it is insufficient to just argue that this disparity is an instance of practical failure in response[3].

All three of the above-mentioned notions of tolerance agree that the appropriate conditions for tolerance are differences that may be reduced to personally held ideas of the good. According to this interpretation, cultural, linguistic, and racial differences are reduced to worldviews that produce incommensurable and irreducible moral convictions as well as social norms and ways of living. Being an Arab is thus seen as embracing a certain religion, set of principles, and morals. This permits toleration to be understood as belonging to the private sphere and is compatible with the original statement by Locke, who, for instance, claimed that becoming a member of a church was never a question of ascription but rather of choice. But today's problems with intolerance cannot be resolved by this idea of plurality.

Tolerance is consequently demanded of more in modern democracies since freedom from persecution and respect for religious conscience are taken for granted. Pluralism has to be reexamined in order to understand what is at stake. Behind idealised notions of the good, there exist in reality marginalised and oppressed groups that fight for the public's recognition of their unique identities and seek to be treated equally with society majorities. Thus, the current debate is less about irreconcilable differences in values and cultures than it is about the marginalisation of people who hold minoritarian beliefs, who seek tolerance in order to have a fair opportunity to express their differences in public. Overall, we may argue that current concerns of tolerance struggle to uphold the ideals of liberal toleration, which include equal liberty, inclusiveness, and respect. The conflict underlying questions of toleration can only be viewed as extending beyond the debate over values, beliefs, and practises if pluralism is regarded as the diversity of groups, cultures, and identities excluded or unequally included in democratic society.

The struggle for public acceptability of differences might thus be seen as a conflict between reversing marginalisation and exclusion and achieving equal access, not only as a question of compliance with liberal ideals and practises. The affirmation of differences in the public sphere is considered as the first symbolic step towards complete inclusion since marginality or exclusion are consequences of minority group membership for people. Since these groups are excluded, marginalised, or invisible in modern democracies, non-trivial contemporary concerns of tolerance are essentially battles over the assertion and acknowledgment of collective identities connected to these groups. According to the traditional understanding of the problem, ideological and moral disagreement is also present and strengthens the identity conflict, enabling us to isolate and identify the issue as relevant to toleration, but it is neither the major nor truly the prominent issue.

If the collective component is important, it is important to investigate the differences between the various groups make up the situation where tolerance is required. Generally speaking, group differences that are despised by the vast majority of a society are the roots of challenges with tolerance. The fact that a majority controls a society's standards that may be more or less pluralistic but still define the status quo regardless of how homogenous they are, is what matters. Any characteristics of the weaker group, which I will refer to as the "minority" in a broad sense, can be identified as distinctive and used by the majority to define the group's collective identity. These characteristics may be physical or cultural traits that are exclusive to the group or not, and they may or may not be acknowledged as such by the group's members.

It is not the actual content of the distinction that matters, but rather the fact that, regardless of whether it is ascriptive or elective, the distinction is actually construed as if it were ascriptive, that is, as a fixed characteristic of the group that allows the group to be easily recognised and distinguished from others. Therefore, regardless of whether the individual member has the option to reject these distinctive characteristics, she is already socially connected with them, and this connection will make it difficult for others to accurately perceive her identity. In this regard, it should be noted that it is gravely deceptive to reduce social differences to differences in the conception of the good, or to an element that is elective. Indeed, for members of minority groups, elective parts of their collective identity also count as ascriptive[4].

A geographical expansion from the private to the public sphere and a semantic extension from the negative meaning of non-interference to the positive sense of acceptance and recognition are two examples of extension in comparison to liberal frameworks. Both expansions first seem problematic for liberal theory because they appear to call into question the fundamental idea of a neutral and impartial space. However, tolerance as recognition turns out to be consistent with both a reformed concept of neutrality and with impartiality, thus such liberal concerns are unfounded. The framework of the case for acknowledgment via toleration is as follows. When pluralism is viewed as the coexistence of various groups and cultures with unequal social standing, public respect, and social and political power, situations of toleration are conceptualised as being caused by the majoritarian perception of characteristics, customs, and practises of minority groups that are singled out as "diVerent" and excluded from societal norms.

When the visibility of some groups' practises in public spaces is perceived as loud and provocative and consequently as an invasion of particular identities into the political domain and a request for special consideration violating neutrality, such situations of cultural domination then develop into contests over the public's tolerance of differences. In these situations, I advocate the acceptance of differences in the public realm on the basis of fairness rather than an argument demonstrating how differences and neutrality may coexist. Public exclusion of differences is, in fact, unjust since it treats minority members differently from majority members, whose identities are clearly apparent everywhere in the political sphere. Second, it is unfair since minorities are kept in a marginal position as second-class citizens by the invisibility of differences. If tolerance is seen of as the public acknowledgment of excluded, marginalised, and oppressed identities, it may address these problems of justice regarding minorities' uneven social position.

Although it has been demonstrated that the argument for toleration as recognition is based on liberal justice principles, such as non-discrimination, equality of respect, and inclusion, some may still object that it implies a conflict with liberal principles, specifically with neutrality, universality, and impartiality. In order to value differences, recognition really appears to suggest that they must be taken into account in their content. To achieve this, the state and its citizens must use an ideal of the good as the criteria. The liberal state would abandon its neutralist posture in this manner. Additionally, public acknowledgement of differences cannot be given uniformly; rather, it must always be specific and only be given to differences that have passed the recognition test. Therefore, impartiality would also be given up in the sake of identity politics. However, I maintain that this issue is predicated on a dubious understanding of recognition. Here, recognition is meant to be an endorsement of the inherent worth of the particular diversity. This strict view states categorically that democratic institutions cannot be

recognised. However, another less troubling sense of differences is acknowledged by public acknowledgement[5].

Divergences may be recognised not for their inherent worth, which is not the responsibility of political authorities, but rather for the value they provide on their carriers. To be more specific, differences may be acknowledged as having the same worth for those who carry them as what the majority considers to be the "normal" features and practises. In other words, the public support of a diVerence or the public awareness of its worth have nothing to do with the public acknowledgment of diVerences. Here, this idea is used more humbly to refer to the inclusion of a different characteristic, practise, or identity in the spectrum of acceptable, workable, "normal" possibilities in a free society.

It does not imply the equal exclusion of all diVerences and particularities from the public sphere, as implied by the la "cite" ideal, nor does it imply the disregard of all diVerences in public action, as implied by the notion of public blindness. Instead, it is compatible with public neutrality in this regard because it is independent of their content. If differences have historically served as symbols of marginalisation and exclusion, then positive public attention and regard are exactly in keeping with what neutrality stands for. Instead of seeking to completely eliminate all differences by offsetting the disadvantages associated with them, a revised neutrality that allows for public recognition of identities should aim to make all citizens positively at ease with their full selves, both in public and in private. Public recognition may be reconciled with impartiality if a new definition of neutrality can be found. Although recognition only works when given to distinct identities, this does not imply favouring any one group and negating the idea of universal justice. Symbolic recognition is not exclusive, meaning that distribution issues are not present since it is not a rare good.

Public acknowledgment may be extended to all claims even if it must be given to each diVerence individually as long as it does not violate any rights. Tolerance as recognition thus recognises diverse identities as its proper subjects and emphasises that cultural contrasts are invariably stoked and exacerbated by disparities in social standing, status, and respect of diverse groups who are either working to improve their status or, alternatively, resisting any such change. However, focusing on the power dynamics between groups does not automatically resolve the instances of conflict that sometimes arise between particular cultural practises and societal standards or individual rights. The contentious issue of headscarves in public schools in France, customs surrounding arranged marriages, various requests to exempt children from state-mandated education, and perhaps the most contentious issue of all, female genital mutilation, are all examples of incompatibility that call into question the extent of tolerance for cultural practises, particularly those that oppress women and children.

When compared to other liberal viewpoints, does tolerance as recognition handle these contentious topics any better or more smoothly? I firmly believe that the normative approach to challenging instances differs from the concept of toleration as acknowledgment. The overall premise is that although equality of position, respect, and fairness are important, compatibility serves as a secondary restriction. From this perspective, the legal system is not taken for granted since it could be biased against certain cultures. Thus, although being based on la "cite," the French attitude against headscarves in public schools is seen as reflecting double standards and more burdensome requirements for Muslim pupils than for Christian or non-religious ones. While Muslim girls must either modify their look or drop out of public school, the latter are not

required to alter their appearance or dress code, regardless of how unconventional or proper they may be. And such a choice is founded, first, on a dubious reading of neutrality, which mandates that the public realm be free of any particularities, and, second, on a prejudicial understanding of headscarves, which is that they are symbols of women's servitude, fundamentalism, and obstinate unwillingness to integrate[6], [7].

Other contentious situations, however, indicate a dispute that is more about the violation of the individual rights of vulnerable members of the cultural community, usually women and children, than it is about the biased legal norms in contemporary democracies. In general, the protection of individual basic rights should take priority over the acceptance of social customs. However, a crude application of this overarching concept often makes the cultural tension worse without materially assisting the individuals whose rights are in jeopardy. In France, for instance, stringent legislative restrictions on female genital mutilation have not decreased the number of victims, but rather worsened their physical and practical circumstances by putting their families at danger of detention and expulsion. As a result, it shares the belief that the approach to difficult cases should always be contextual, that is, cautious in the interpretation of the claims at issue and of the positions of the various parties involved. Tolerance as recognition is less concerned with the principled defence of liberal values than with effective just treatments of people. Furthermore, toleration as recognition distinguishes between the practical acceptance of certain practises and claims and the symbolic acknowledgment of a collective identity, which implies its public visibility and lawful presence in the "normal" range of the open society. If, as I claim, the recognition of minorities' equality and identity is a major point of contention in the debate over cultural issues and if this is the unavoidable aspect of identity politics, then after symbolic recognition has been granted, individual issues are subject to discussion and accommodations. Sticking to the defence of individual rights becomes simpler in an environment where there is greater tolerance and sympathy for other cultures. In terms of female mutilation, the suggestion to transform it into a symbolic ceremony free from physical danger and without repercussions for young girls' future sexuality seems to be a workable compromise between cultural practises and rights[8].

CONCLUSION

Cultures and communities interact and change continually, there cannot be a general normative response for every situation. Moreover, no response to such problems can ever be considered as definitive. Though if we keep to ideas like neutrality, equal treatment, and equal rights and adopt a more pragmatic perspective, the power of majorities and its expression in institutions are hidden. This may be accomplished by taking the stance I have suggested. Tolerance as acknowledgment aims to make individuals, regardless of their differences and identities, feel at peace with themselves and at comfortable with their decision to identify or not to identify with specific differences. It is not intended to create a mosaic society or to preserve civilizations as endangered species.

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CHAPTER 17

CULTURAL DIFFERENCE AND MORAL UNIVERSALISM

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ABSTRACT:

Since European interactions with inhabitants of the New World in the sixteenth century, reflection on cultural variety has played a key role in Western political philosophy. Particularly among theologians, the Spanish conquests in the Americas sparked intellectual discussions concerning the very humanity of the peoples on the other side of the Atlantic. The publication of traveler's accounts describing the unusual practises and beliefs of people in the East and in Africa, as well as in the Indies and the Americas, increased interest in the variety of human cultures. The variety of human experience led philosophers to wonder if morality was only a matter of custom or whether there was any universal norms of morality. These issues were more than just of a philosophical nature. Instead, they explicitly addressed the question of how European travellers should treat locals in far-off regions, especially if they were sent as the church or a prince's agent.

KEYWORDS:

Cultural, Morality, Justice, Society, Tolerance.

INTRODUCTION

Juan Gine's de Sepulveda believed that the Spanish colonists were correct to see the Native Americans as natural slaves rather than as persons, and that they were inferior to Europeans in the same way as infants and women were to their parents and violent people were to the gentle. This theologian and philosopher defended his opinions in front of Charles V during the Valladolid discussion in 1550, debating Bartholome' de las Casas' claims that the Native Americans were human beings and so could not be legitimately subjected to slavery. Las Casas maintained that the Indians should be controlled similarly to the people of Spain, in accordance with the unchanging principles of natural law, notwithstanding the opinions of both men that the natives could not be permitted to govern themselves. Francisco de Vitoria, a Dominican theologian, went further to emphasise that the desire to spread the empire could not be used as a justification for war. Neither could the justification for conquering be found in the locals' idolatry or deviant sexual habits. While the Spanish had the legal right to trade with American Indians, they did not have the legal right to take their property. They also did not have the legal authority to convert people to Christianity[1].

These works and arguments show how a discussion within Western philosophy emerged and developed that is still relevant today. This is in part because the evolution of international law was significantly influenced by disputes over the status of the peoples in the new globe. But more generally, these talks established the notion that everyone should be considered a part of a global moral society, if not a member, and that everyone was obligated to be aware of universal rights and duties. They simultaneously established the humanity of distant peoples and the

obligation of these peoples to uphold universal laws concerning free movement or rights of commerce that they were ignorant of. Theologians and philosophers used moral precepts to deny local peoples any claim to moral separability or independence while simultaneously denying European kings the right of invasion.

The concerns that initially sparked this debate in the sixteenth century are still relevant today, although in a different form. Asia, Africa, and the Americas have seen significant economic and political upheaval as a result of four centuries of colonialism. Additionally, the cultural makeup of Western cultures has changed significantly as a result of an inflow of immigrants from various origins. Nevertheless, despite these advancements, there hasn't been a full convergence on universal ethical principles. Customs are still varied. Many governments insist on adhering to their own moral traditions despite pressure to ratify or uphold international declarations of human rights. Additionally, a lot of immigrants have made an effort to uphold the moral norms established by their cultural communities of origin rather than adopting those of their host nations. The demands of indigenous peoples throughout the globe to reclaim some of the territories they have lost to colonisers and to proclaim the moral validity of their own indigenous traditions have also increased recently. Cultural minorities now fight against the Western liberal morality's intrusion into their societies, much as native peoples attempted, with varying degrees of success, to do throughout the preceding four centuries. How to weigh the demands of universal morality against the claims of specific cultures is now a significant issue in modern political thought[2].

One popular approach to the issue is to find ways to provide cultural groups specific rights so they may continue to practise their unique traditions and customs. The theory put forward by Will Kymlicka, who argued for the preservation of cultural minorities in terms compatible with the universalist commitments of a liberal political viewpoint, is the most well-known and significant one in this area. He said that liberals had failed to adequately consider the arguments made by cultural minority seeking to preserve their valued traditions and resist assimilation into the larger society's dominant culture. Liberalism, with its commitment to universal moral standards, should not, however, find this troublesome since it is fully capable of balancing these commitments with respect for cultural diversity. Kymlicka's assertion that being able to live independently is what important for all humans is the foundation of his argument. He argues that liberalism has always acknowledged the value of autonomy because it sees it as a benefit to which everyone has an equal right. But rather than requiring that cultural minority in liberal governments assimilate into cosmopolitan ways, respect and care for autonomy necessitates respect and concern for cultural communities, which is how the potential for autonomy is fostered. The destruction of cultural groupings could only spell tragedy for individuals who rely on these communities to understand what is valuable and how to make decisions.

Self-government rights, to be enjoyed by national minorities, such as indigenous peoples, whose communities have their own "societal cultures" and are able to sustain independent political structures; polyethnic rights, to be enjoyed by ethnic minorities, such as immigrant communities, who have no claim to being allowed to govern themselves but should be allowed—as Kymlicka suggests—to protect cultural minorities. With these rights, according to Kymlicka, diverse groups in a liberal society would be well-equipped to live as citizens in the liberal nation state and to enjoy the preservation of their unique cultural values. This method finds a particularly fascinating balance between moral universalism and cultural diversity. According to Kymlicka, in order for cultural groupings to be able to sustain their cohesion and integrity, they must be

shielded from outside meddling from the outside society. In the absence of "external protections," many groups would deteriorate. For instance, certain Indian tribes would be damaged if there were no regulations prohibiting outsiders from purchasing tribal property because some tribe members may be persuaded to sell their particular shares for high prices.

Some civilizations might perish if they didn't get subsidies to support their social services. Without specific language rights, certain groups would experience a deterioration in their languages and disadvantage in their communities. However, Kymlicka maintains that cultural preservation does not provide communities the power to place "internal restrictions" on its members, who continue to be part of the universal community and the bearers of the rights enjoyed by all citizens. Because the state is required to defend the rights of individuals upheld by appeal to universal principles, groups that want to restrict the education of women and girls, try to deny dissenters in their midst the freedom of religion, or insist on illiberal sexual practises, cannot escape regulation by the authority of the state. According to Kymlicka, the possibility that this norm would endanger the continued existence of cultural groups that are otherwise provided with "external protections" is insufficient justification for permitting a more significant divergence from liberal ideals. Kymlicka is inspired by an understanding of the predicament of many minority peoples, much like the Spanish scholastics of the sixteenth century, to make the case for extending the protection of universal moral law to them. But unlike Las Casas and Vitoria before him, Kymlicka is unable to provide them the freedom to disregard that law's boundaries. The bottom line is that a free society cannot have very illiberal components because universal principles cannot accept extreme diversity.

DISCUSSION

The differentiated rights solution is an effort to go beyond past liberal theory in order to allow divergence on a philosophical basis, even if it cannot tolerate profound divergence. The universal norms of liberal justice may have to be used to limit tolerance. Nevertheless, it has a specific place, at least according to Kymlicka's notion. However, contrary to what Kymlicka may have wished, some opponents of differentiated rights believe that tolerance cannot have a fundamental position in a theory of the ideal society. If morality is genuinely universal, the justification for group differentiation and the rationale for cultural tolerance vanish. Many opponents of group-differentiated rights, including some feminists and liberal egalitarians, have emphasised this argument. It would be unjust to unfairly compare these criticisms to Sepulveda, who believed that Native Americans were so inferior to Europeans that they were only suitable for slavery. Feminists and liberal egalitarians are fervently dedicated to the ideals of human equality.

However, they share at least one thing with Sepulveda: both of them believe that the gap between universal morality and the specific moralities of other communities is too vast to justify either protecting the groups or tolerating their practises. Susan Okin, for whom feminism and diversity are obviously at odds, vigorously defends her viewpoint from a feminist standpoint. Instead of believing that the liberal state should defend minority cultures, Okin contends that it should work to prevent some of them from upholding their customs because they do not treat women with the same dignity as men or believe that women should have the same opportunity to live fulfilling and free lives as men. Minority group rights make the issue of human development worse rather than better[3].

No claim based on self-respect or independence can be made that the female members of the culture have a clear interest in its preservation in the event of a more patriarchal minority culture

in the setting of a less patriarchal majority culture. In fact, they may be far better off if the culture into which they were born either went extinct or, preferable, was pushed to change itself in a way that strengthened women's equality at least to the extent that this ideal is preserved in the culture that makes up the majority. Cultures that train women to serve males, practise female genital mutilation, or deny women or girls the right to choose their spouses shouldn't be preserved. They shouldn't even be tolerated; instead, they should be prodded or compelled to change. According to Okin, this should be done in a manner that enables women to take part in the change of their own cultural groups. Okin strongly believes that the use of state power is required to guarantee that the interests of women are not subjugated to those of certain cultural groups, even if she is fully aware that state power may be abused, even when the purpose is to lessen oppression. Furthermore, even though she acknowledges the complexity of cultural communities, which are not always clearly distinguished from one another or from society at large, and the fact that many women belong to multiple communities, this does not lessen the necessity of evaluating cultures according to the moral standards she considers important. These are, in general, the tenets of liberal feminism. Brian Barry, who views the claims of multiculturalism as appeals for cultural relativism rather than an appeal to appreciation for diversity, takes an even more adamant position on this issue. This just won't do for him. Liberal egalitarianism's guiding principles are universally applicable, and all societies as well as the groups that comprise them must be evaluated in light of these norms[4].

If cultural groupings fall short of these, they should be condemned rather than tolerated or even protected. Where required, the state should step in to guarantee that liberal values are upheld in these areas. The liberalism to which Barry makes reference is that exemplified by John Stuart Mill's ideas. Barry provides a thorough explanation of the practical ramifications of this viewpoint. Religious doctrine indoctrination, such as creation science, is not a suitable replacement. Religious minority cannot expect to be excused from the duty to guarantee that their children obtain a wide general that is, liberal education. If a cultural group's effort to impose rigid moral standards via coercion proves too detrimental or oppressive, they will need to modify their strategy. In order to prevent many people from staying in Amish communities out of cost rather than desire, the Amish, who shun those who leave their communities, should be forced to pay those whose livelihoods are affected by their inability to trade with their former neighbours.

Groups of Muslims and Jews will also need to change how they act since it is impossible to satisfy their desire to solely eat halal or kosher meat without going against the rules regulating the humane treatment of animals during slaughter. According to Barry, ritual murder is unacceptable, and those whose traditions forbid consuming meat from animals not slain humanely should become vegetarian. Although not all liberal egalitarians have enjoyed writing in opposition to multiculturalism as much as Barry, many have expressed scepticism about the significance of culture and community. The "cosmopolitan alternative," as Jeremy Waldron refers to it, is both a workable way of life that rejects traditional community morality and one that is, in many respects, more suited to the contemporary world. In fact, giving in to the demands of marginalised cultures carries the danger of giving in to forces that are disruptive, self-serving, and threaten to disturb the serenity of otherwise stable contemporary nations. We must go on, despite the fact that we should be sympathetic to the predicament of indigenous cultures that have endured while their villages have been harmed or destroyed by the arrival of immigrants. Political theory must address how justice may benefit all individuals seen as equals

rather than how justice must pay those whose ways of life have been harmed. Political theory must be forward-looking rather than backward-looking[5].

The demands of cultural minorities are not to be discounted, according to those who take a cosmopolitan attitude, but they also are not to be accorded the weight that minorities themselves want or that theorists like Kymlicka support. People like Joseph Raz, for instance, contend that cultures or communities that violate or reject individual autonomy cannot be tolerated under the morality of autonomy. Such civilizations must have a completely pragmatic rationale if they are to be permitted. It is risky to interfere with the life of other individuals or groups, thus it should not be done carelessly. Moral universalism does not need political Jacobinship. However, according to these thinkers, there is no moral justification for non-intervention since universal principles always triumph over cultural differences. The question, according to some cosmopolitans, is not so much whether universal principles should take precedence over cultural particularity as it is how to identify what is universal in the particular. The most well-known proponent of this viewpoint is Martha Nussbaum, who contends that most, if not all, societies acknowledge certain things as necessary for anybody to have a decent life. To the degree that they are able to, everyone is capable of appreciating our shared humanity and realising that we are all global citizens, or cosmopolitans. Therefore, each culture has its own inherent resources from which to draw in order to denounce and combat tyranny and injustice.

Therefore, women and marginalised groups may confront their cultures in the Third World no less than in the First and assert demands of justice that are both globally justifiable and locally rooted. In order to deny them the right to do so, those who do so in the name of culture must also violate some of their own customs and fundamental moral principles. The issue with Nussbaum's universalism, however, is that it makes the erroneous assumption that compiling a list of qualities that are desired for any decent human life is sufficient to demonstrate the existence of values that are shared by all civilizations. Communities of value are distinguished by the fact that, although holding the same beliefs about the worth of life, liberty, relationships, and enjoyment, they interpret and order these values substantially differently. To Nussbaum's credit, she does accept the existence of cultural diversity as well as the fact that individuals have strong ties to their cultural traditions. She also often asserts that humility is the proper attitude to have towards people from various cultures. She may be cosmopolitan, but it is obvious that she is not a liberal Jacobin.

Despite their differences, cosmopolitans believe that universal moral standards may be established and that cultural differences cannot be used as an excuse for disobeying moral obligations. Nobody has the right to openly express a desire to leave or stay a member of the global moral community. Their position, which is similar to the Spanish scholastics, is intolerant of difference, at least to the extent that difference is permitted as long as it adheres to a moral code that no one could find objectionable. Given that it must constantly be constrained by other, more important considerations, such as justice, tolerance in this context is just a minor virtue[6].

Difference And Acknowledgment

Naturally, thinkers for whom diversity and particularity have not been adequately recognised have criticised, and sometimes completely rejected, the cosmopolitan view and liberalism in general. The notion of universal citizenship, for Michael Walzer, for instance, simply has no meaning, hence the cosmopolitan ideal is meaningless to him. More generally, he challenges the notion that civilizations may simply be assessed or criticised from the perspective of universal

morality, given that morality is heavily entwined with regional understandings and meanings. The most effective social critique comes from individuals who are familiar with their own communities and who are aware of the meanings behind their customs. Genuine critique and a significant confrontation with tyranny can only occur then. Greater powers will always be tempted to suppress some "tribal" attachments, but in actuality, these communities will need to be accommodated since parochialism cannot be defeated because people are committed to their own histories, cultures, and identities.

Walzer tends to support tolerance of diversity, but he is also concerned about the potential for groups to sabotage social peace in order to advance their own political interests in societies that are willing to support them. However, tolerance has its bounds and cannot be applied to oppressive organisations, especially when group behaviour conflicts with the norms of the host community, which will have its own, "thick," shared notions of good and wrong. In liberal societies in particular, the idea of tolerance has, according to Charles Taylor, typically been of little value since it has failed to recognise what communities really desire and has all too often delivered even less than promised. Because Taylor maintains that all of these solutions have failed to recognise the nature of the demands made by certain groups, his works provide a challenge to liberal approaches to the issue of coping with difference. Liberal governments have reacted by granting groups equality: equal rights, equal status, even a modicum of material equality, and eventually, equal dignity.

This is because they understand that groups have desired acknowledgement of some form. "What is established with the politics of equal dignity is meant to be universally the same, an identical basket of rights and immunities," says the statement. The issue, however, is that what communities wanted was acknowledgement of their dignity not as members of a global society, but rather as unique people and groupings. Non-discrimination and tolerance are insufficient for these groups; the notion that the liberal state would be seen as a neutral setting in which they, together with all others, might prosper under diversity-blind principles was only a fantasy. In actuality, liberalism is "the political expression of one range of cultures, and quite incompatible with other ranges," rather than serving as a meeting place for all cultures. Taylor believes that Kymlicka's group-differentiated rights approach is insufficient because it falls short of fully recognising the significance of groups to their constituents. Giving diverse groups the freedom to seek certain cultural goods only benefits those who are already enmeshed in a culture under strain and have the option of thriving within it or not at all. However, it does not support actions taken to assure survival for all time to come[7].

Iris Young, who believes integration to be the core of the liberal tendency, also makes the claim that liberalism fails to give communities the appropriate level of acknowledgment. She promotes a "politics of difference" that aims to broaden the definition of democracy in order to incorporate the oppressed and marginalised inside the democratic system. Exclusion is mostly responsible for strengthening oppression. Despite its Universalist claims, liberal humanism merely maintains dominant patterns, even if it does so in the name of individual liberty and justice as impartiality.

Eligible Democracy

Is it possible to appreciate diversity in accordance with a Universalist moral and political theory? It can, according to the democratic solution put forward by proponents of deliberative democracy. Particularly Seyla Benhabib has argued that the deliberative model of democracy has the greatest chance of explaining the sorts of institutions required to cope with the relevance of

cultural diversity in contemporary society. According to Benhabib, the novelty of the deliberative democracy theory is found in "its vision of the interaction between liberal commitments to basic human, civil, and political rights, due process, and democratic political struggles in civil society." According to Benhabib's own "two-track model" of deliberative democracy, cultural conflicts are dealt with directly and indirectly by the government without putting an end to the "dialogue and contestation" that are a defining characteristic of the "civil public sphere that is essential for a multicultural democratic polity." Arguments on whether or whether groups should have cultural rights are insufficient when disagreements emerge, such as those over laws regulating cultural minorities. A political forum where cultural minorities may present their cause is required. However, this also implies that minorities must recognise that they cannot simply want to be left alone since their traditions are often threatened by the communities' demands for change.

Cultural groups must be prepared to participate in the democratic deliberation process on a political level. In fact, according to Benhabib, these communities are unable to avoid this because they are not rigid, homogenous entities but rather, bodies that accept a variety of opposing viewpoints. The very borders of cultural groups are subject to change throughout the deliberation process and are not fixed in stone. The deliberative method has two criticisms, both of which Benhabib disagrees with. The first is that the deliberative model is biased in that it does not account for profound differences in cultural practise and belief. It in effect eliminates many groups who will do badly when agreement is not achieved, which will often be the case since it demands that consensus be sought.

The second is that if deliberative politics is to do service to the necessity for multi-cultural power-sharing agreements as well as to separatist cultural and nationalist aspirations, it must transcend inherent constraints. Benhabib believes that agreement is possible and that attempts by groups to withdraw from society must be opposed. Consensus shouldn't be overemphasised since there are instances when it's crucial to stand up for arguments made in the name of universal justice. Additionally, contrary to what Habermas sometimes says, the requirements of morality and compromise do not always have to be mutually incompatible. Although moral universalism and cultural diversity may be at odds, the goal is to find a democratic political solution.

Six Radical Tolerance

It is difficult to overcome the conflict between moral universalism and cultural diversity. Some have simply said that all claims of culture must yield to universal morality in order to address the issue. Others have attempted to use the tenets of a universal morality as a foundation for granting some weight to cultural group needs. Of course, some argue that the very notion of a universal morality should be viewed with scepticism, if only because many claims about it are really just claims about particular moralities disguising themselves as universal; they also argue that morality is a product of community rather than a universal standard that can be determined by human reason. Disagreement seems to be a characteristic of diVerence's analysis just as much as it is of diVerence itself[8].

However, a different, more extreme option of moral separation has received insufficient attention in modern debates, no less than in those of the sixteenth century. The Spanish theologians saw no other choice than to evaluate other peoples according to the norms of universal morality because they were confident in their ability to acquire moral knowledge via an inquiry of natural law. The fact that such individuals showed no understanding or even awareness of the moral law did not

absolve them of moral obligation. For those who insisted on the humanity of the peoples others considered to be savages, like Vitoria and Las Casas, the idea that Europeans should just leave other peoples to their own practises and customs was simply unthinkable. Most authors of current political theory are anxious to emphasise the equality of all people and groups, therefore they explore how they may be included as members within the framework of a single moral community.

However, there may be substance to the notion that social cohesion is unimportant and that it would be desirable to preserve more moral distance between groups. This approach would include having a certain perspective on the characteristics of groups and the claims made by culture. We should start by recognising that groups themselves are more or less transient connections of people rather than thinking of the world as being made up of fixed groups, whose demands need to be taken into account by those in positions of power. Not only their "shared" history but also the circumstances they are in affect how they connect, who they include, and how strong their identities are. Before European settlers came to Australia, the Aborigines did not see themselves as a single nation, but they are now somewhat unified as a group with a shared goal. Although there are various ways to define differences, each one of these ways might serve as the foundation for some kind of social cohesion.

A decent society is one that gives individuals the freedom to create or maintain the social networks they find comfortable. There are no cultural rights in this perspective. Groups are to be seen as groups of persons with the right to remain in affiliation with one another if they want, rather than as constituted with the right to protection or guarantees of continuation into the distant future. Everyone is free to leave, and the group's leaders' power solely depends on how eager the other members are to accept their rule. However, the outside world has no right to interfere with their operations and is under no obligation to support them. The correct approach in this situation is one of extreme toleration: organisations are accepted even when their practises are very intolerant of others who are different from them. Although people who desire to quit their organisations may not lawfully be prohibited from doing so and no one is under any responsibility to assist groups maintain their reluctant members there is no expectation that groups or their members must adhere to the norms of the larger society.

A certain kind of universalism is implied in such a viewpoint. Everyone has a responsibility to refrain from interfering in the affairs of others, which only self-defense can overcome. It is unquestionably a viewpoint that respects the inherent humanity of all persons. However, it goes a step that Vitoria and Las Casas were hesitant to do by implying that individuals who reject this universal morality may do so and continue to live outside of its boundaries. None of them have a moral duty to align themselves with the dominant society. Therefore, a good society is one that allows for disagreement even with its core values. Even when differences appear unacceptable, it tolerates them.

This is a stance that will seem unwelcoming to people who place a high value on having all groups included as fully "recognised" members of one moral community. It will also be rejected by those who believe that certain organisations should be morally condemned instead than tolerated since they do not uphold the norms of universal morality. The advantage of this viewpoint is that it does not force those who reject a certain group's morals to adopt them. Furthermore, it does not oblige those who disagree with dominant norms to accept those who do. However, the price is that no guarantees can be given to groups about their survival, and no

guarantees can be given to the moral majority regarding the success of universal morality. However, it must be acknowledged that it is unrealistic to anticipate that such a viewpoint would have a sizable following. It requires a degree of tolerance that most regimes, whether liberal democratic or not, will find challenging to maintain.

The Seventh Dimension of World

In other ways, the direction of the current conversation trend is just the opposite. In international political theory, the tide is shifting in favour of those who believe that universal moral principles should apply to all nations, that political institutions should be put in place to ensure that distributional inequalities are reduced or eliminated, and that oppressive or merely illiberal regimes are under pressure to uphold these principles. For instance, Charles Beitz has claimed that the principles of justice upheld by John Rawls in *A Theory of Justice* may be used as a benchmark for fairness within and across countries. In *The Law of Peoples*, Rawls argued that the concepts of justice do not apply to international society, which must be regulated by entirely other rules. Rawls himself disagreed with this position. But in doing so, he seems to have backtracked from any kind of commitment to moral universalism; instead of seeing moral principles as discoveries attained via the force of human reason, he now sees them as the condensed ethical beliefs of certain moral communities. David Miller, who believes that ideas of justice are linked to national communities, has also developed such an argument. However, the majority of theorists have started to advocate for international institutions to uphold universal principles of justice and have rejected the Rawlsian conception of international order. For instance, Allen Buchanan has proposed that our considerations of international order should be governed by a cosmopolitan view and that what is most urgently required is a restructuring of international institutions to bring them into compliance with universal moral norms. In the end, states should be led by a commitment to defending human rights worldwide in the name of the inherent obligation of justice, not by a primary concern for the needs of their population.

CONCLUSION

It is stated that while upholding human rights in domestic society is crucial, upholding them internationally is as necessary. In reality, institutionalising rules of behaviour that approved of oppression may be considered as participating in the oppression, just as institutionalising a situation that allowed for people to behave unfairly could be seen as involved in the injustice. Undoubtedly, consistency is a virtue, and collaboration in tyranny is at the very least a dubious course of action. The international sphere, where the maintenance of peace may be the ultimate goal of political institutions instead of the pursuit of justice, may be where the risk of an aggressive universalism may be seen most clearly. It is my opinion that, both domestically and internationally, consistency requires that we seek no more than this. This is not due to the absence of universally accepted norms of justice, but rather because peace is the first virtue of social institutions and the universal standard that people from all different cultures and societies can most easily accept.

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CHAPTER 18

ADVANCEMENT OF HUMAN RIGHTS

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ABSTRACT:

Human rights are an intricate and contentious social practise that structures relationships between people, society, and the state on a unique set of substantive principles that are carried out via equal and inalienable universal rights. Given that this is how human rights have actually been presented in theory and in political conflicts, this section and the one after it place a great emphasis on the universality of human rights. However, the last section's first half is expressly dedicated to issues with universality.

KEYWORDS:

Dignity, Economic, Human rights, Politics, Society.

INTRODUCTION

Literally, our rights as humans are those that we are entitled to. One is either a human being or they are not, and as a result, they all possess the same basic human rights. They are unalienable; no matter how heinously one acts or how brutally one is treated, one cannot cease to be a human being and, hence, cannot lose one's human rights. Every single person, everywhere, is entitled to some basic rights. This chapter provides a conceptual study of human rights, a synopsis of their historical development, and a survey of some of the major theoretical debates.

The Rights of Humanity

Rectitude and entitlement are the two main moral and political meanings of the word "right," which are often articulated in terms of something being right and someone having a right. Denying you anything that you have a right to enjoy is considerably different from denying you something that it would be appropriate for you to enjoy in a just world. Utility, social policy, and other justifications for action often "trump" claims of rights. And with permissions, you may do unique tasks.

Beth's correlative obligations cannot be reduced to Adam's entitlement to x in relation to Beth. If Beth doesn't fulfil her duties, she not only harms Adam and breaches moral standards, but also his right. She is now eligible for special remedial claims as a result. Furthermore, Adam is actively managing the relationship, as the wording of "exercising rights" implies. He might declare his claim to x. He may, primarily at his discretion, pursue the case further, decide not to do so, or even pardon Beth if she continues to fail to fulfil her commitment. The expense and inconvenience of exercising rights affects both the parties and society as a whole. Thus, it should

be avoided wherever feasible. However, having a right is distinct from just benefiting from another's responsibility since it requires the ability to assert one's claim.

When one does not "have" the subject of a right, which right has a specific significance? It is important to distinguish between having a right and how respected, often, or easily it is utilised. A human right should not be confused with the enjoyment of its component parts or objects. People not being killed at random can simply be a result of a government's lack of motivation or insufficient capacity. A right to be executed may not even be covered by active protection. Rulers may, for instance, behave in accordance with a sense of fairness, pragmatic considerations, or a divine command that does not provide people legal protections. Even a right not to be exercised arbitrarily may be supported by law or tradition rather than by a person's inherent dignity.

As we'll see in the paragraphs that follow, human rights primarily govern interactions between people who are thought of as citizens and "their" state. However, as rights, they go beyond establishing criteria for political legitimacy. They provide people the right and authority to take action to uphold their rights. Human rights go beyond simple ideals like liberty, equality, and security. These principles are realised via certain social practises, which are grounded on rights and entitlements. Human rights claims reflect rights-based demands rather than just hopes, proposals, pleas, or admirable concepts. Human rights are due to every human being, just as a human being, in contrast to other bases on which commodities, services, and opportunities may be sought, such as justice, utility, divine generosity, or contract[1].

The Origin and Content of Human Rights

The primary theoretical query is how being human results in rights, shifting from the "rights" to the "human" side of human rights. What in "nature" provides us "natural rights," to borrow an earlier idiom?" Needs is a common response. It is, however, premature to talk of any empirically proven requirements beyond those for nourishment and safety, as Christian Bay, a key proponent of a needs theory of human rights, agrees. And it's unclear how rights are derived from needs. The foundation of human rights, according to a deeper investigation, is our moral character. They are based on a prescriptive description of human potential rather than a descriptive analysis of psycho-biological requirements. Human rights refer to those things that are "needed" for a life worthy of a human being, not to the necessities for health. Human rights are based on "human nature," although this is more of a social effort than a pre-social given. A form of self-fulfilling moral prophesy, human rights are both a utopian ideal and a practical strategy for putting that ideal into practise. Human rights define people as a certain kind of political subject: free and equal rights-bearing citizens.

If the underlying moral vision of human nature is within the "natural" bounds of possibility, then enacting those rights will make real that previously ideal nature. Additionally, they create states of a certain kind by establishing the conditions and bounds of lawful rule. One politically significant interpretation of this process is provided by modern international human rights legislation. The 1948 Universal Declaration of Human Rights and the 1966 International Human Rights Covenants² contain a startling amount of international agreement on the list of rights. As

of December 2005, the International Covenant on Economic, Social, and Cultural Rights had 151 parties and the International Covenant on Civil and Political Rights³ had 154 parties, which together accounted for 80% of the 191 UN members. Only a few of the remaining governments have made substantial, systematic, principled arguments. These two treaties might be seen as picturing the reciprocal co-constitution of democratic nations capable of governing such rights-bearing people and equal and independent citizens. The government must treat all of its people with same care and respect, not merely for their ability to suVer and regard "as human beings who are capable of forming and acting on intelligent conceptions of how their lives should be lived."

Explanation of Human Rights

However, other from sporadic claims that "all human beings are born free and equal in dignity and rights" and that "human rights derive from the inherent dignity of the human person," international human rights legislation is mute about its theoretical foundations. The social contract tradition of political theory, which has been intimately linked to the notions of natural rights from Locke to Rawls, also takes them for granted. In the traditions of Western moral thought, both teleologists and deontologists reject the concept of human rights. Even now, most theoretical debates only briefly touch upon broad grounds of human rights. For instance, rights that is, right in the sense of rectitude are not discussed in Kant's *Grounding for the Metaphysics of Morals* or the first section of "Theory and Practise," which examine our categorical obligations under the moral law. The examination of "political right" in the second section of "Theory and Practise," on the other hand, focuses on the rights of individuals who are thought of as human beings, subjects, and citizens, or basically what we would take to be human rights today. But even Kant, who is known for his methodical approach to philosophy, presupposes rather than justifies the existence of these rights.

I have so proposed that, rather than being a complete theological, philosophical, or moral teaching, human rights should be understood as what John Rawls called a "political conception of justice." Adherents of diverse comprehensive doctrines may, despite fundamental differences, reach a "overlapping consensus" because a political notion of justice solely considers the constitutional framework of society and is defined irrespective of any specific moral or religious theory. This has occurred across the board in the West, where Christians, Muslims, Jews, and atheists, Kantians, utilitarians, neo-Thomists, Critical Theorists, postmodernists, socialists, and capitalists, among many others, have come to embrace the liberal/social-democratic welfare state for various reasons and with varying degrees of enthusiasm. The agreement is conflicting and political. However, it has enormous theoretical and practical significance. I contend that something quite similar explains why human rights have received such broad worldwide legal and political support.

DISCUSSION

Human rights are incompatible with essentially egalitarian comprehensive philosophies, notwithstanding the fact that they are independent of any specific religious or philosophical system. But in theory, any egalitarian comprehensive philosophy may use human rights as a

political tool. And in practise, an increasing number of followers of ever-broadening, secular and religious, ideas have taken steps in this direction. For instance, Muslims from all political backgrounds in the Islamic world have developed human rights theories that remarkably resemble the Universal Declaration. This appears to be similar to the process by which Western Christians, who had never voiced their political goals in terms of equal and inalienable rights before to the seventeenth century, eventually came to support political systems based on such rights[2].

People who Have Human Rights Duties

According to Henry Shue, the majority of rights and all human rights involve three different types of obligations: not denying the right-holder the enjoyment of her privileges; guarding against deprivation; and assisting individuals whose rights have been infringed. However, other performers may perform these roles. In both national practise and international law, the responsibility to protect and assist belongs almost entirely to the country of citizenship.⁴ even deprivations committed by private persons or organisations are not often referred to be human rights breaches. Murder occurs if an enraged neighbour blows up a home, killing twelve people. Human rights are being violated if furious police officers act in the same way. It may be a war crime if foreign troops do it while at war.

One may see other assignments of responsibilities. In all cultures, families play a major role in implementing children's rights. Old-age pensions have been heavily privatised in several nations. Children in Singapore are required by law to provide for their ageing parents. Today, claims alleging obligations of commercial entities not to deprive are surfacing rather often. Furthermore, it is conceivable that regional and international organisations would be required to uphold and enforce human rights[3]. In reality, nevertheless, nations that operate within acknowledged geographical borders carry out and uphold almost all human rights. Despite the fact that human rights are universally recognised, nations are ultimately responsible for their implementation and enforcement since they only have obligations to their own populations. States and other players have no legal or moral duty to defend or assist victims in foreign countries.

A History of Human Rights

Politics and society have traditionally been structured on hierarchical rather than egalitarian principles, around obligations rather than rights, and around assigned tasks rather than people in both Western and non-Western societies. Human rights were first established in Europe and North America in the seventeenth and eighteenth centuries as a "modern" creation. A specific vision of the political requirements of a life of dignity deserving of a human being has been established by political communities in the contemporary world via the conflicts detailed in the history of human rights.

Early Concepts of Natural Rights

Classical Greeks made a stark distinction between Hellenes and barbarians. According to Aristotle's well-known definition of "man" as a *zoon politikon*, a life that was really human could only be lived in a polis. There were, at best, beings that could become men among those who

lived outside of the polis, or among the barbarians. Additionally, Greek conceptions of politics and society were mostly unconcerned with rights, for which there is no word in the language[4]. In Hellenistic Greece and Rome, more universalistic ethical and theological concepts gained more prominence. However, Greeks and Romans persisted in separating themselves clearly from barbarians. Romans did not consider or act upon universal individual rights whether they were thinking about or engaging in politics, either under the Republic or the Empire. The hierarchy of birth, gender, religious status, and feudal responsibilities governed mediaeval Christendom. Natural law defined natural rights in terms of morality rather than as actual rights.

If the concept of everyone having equal and unalienable rights against society and political authorities had been carefully explored, it would have been seen as abhorrent. The mid-seventeenth century saw the crucial turning point. Tuck points to significant mediaeval and Renaissance antecedents. The English Civil Wars sparked a variety of claims that all people have equal natural rights, including early socialist ones made by Winstanley and the Diggers on behalf of England's oppressed and poor. Other claims made during this time included Leveller tracts written by Lilburne, Overton, and many others, as well as the infamous Putney debates in the autumn of 1647. Natural rights were heavily emphasised in "high theory" by Grotius, Selden, Hobbes, and Pufendorf. Equal and unalienable rights were positioned at the core of a well-known and important political theory in Locke's *Second Treatise on Government*[5].

In reality, "universal" natural rights were construed in very individualistic ways. Only a few Christian groups received religious tolerance. Natural rights, which were further constrained by a significant property franchise, complemented rather than replaced the political claims of high birth. "Naturally," women were not included. And none of this pertained to "savages" and "barbarians." Natural rights did, however, greatly erode aristocratic and feudal dominance. Additionally, as subsequent fights have shown, the logic of universal, unalienable rights has a tendency to self-correct. It transfers the responsibility of proving why others are not entitled to the same rights to those who premise their own rights on common humanity. It has always been necessary for the downtrodden and despised to compel their way into politics, often in the face of violent opposition. But during the last three centuries, the introduction of several downtrodden groups starting with the bourgeoisie has been made possible by universal human rights.

Broadening the Application of Natural Rights

The Bill of Rights primarily refers to "ancient rights and liberties" and the powers and prerogatives of Parliament, despite the fact that natural rights were a major topic of discussion in British political disputes in the seventeenth century. The American and French Revolutions were more authentically revolutionary because they rooted sovereignty in the people and expressly based political legitimacy on equal natural rights in their still-famous declarations. In reality, these initiatives were also constrained by things like slavery, women's exclusion, and a property requirement for voting. Despite their influence, they were more of an anomaly than the rule. A conservative response ruled in the decades after Napoleon's defeat, particularly on the Continent. However, the assertions of human rights became gradually more extreme in the nineteenth century. The working and popular classes steadily advanced them, pushing back not just against

bourgeois recipients of earlier natural rights claims but also against royal and aristocratic privileges[6].

It is common to portray this movement as a change in emphasis away from civil and political rights and towards economic and social rights. However, such an interpretation misrepresents both stages. Locke's list of life, liberty, and property and Jefferson's life, liberty, and the pursuit of happiness both placed economic rights at the centre. On the other hand, radicals and progressives of the nineteenth century fought just as fervently for expanded voting rights, equal civil rights, and new social and economic rights. Unanimity on the content of economic and social rights was undoubtedly a major point of political division. However, both factions saw economic, social, and civil rights as interrelated and inseparable from one another.

Although both organisations promoted the entire gamut of civil, political, and economic rights, "natural rights for all" in practice usually meant "natural rights for us." However, we must not lose sight of the fact that religious and secular traditionalists of various stripes, who ruled over Russia and Austria-Hungary and continued to hold sway in the majority of other nations, continued to categorically reject human rights. "Nations" or "peoples" were seen by romantics, historicists, and many nationalists as biological moral entities that were both inferior to and superior to individual humans. Social Darwinism and scientific racism were significant nineteenth-century movements. so on[7].

In truth, the primacy of human rights is, at best, just a phenomenon of the late 20th century, even among progressives. In stark contrast to 1776 and 1789, the majority of the nineteenth-century battles for political, economic, and social equality were fought under many flags. Many other radicals rejected natural rights since they had been appropriated by conservative advocates of property, as Bentham famously said of imprescriptible natural rights: "nonsense upon stilts." Liberal nationalists prioritised national rights above personal freedoms. Marx only acknowledged the value of human rights as a tactical and functional component of the bourgeois political revolution that would be abandoned by socialism.

Globalising Human Rights

Predominant conceptions of human rights have changed largely as a result of new groups seeking full political acknowledgement of their equal humanity by developing rights-based remedies to the different "standard threats" to their dignity, as the example of the nineteenth-century working class illustrates. Recognising and combating prejudice against women and racial and ethnic minorities made significant strides in the 20th century. The right of peoples to self-determination also included the victims of Western colonialism under the purview of human rights. But in many respects, the creation of a set of universal human rights standards was the most revolutionary invention of the twentieth century. The Universal Declaration of Human Rights describes itself as "a common standard of accomplishment for all peoples and all states," an ideal that has gained some really practical weight with the growth of international human rights legislation. In most "progressive" political undertakings by the late 1970s and early 1980s, the rhetoric of human rights had been brought back. A loosely liberal-democratic view of human rights has taken hold as a result of the fall of party-state socialism in Central and Eastern Europe

as well as the development dictatorships and national security states in the non-liberal Third World. No notion of political legitimacy that is persistently at odds with widely accepted human rights can now expect to be taken seriously on a global scale. And around the world, human rights have emerged as the dominant vocabulary of opposition[8].

There are still groups who are marginalised and hated, and their demands for equal rights are still rejected. Due to congenital defects, many people are not really able to enjoy their human rights under national human rights legislation. However, the logic of universality is still a potent tool for overcoming exclusive interpretations and applications. The realisation of a vision of human dignity that is always changing and fading calls for an endless battle for universal human rights. As we develop more substantial conceptions of human dignity and more inclusive conceptions of "all" human beings, equality of concern and respect "All human rights for all," to use the slogan of the High Commissioner for Human Rights in 1998, the 50th anniversary of the Universal Declaration will always have a certain utopian component. However, it continues to be a believable paradise that offers the tools for its own materialisation.

Three Theoretical Disagreements

David Kennedy presents a succinct but comprehensive list of typical critiques of human rights in a compelling manner. As a result of space constraints, we are limited to arguing against the universality and individuality of human rights as well as against the propensity to depend too heavily on rights in the pursuit of social justice and human welfare. Although this is a reference book, my presentation avoids bland neutrality here as well as in prior parts. I set out distinct substantive perspectives on these topics while outlining the main opposing viewpoints.

Third-Party Relativism

Such arguments, however, frequently conflate human rights, in the sense of entitlements we have just because we are human, with broader concepts such as human dignity and social justice. Many authors claim that non-Western societies have indigenous conceptions of human rights that differ significantly from Western/international understandings. "Distributive fairness, in the economic and political sectors, is the core ethical ideal that is shared by most Africans," claims Asmarom Legesse, as an example. But justice entails much more than just upholding rights. Additionally, rather than being based on a common humanity, the rights recognised in ancient African communities were based on social position. Despite the fact that many non-Western civilizations have placed an emphasis on the obligations of rulers in areas now covered by human rights laws, these duties either did not correspond to rights or they were linked to rights based on social, legal, or spiritual status. "Individuals have responsibilities to God, their fellow beings, and the environment, all of which are outlined in Shariah.

When people fulfil these requirements, they earn certain liberties and privileges that are once again prescribed by the Shariah. However we perceive the past, we shouldn't place too much emphasis on it while analysing and assessing the present. It might be true, for instance, that themes resonating in both old and new China include "the view of society as an organic whole whose collective rights prevail over the individual, the idea that man exists for the state rather than vice versa, and that rights, rather than having any absolute value, derive from the state."

Though culture is not fate. It is disputed and dynamic, continually evolving as a result of frequently violent struggles over social meanings. Current Chinese are not constrained by such traditional understandings any more than current Europeans are constrained by their similarly far from human rights mediaeval and early modern traditions. I have argued in other places that human rights have a structural rather than a cultural foundation because they are a response to the unique challenges to human dignity and the unique social and political possibilities made possible by contemporary governments and markets.

Human rights' universality is therefore a historical and functional construct. The world has been invaded by markets and nations, and human creativity has failed to come up with more effective solutions. The important reality is that an increasing number of people and organisations throughout the world now perceive their religious, moral, and cultural values as supportive of, if not demanding, human rights. This is true regardless of the historical and theoretical perspective we accept. People with very diverse cultural traditions, such as those in India, Japan, France, and South Africa, value principles like religious freedom, social security, and the right to an education. It is also important to note that the Universal Declaration of Human Rights specifies these and the majority of other rights in sufficiently generic language to allow for a variety of implementations that take into consideration regional culture, history, and preferences. Human rights are neither a product of any one culture or in opposition to any egalitarian culture. Today, politically engaged people and organisations from all over the world are debating what it means to them to have "uni-versal" human rights. Individuals, organisations, and national and international political communities that have accepted equal and inalienable universal rights as a norm of political legitimacy have established and continue to develop the universality of human rights.

Additional Relativist Issues

Culture need not be the foundation of relativist reasoning. Politicians are common. Additionally, many allegedly cultural justifications are advanced by authoritarian elites whose actions violate both national and international human rights standards. Arguments that different political systems may legitimately choose different subsets of the list of internationally recognised human rights were often made during the Cold War, casting doubt on the idea that human rights are universal. In the West, a minority rejected or drastically reduced economic and social rights. Similar critiques of civil and political rights dominated doctrine and practise throughout the Soviet bloc and most of the Third World, despite the fact that these arguments had no bearing on and were in fact utterly refuted by all European governments' practises. Though there are theoretically no clear distinctions between civil, political, economic, and social rights. "Positive" and "negative" rights, for instance, do not correspond to economic, social, civil, or political rights.

Examples of beneficial services and practises that the state must offer are regular and honest elections, jury trials, and the presumption of innocence. At best, achieving these rights comes before state constraint or inactivity. Even notably "negative" rights, like the right to be protected from torture, need major governmental intervention in order to be effectively realised. It is now widely acknowledged that political practises that uphold a tenable view of human dignity cannot

be sustained by categorical elevation or subordination of one set of rights. The underlying idea of human dignity is complete and interwoven, the whole being far more than the sum of its parts, as stated in the 1993 Vienna Declaration and Programme of Action. Each set of rights serving primarily to bring about the realisation of the others. International human rights norms are shown to be an example of "false" universality in a different form of relativist criticism.

Human rights are often described as "a western construct with limited applicability" in cultural-political versions of such arguments. Such ideas are often presented in a more structured manner by feminists. Human rights apply only to one gender. In both practice and theory, human rights are predicated on the idea that men are the norm. Women's rights concerns' historical marginalisation is now generally acknowledged as a significant focus of local, national, and international corrective action. It is also up for debate whether there is still a deeper masculinist bias present in areas like how we define the line between public and private, the adversarial character of legal enforcement, and the individuality of rights.

Individualism and Groups

Human rights, according to many detractors, are based on the idea of "the isolated, lone individual, afraid of other humans." However, a large number of universally acknowledged human rights, such as the freedom of association, the right to marry and have a family, the ability to organise and negotiate as a group, the freedom of religion, and the right to engage in cultural activities, really have a strong social component. Countries like Norway and the Netherlands, whose internationally recognised human rights are most thoroughly upheld, have nothing in common with a world of "possessive individualism." In reality, individual human rights help to create vibrant, inclusive societies. Atomistic individualism is based on systematic human rights breaches rather than a particularly high level of implementation, as seen by the way the impoverished are treated in the United States. However, all of the rights outlined in the Universal Declaration and Covenants aside from the right of peoples to self-determination are in fact personal freedoms. Many have argued for the creation of new collective human rights due to the fact that a large portion of the suffering in the globe is based on group membership.

The strongest justifications for such rights combine expressive justifications based on the group's contribution to the meaning of individual members' lives with protective justifications based on a history of collective suffering. However, many organisations with compelling protective and expressive claims lack effective agency, particularly when they are sizable, geographically scattered, or diverse. Take into account groups like African-Americans in the US and women practically everywhere. "Group rights" that no one can use are just meaningless platitudes. A collective right cannot be reduced to the rights of the group's members if it is to have any actual theoretical importance or practical relevance. This need is met by the right to self-determination. The majority of other purportedly protected groups do not. It is difficult to determine what the practical goal of group human rights is as well. For instance, according to Felice, "group rights based on race and ethnicity are necessary because the majority groups' frequently genocidal policies."

But can we truly see a murderous state altering its course due to the collective human rights that group upholds? The most significant issue, however, is that although group rights must be universal—that is, upheld by every group of that kind—almost all convincing arguments in favour of group rights rely on specific contingent conjunctions of protective and expressive reasons. For instance, not even the most ardent supporters of minority rights assert that all minorities worldwide should have group rights, much less the same rights. Groups' human rights cannot be outright denied. Beyond self-determination, indigenous peoples seem to be an emerging exception since their way of existence is precarious, under threat, and fundamentally incompatible with established legal and social structures. However, the majority of persecuted groups just need a stronger commitment to, and potentially new implementation tactics for, previously recognised human rights. It is difficult to come up with even a small number of additional types of groups that can put forth compelling protective and expressive arguments, possess the capacity to exercise rights, and might benefit from group human rights in ways that individual human rights cannot be effectively implemented to achieve.

Politics, Justice, and Human Rights

However, human rights do give preference to individual rights, detracting from the legitimate interests and demands of nations, communities, and families. Human rights also divert attention away from obligations, responsibilities, and other social and individual interests and values that are essential components of any sufficient, thorough explanation of what it means to live well. Therefore, we need to be cautious not to overstate the importance of human rights in our political actions, much alone in how we see morality or human happiness. Human rights do not include all aspects of social justice or emancipation for all people. They provide a specific concept of a life of dignity and a constrained set of requirements for it. In theory, there is no issue with this. In a well-run society, various moral, ethical, legal, and political practises naturally play different roles. In reality, however, human rights are often suppressed in favour of other ideas, dialects, and customs. Additionally, the manner in which human rights are enforced often have unanticipated negative societal and moral effects.

For instance, in traditional households, family responsibilities have a significant part in determining one's opportunities in life. For many individuals, these occupations were and continue to be very satisfying. Others, though, find them to be quite oppressive. Liberating countless people, particularly women, from the tyranny of the family was one of the greatest achievements in human rights throughout the twentieth century. Human rights activists argue that there is no need for an apology if a family has changed as a result of the decisions made by its members. The vulnerability of all other human rights is intolerable until equality and autonomy are extended to the family. However, the significant financial barriers that exist in the United States that prevent people from, for instance, caring for ageing parents at home, undermine key values like respect and responsibility. More generally, non-state mechanisms of provision frequently receive short shrift when legal and political attention is narrowly focused on individual rights, potentially harming not only groups and society but also individuals and their rights.

This is especially true in a litigious culture, which is fostered by an emphasis on rights. Additionally, there is a regrettable propensity to cram all significant social goods into a human rights framework, implicitly considering universally accepted human rights as the answer to all social and political issues. This may stifle original thought on the purpose of and methods for achieving social justice or human emancipation. We need to be particularly aware of an inappropriate imperialism of rights when the hegemony of human rights infiltrates more and more areas. Claiming a human right does not always end respectful debate. Conflicts between human rights are common. Different legal interpretations of a certain right might result in quite different intended and unintentional effects. In dire circumstances, human rights may even be properly sacrificed in favour of other ideals. Human rights are not "absolutes to be defended in all circumstances," "considerations overriding all other considerations," etc. The International Covenant on Civil and Political Rights allows derogations from the majority of the specified rights since rights are just "trumps" at first glance.

We need to be cautious to keep both sides of this essential and inevitable conflict in mind. In a significant sense, human rights are "above" or "prior to" regular politics. In many respects, their goal is to remove these assured benefits, chances, and services from the constant back-and-forth in politics. However, human rights are not a politically apolitical humanitarianism; rather, they are a kind of politics. They alter politics' characteristics rather than doing away with it. Distributions of power, opportunity, and ideals are reflected in and altered by human rights practises, which are equally respected and violated. Therefore, a key theoretical and practical concern must always be the politics of human rights and how to reconcile them with other social beliefs and practises.

CONCLUSION

The politics of human rights have tended to be emancipatory over the majority of the last three centuries. In the past, at least from the standpoint of human rights, the claims of families, religions, ruling classes, communities, and nations have been vastly exaggerated. Even today, more individuals suffer from oppressive social, political, and legal obligations than through repressive or limited human rights implementations. And we do want human rights assertions to halt or at the very least severely limit future political debate when they are made in their proper context. But if this is all carried too far, it might have negative effects on social fairness, human rights, and human dignity. We must refrain from what Michael Ignatiev refers to as human rights worship, which places them above politics. And we must acknowledge even seek out what David Kennedy refers to as the "dark sides of virtue," or the unfavourable effects of an overzealous pursuit of human rights. We must assess our human rights policies and practises with the same rigour and depth that we assess other moral, legal, and political policies and practises. Human rights are nothing more than a standard of political legitimacy that outlines a collection of social and political norms intended to create a framework for equal and autonomous people to act both independently and collectively to create a world that is truly humane for themselves.

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CHAPTER 19

FROM INTERNATIONAL TO GLOBAL JUSTICE

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ABSTRACT:

The meaning of ‘justice’ is, of course, always highly contentious, but, on this occasion, perhaps not as problematic as the choice of adjective to qualify the term. The former implies that what we are interested in is the relations of states or nations, the kind of entities that make up the membership of the United Nations; justice in this case points us towards the normative principles that underlie such relations, as encapsulated in, or summarized by, the practices of international society, most particularly the discourse of international law. Global justice, on the other hand, does not privilege the nation state in this way; here, the referent object of justice is humanity taken as a whole, all the people who share our planet, and it is by no means to be taken for granted that their interests are best served by the normative principles that underlie interstate relations.

KEYWORDS:

Global, Justice, Position, Relation, State.

INTRODUCTION

The procedural account of justice that is represented by traditional conceptions of international law comes up against notions of global social justice. But things are not that simple, because, independent of notions of global social justice, the traditional conception of international relations is under challenge, both by the growth in significance of global social and economic forces and by the position of the United States which has achieved, or had thrust upon it, a degree of hegemony unprecedented in the last 400 years. Between them, globalization and American hyper-power which may be different aspects of the same phenomena are reshaping the international agenda, and notions of international/global justice will not escape this process. The first two parts of this chapter will explore the traditional agenda of international versus global justice, while the third will focus on these new features of the international scene[1].

What does it mean for states to deal justly one with another? “Nothing,” opines one influential body of international relations theory so-called realism. States act in accordance with their interests defined in terms of power, and there is little more to be said about the matter; international law never acts as a genuine constraint on state behavior. As a modern realist puts it, in a self-help system “logics of consequences,” that is, ends means calculations, always trump “logics of appropriateness,” including international norms and laws. It is easy to see why this position is superficially convincing. Wars and lower-level conflict are perennial and seemingly ineradicable features of international relations, international treaties are unenforceable because there is no effective international court system or police force and thus states routinely act as

judges in their own cause all this is, indeed, a recipe for anarchy and a norm-less world. But this is to see the glass as half empty; what is actually more striking about international relations, given the absence of government, is the extent to which violence and conflict are not prevalent. Most nations most of the time are at peace with one another, and, within the advanced industrial world at least, we take for granted that goods, services, and individuals can cross national boundaries without too much difficulty, and that a complex network of international institutions will engage in standard-setting and regulation for a whole range of activities these institutions have been created by states but nonetheless do constrain their behavior, even if compliance does not reach the level that a well-run national bureaucracy would regard as acceptable. Interstate conflicts are legion, but the vast majority are settled without even the threat of violence.

A good question is how this comparatively peaceful and well-organized world is possible in the absence of international government. Why does anarchy not mean chaos? One very influential answer is to say that although international relations are anarchical, states nonetheless consider themselves bound by various norms and practices; that, in short, there exists an anarchical society (Bull 1977/1995). The central institutions of this society are permanent diplomatic missions and international law; the former provides a means for states to negotiate their disputes without resort to force, while the latter provides a set of normative principles and procedures that underlie the activities of diplomats. These institutions are unique to the European order that was established sometime in the sixteenth and seventeenth centuries the so-called “Westphalia system” which has since, through imperialism and decolonization, become genuinely global.

The core principles of Westphalian international law are the sovereign equality of states and the norms of non-aggression and non-intervention. Law is intended both to buttress and to constrain state sovereignty; on this account, law is not necessarily incompatible with war, which is the prerogative of states, but which ought to be conducted in accordance with commonly agreed rules, and, in principle, does not involve civil society, although the emergence of nationalism as a force in international relations, and the destructive capacity of industrial society, have made this constraint more difficult to achieve.

International justice in this Westphalian order rests on an ethic of co-existence and is therefore procedural and not devoted to any substantive ends, except those connected with facilitating coexistence. Drawing on the work of the English political philosopher Michael Oakeshott, Terry Nardin has argued persuasively that the society of states is analogous to an association of citizens (*cives*) as opposed to an “enterprise association;” that is, an association devoted to the pursuit of some substantive common goal. It is central to Oakeshott’s conservatism that the state itself should not be an enterprise association, but it is interesting that John Rawls, whose theory of justice as applied to national societies is the polar opposite of Oakeshottian, also endorses the general idea that, as between societies, notions of social or distributive justice are inappropriate the pluralism that international society is designed to foster is not necessarily to be associated with either conservative or progressive ideologies. There is, incidentally, an important general point here: normative thinking about international relations rarely maps neatly onto domestic distinctions between right and left which were developed in another context altogether.

It can certainly be argued that this account of international justice over-estimates, even romanticizes, the degree of order in the Westphalian system, but in any event, there are several reasons for skepticism as to its adequacy in the twenty-first century. First, the old European order

was just that, Euro- pean. It supported pluralism in Europe but was frequently intolerant of “diVerence” when it encountered it in the rest of the world. Moreover, European diplomacy may itself be a culturally specific social activity; it can certainly be argued that the old order worked as well as it did because diplomats were drawn from the same social class, spoke a common language metaphorically and actually, and, for the most part, represented sovereigns who were linked by ties of family and religion. It may be that in a non- European world order the state form itselfa European export widely wel- comed by governing elites in the rest of the worldwill impose its own culture and provide its own support for a legal system based on coexistence, but this is unlikely to be as reliable as the older cultural framework.

Second, the rise of industrial society has created the need for state cooper- ation across national boundaries in a way that the predominantly agrarian societies of old regime Europe never did, and this has had an impact on the distinction between the practical and enterprise associations alluded to above. On this latter account, states are obliged to sign up to the practices of coexistence, but further cooperation is optional, at their discretionbut is it really true that states have the option nowadays to opt out of the inter- national economy and the network of institutions that support it? Possibly, but the costs of exercising this option are too high for most. Third, another feature of industrial society has been democratization, which has played a part in undermining the old diplomatic culture, but has also led to ideas such as universal human rights, which threaten to undermine the ethic of coexistence upon which conventional international justice is based. The post-Second World War settlement is instructive in this regard.

On the one hand, the United Nations actually strengthened the norm of sovereignty and national independence, making the protection of norms of non-aggres- sion and non-intervention available in principle, if not in practice to all states; on the other hand, the Universal Declaration of Human Rights of 1948, and the subsequent development of an international human rights regime has severely restricted again in principle, if not in practice the way states aresupposed to behave towards their own people. There is an obvious contra- diction heremoreover, as the human rights regime has developed, eco- nomic and social rights have come to the fore, with even greater implications for national sovereignty than the political and civil rights upon which the Universal Declaration concentrated. Taken together, these three factors have led many writers to think that conventional notions of international justice are radically inadequate and that what is required are principles of global or social justice.

DISCUSSION

Procedural justice involves impartial rules impartially applied, but, as many writers have argued, impartiality is diYcult to achieve between rich and poor, and theorists of social justice argue that for a society to be just, outcomes as well as procedures must be rationally defensiblejustice is a matter of substance as well as procedure. It is easy to see how this argument could be extended internationally; it may be the case, for example, that a norm under which foreign-owned assets may not be nationalized without compensation is technically impartial between British assets in Bangladesh and Bangladeshi assets in Britain, but in substance this proposition resembles the famous observation that the Ritz, like the law, is open to rich and poor alike. On the other hand, it is certainly possible to argue that, between diVerent societies, the sort of considerations that apply within any given society are simply not relevant; scholars of international society including the most important theorist of social justice of the last century, John Rawls, take this line, arguing that distributive justice between societies is not possible because there is nothing to

distribute. Rawls argues that the society of states (he says “peoples”) is not a scheme of cooperation for mutual advantage and so there is no social product whose distribution is a proper matter for social choice although he does argue that existing members of the society of peoples should be obliged to help “burdened societies” to achieve membership status. It is fair to say that most theorists of justice, including many who think of themselves as, in other respects, Rawlsians, find this position wrong, indeed perverse. Characteristically, they deploy, individually or in combination, three arguments for the notion of global social justice[2].

The first argument, associated in particular with Charles Beitz’s seminal account of *Political Theory and International Relations*, is that, under contemporary conditions of interdependence, national societies are not sufficiently discrete to justify their being treated as separate, self-contained entities. Rather, the world has to be seen as, in certain respects, a single society and therefore the Rawlsian idea that differences in outcome vis-à-vis the distribution of social and economic goods must be justified applies. Beitz argues that Rawls’s “difference principle” to the effect that such inequalities must work to the benefit of the least advantaged should be applied internationally which would, of course, require wholesale redistributions of wealth and income between different national societies.

Apart from the obvious practical problems associated with such a position, there is a further difficulty which Beitz later acknowledged, namely that a Rawlsian society is, as noted above, to be understood as a cooperative scheme based on mutual advantage, and it is by no means clear that the current world economic order could be seen in this light. Straightforwardly Rawlsian principles of social justice may apply in areas where Rawls thought they did not for example, it might be argued, as Beitz does, that the principle that states own the raw materials found on their territory is indefensible since they have done nothing to deserve this wealth and thus resource-poor countries should be compensated by the equivalent of a global wealth tax but a full-blown global difference principle seems to be taking the argument a step too far[3].

Unless, perhaps, existing international economic inequalities are actually created by, rather than reflected in, the international economic order, in which case the second argument in favor of global social justice kicks in namely that rich countries are responsible for the poverty of poor countries and it is therefore right that they should acknowledge extensive obligations to the latter. This is a position that is associated with some post-Leninist theories of imperialism, in particular dependency theory and centre-periphery analysis as developed in Latin America in the 1960s. This position is post-Leninist because Marxist theorists up to and including Lenin argued that the role of capitalism was to develop the non-capitalist world as a way of temporarily staving off the inevitable crisis of accumulation in the core capitalist countries, rather than to hold down the non-capitalist world in perpetual poverty.

Dependency theory is no longer widely supported in the academy although for political reasons it remains popular in those parts of the South where development has not taken place and where local elites wish to deflect the anger of the people away from themselves but the general argument has been taken up with great rhetorical force recently by Thomas Pogge, whose *World Poverty and Human Rights* is a seminal work. Pogge argues that environmental degradation, mass poverty, malnutrition, and starvation are the price paid by the poor to support the lifestyle of all the inhabitants of the advanced industrial world; global redistribution via a tax on the use of natural resources is a requirement of global social justice. This is a powerful argument, although is not simply neoliberal apologists for the International Monetary Fund (IMF) and

World Trade Organization (WTO) who would wish to argue that the neo-mercantilism upon which Pogge's work is misplaced is ill-judged. Old-style liberals and unreconstructed Marxists can agree that genuinely free trade—that is, an end to industrial and agricultural protection in the advanced industrial world—would do more to help the poor than Pogge's global welfarism.

Both of the first two arguments rest on questionable empirical propositions about how the world actually is; arguably the interdependence argument overstates the unity of global society while the dependency argument understates it. A third argument for global social justice is less dependent on facts about the world, resting on a priori moral principles which envisage all individuals as deserving of equal respect independent of national boundaries. The Kantian principle that a wrong done anywhere is felt everywhere comes into this category, as does his formulation of the categorical imperative which in turn forms the basis for Beitz's (1983) account of cosmopolitanism, and Onora O'Neill's account of our obligations to distant strangers. Peter Singer's utilitarian account of the obligations of the rich to the poor is, of course, different in form from the Kantian position, but leads to the same general result, as does Brian Barry's espousal of the principle that the basic needs of all should be met before the non-basic needs of anyone are satisfied, a cosmopolitan principle that he derives from the idea of justice as impartiality.

As it happens, most of these writers also endorse a version of Pogge's empirical account of the world economy, but their arguments do not rely upon it from the perspective of this third set of approaches to global justice, the very existence of extremes of wealth and poverty in itself creates obligations on the rich to help the poor, regardless of the reasons why such extremes emerged. What, however, this general approach leaves open, is the extent of such obligations, and whether they are necessarily best met by wholesale state-intervention to redistribute resources. As to the first of these points, most writers agree we have different and more extensive obligations towards those closest to us, family, friends, and, by extension, fellow-citizens, than we have towards distant strangers; the key question is how different and how much more extensive. Rawls's proposition in *The Law of Peoples* is that our obligations extend only to helping societies that are not capable of sustaining internal schemes of social justice to reach the point at which they would be so capable.

This would, as he acknowledges, leave many global inequalities in place, but it is not self-evident that impartiality or Kantian/utilitarian principles actually require that we promote global equality. As to the means by which assistance is given, Rawls argues that the transfer of actual wealth is not necessary to put burdened societies on the road to social justice—what such societies require is the right kind of civil society and sociopolitical values, and the promotion of these values does not require that wealth be transferred, or income redistributed. This may understate the importance of grinding poverty in keeping societies burdened, but Rawls is on firmer ground when he argues that, in fact, it is very difficult to transfer wealth from rich to poor countries—all the evidence of the last forty years suggests that designing effective programs of development aid is well near impossible, which is why economists such as Bhagwati and Desai put so much emphasis on free trade and access for developing countries to developed-world markets [4], [5].

The arguments presented so far have revolved around the obligations of the rich to the poor, and in these terms, defenders of a traditional conception of international justice are somewhat on the defensive in the face of the claims of global justice—although part of the purpose of this discussion

has been to suggest that, even in these terms, the former have better arguments than they are often credited with. Still, the strongest case in favor of international as opposed to global justice rests on a political defense of pluralism, and the merits of communal autonomy. Although many critics of communal autonomy including all those cited above consider themselves on the left politically, it is worth stressing that those societies where functioning and effective social democratic polities have existed have usually been strong defenders of the idea of national sovereignty the Scandinavian social democracies being the obvious example. Writers such as Michael Walzer and David Miller would argue that there is a clear affinity between social democracy and moderate nationalism. On the one hand, it is argued, social democracy and a strong welfare state requires a degree of commitment to one's fellow citizens, expressed via high taxes, that is difficult to achieve except on the basis of a national community, while, on the other hand, the kind of benefits that an effective welfare state will provide must rest on distinguishing between those entitled to such benefits and those not so entitled, that is, on the control of national borders[6].

It is striking that the Scandinavian social democracies, although good, law-abiding, international citizens with an excellent record of support for the UN and in the giving of development aid, have been very reluctant to surrender power to supranational institutions within Europe, and have always enforced strict immigration controls. In short, the pluralism that international justice defends has a positive as well as a negative side. It provides the benefits of coexistence to both progressive and reactionary social systems, those that deny many of the basic human rights, but also those that provide the most effective expression of such rights. It is clear that the replacement of this pluralism by cosmopolitan principles of global justice would bring costs as well as benefits for those who favor progressive causes.

Still, it may be that this pluralism is doomed by the forces of globalization along, indeed, with those principles of global social justice which employ the building blocks of national communities, which is the case with, at least, the Kantian version of cosmopolitanism. It is noteworthy that preserving national welfare states is increasingly difficult in the face of the pressures of global forces, while, equally, schemes for international redistribution which rely on the existence and relevance of discrete national economies are under threat. Moreover, all this is taking place in a world where the Westphalian assumption that power would be divided amongst a plurality of national actors no longer holds true. It may be that the debates examined so far in this chapter are becoming overtaken by events[7].

Globalization And American Power

At the beginning of this discussion the realist proposition that international justice is a meaningless notion was put to one side in favor of the idea that there exists a norm-governed international society. But how is an anarchical society possible? The classic answer to this question is, "the balance of power." Because no one sovereign state is in a position to dominate all the others, they each have an interest in supporting a set of norms and practices that regulate their relations (although each also has an interest in preserving as much freedom of action as possible); such international order as exists rests upon this somewhat insecure foundation. The contemporary power of the United States, military and economic, unprecedented in the Westphalia system, puts this foundation under question. It is important not to overstate this point. Other powers have briefly been dominant in the Westphalian system (including the USA itself immediately after the Second World War) and the USA is not in a position to be able to

carry out a program of global conquest on the model of Napoleonic France; moreover, it cannot enforce its will on the international community in general, although it may be able to get its way on particular issues and with particular countries. Still, the old notion that when the great powers wish to act collectively, they need to form a “concert” no longer seems relevant. The USA is now capable of pursuing a great many projects without reference to any other state, and, more to the point, other states find it difficult to pursue their projects unless the USA is on board, as the Kyoto Treaty on the environment and the International Criminal Court (ICC) illustrate. The Kyoto Treaty has come into force, and the ICC exists, but in both cases the future of these initiatives remains doubtful in the absence of US support. Further, the rise to dominance of the USA has been accompanied by, indeed may be another aspect of, the process of globalization. The latter is a deeply contested term, and some authors argue persuasively that “internationalization” of the world economy is a more appropriate term than globalization, but, whether or not one wishes to argue that a qualitative change has taken place, it seems difficult to deny that there has been a kind of transformation of both global society and the global economy in recent years. This is partly a matter of an increasingly integrated global economy, with global brands and global firms, but also involves the emergence of a global society, with identities and social structures shaped increasingly by global forces.

Also, part of globalization is the emergence of resistance movements: fundamentalisms of all varieties, national groups such as the Chiapas in Mexico, and the uneasy coalition of environmentalists, trade unions, farmers, and socialists who make up the anti-global-capitalism movement that has been so effective in disrupting meetings on the WTO and other bodies in recent years—all of these movements can be seen as stimulated and made possible by globalization. Is globalization the same as Americanization? Many of the economic and social forces that drive globalization emerge from the USA, but it should also be noted that American society itself is placed under pressure by these forces: insofar as “real” jobs are being replaced by “McJobs” and local, regional variations are increasing being ironed out, this process has gone farther in the USA than elsewhere. What both American power and globalization, taken together and singly, suggest is that the contradictions in the old Westphalian system that has been there since 1945 have now sharpened to near breaking-point.

In the twenty-first century, Westphalian states are unable to cope with the problems thrown up by environmental degradation or the management of the global economy, and unable to protect their populations from the consequences of this inability—indeed, following the prevalent neoliberal orthodoxy, most of them have given up the attempt to perform this latter task. This quite obviously constitutes a challenge to the contemporary significance of ideas of international justice. The most important defense of the notion of an international society is that it promotes a healthy pluralism, allowing national communities to define and pursue their own projects. The difficulties that the social democracies are experiencing in preserving their welfare states in the face of global pressures to cut taxes, reduce costs, and improve competitiveness suggests that this defense of communal autonomy is increasingly becoming difficult to sustain—it is doubtful whether even the USA is actually capable of pursuing its own national projects at home or in the world, but certainly the next largest industrial countries are finding this difficult, and for most countries nowadays autonomy is barely a meaningful notion[8].

Many cosmopolitan theorists of global justice would regard this development as no bad thing. As we have seen, a quarter-century ago, Charles Beitz argued against the notion that an international society based on discrete sovereign states existed, positing that global

interdependence had created a world in which neither realism nor a “morality of states” could be defended. His resistance to Rawls’s position was largely based on the belief that communal autonomy is an illusion under modern conditions, a position also held by most other theorists of global social justice. From one angle, globalization can simply be seen as the continuation of this process, a development in global society which makes the necessity for the establishment of principles of global justice even more imperative. Indeed, many theorists of global social justice have given support to the anti-global-capitalism movement while at the same time making it clear that this did not involve their opposition to globalization as such. Still, even if globalization is easier to take for theorists of global justice than it is for adherents to the older Westphalian account of international justice, it nonetheless requires some quite substantial adjustments to the former mode of thought.

Although for Beitz, Pogge, O’Neill, and other cosmopolitan theorists the ultimate reference point for their thinking was the demand for justice made on behalf of individuals, still a great deal of their thinking assumed that collective actors would remain relevant. Both Pogge and Beitz were clear that they were “moral” as opposed to “institutional” cosmopolitan that is to say they relied on changes of policy in national units in response to the demands of global justice rather than the development of effective global institutions of governance. Given current conditions, in practice this means changes in US government or European Union policy become a prime objective, since only the USA and the EU are actually capable of delivering on schemes of global social justice; this is not an encouraging situation, since the more powerful Americans are currently unimpressed by the idea of multilateral action in any area, let alone in pursuit of goals most Americans do not share, while the rather more multilateralist EU operates by satisfying the interests of its comparatively wealthy member states rather than those of the poor of the world.

In any event, old-style cosmopolitanism had a clear spatial dimension it was about the obligations of people who lived here to people who lived there, whereas nowadays it is arguable that within the emerging global society this spatial dimension is much less easy to pin down. Civilizations are interpenetrated, the “South” is now in the suburbs of Paris and Los Angeles as well as those of Rio or Calcutta, borders are increasingly difficult to police, and attempts to establish zones of safety and privilege, whether via the North American Free Trade Area or the Schengen Agreement in Europe, look increasingly doomed. Only the kind of global institutions envisaged by David Held and his colleagues look likely to be able to cope with this new situation and Held’s faith that these institutions will be democratic seems highly implausible. Of course, as this last paragraph (deliberately) illustrates, it is very easy to get carried away by the vision of an ultra-globalized, borderless world.

The sort of meltdown of national societies that such an apocalyptic vision portrays is unlikely to happen in the foreseeable future; instead, national societies will try to cope with the new problems as best they can, occasionally creating innovative institutions, but more usually adopting the sort of “make do and mend” approaches that are characteristic of all politics. But this does not mean that the challenges of globalization to both conceptions of justice, international and global, are not real. Rather, it suggests that we currently live in a kind of “interregnum” (Cox, Booth, and Dunne 1999). Just as, in 1945, a set of human rights norms which were laid over the sovereignty norms of the old Westphalian system in a way that clearly created, without resolving, a great deal of international cognitive dissonance, so now both sets of norms are being challenged by the emergence of a genuinely global society. Moreover, this new global society is not accompanied by any sense of a genuine global community it is striking

that such while new institutions of normative global governance as the International Criminal Court have strong support in Europe and the Americas (apart from the USA), they have no appeal in Asia or the Muslim world; no significant Asian or Muslim state has signed, let alone ratified, the Rome Statute which led to the creation of the ICC.

CONCLUSION

A similar division is visible when it comes to the putative new norm of “humanitarian intervention,” whose supporters are almost exclusively drawn from the rich and privileged sections of the world. In short, for the time being, the conventional agendas on international and global justice will continue to dominate the discourse, in spite of being fairly obviously unsatisfactory, in the same way that the national state continues to dominate global politics, even though it is not too difficult to demonstrate that it is an outmoded institution that no longer serves the cause of either communal autonomy or human freedom.

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CHAPTER 20

ROLE OF THE ELECTRONIC SECULARISM

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ABSTRACT:

The ideology of secularism is under trouble. In both non-Western and Western nations, the projected fall of religion or its privatisation has not materialised. The first contemporary theocracy was established in Iran, which caused political secularism the idea that state and religion should be kept apart to experience a seismic earthquake. Other religious voices soon started forcefully claiming the public sphere. People in Egypt were urged to build a Muslim state and rid themselves of the last remnants of colonialism. In Sudan, an Islamic state was founded in 1989. The Islamic Salvation Front won the Algerian election in 1991. Islamic movements have spread to Afghanistan, Ethiopia, Chad, Senegal, Tunisia, and Nigeria. Theocratic and Islamic connotations are becoming more apparent in Pakistan and Bangladesh.

KEYWORDS:

Equality, Government, Religious, Religion, Secular.

INTRODUCTION

Movements that opposed secularism's seeming hegemony were not exclusive to Muslim cultures. A serious threat to secularism was posed by the nationalism of Sinhalese Buddhists in Sri Lanka, Hindus in India, religious extremists in Israel, and Sikh nationalists calling for the creation of a separate state, partially because Sikhism does not recognise the separation of church and state. In Kenya, Guatemala, and the Philippines, pro-Secularist Protestants developed strong anti-Muslim and anti-Catholic groups. Poland saw the emergence of religiously motivated political movements, while American politics saw the rise of Protestant fundamentalism. Change in Western Europe has been brought about by migrant labourers from former colonies and the intensification of globalisation, where religion is still essentially a private, personal response to deity. Because of this, a privatised form of Christianity has coexisted alongside pre-Christian faiths from South Asia, Islam, Sikhism, and other cultures that do not distinguish clearly between the public and private spheres. These odd bedfellows have produced a profound religious variety in the West that has never been seen before. The weak public monopoly of one religion is challenged by the very rules that govern these societies as these other faiths demand the public spaces of Western countries. This is clear in both Germany and Britain, but the headscarf controversy in France most vividly brought it to light. These cultures' long-suppressed religious history is increasingly prominent, casting doubt on their ostensibly strong secular identity[1].

Political theory also challenges secularism, with Indian intellectuals leading the fight against it. In this case, it is argued that secularism in India is under danger from the outside world as a sign

of a larger internal crisis and that secularism itself has serious conceptual and moral flaws. Secularism is accused of being associated with a flawed modernization, having an incorrect understanding of reason and its significance in human life, demanding the impractical exclusion of religion from public life, failing to recognise the significance of communities in the lives of religious people, and exaggerating the virtues of the modern state. Several Western academics are also secularism's detractors. Before the 1990s, Western critics mostly desired to improve secular nations by making them somewhat more receptive to religion. They tended to concentrate on only two concerns: Can people of liberal democracies defend political actions by relying solely on religious reasons? Can people make their choices exclusively based on religious principles rather than secular ones? Critics have said that while the arguments may be transparent and secular, real choices may nevertheless be based exclusively on religious principles, or that not only political actions but also their explanation may, in certain circumstances, be based solely on religious principles. Since then, critiques of Western secularism have intensified.

According to a number of Western academics, secularism discourages variety and homogenises society by urging adherents to put their religious beliefs aside while participating in public life. Others claim that although it excludes or is hostile to other faiths, it is appropriate for Protestantism and weakly protestantized religions. Secularism is allegedly a localised philosophy with universalistic aspirations. It claims to oppose religious hegemony but instead positions itself as the supreme source of authority for making decisions in public life. It also ignores its own dependency on a visceral register that it openly criticises as illogical. Because secularism is an ideology that fosters conflict and undermines pluralist democracies, it is perceived as being unable to safeguard religious minorities from discrimination and exclusion and unable to accommodate community-specific rights.

However, there is some confusion in the critical literature on secularism about the necessity for secular alternatives or secular alternatives as a notion. Therefore, I start by examining what makes secular governments unique from their rivals and what specific alternatives its detractors are attempting to replace. I examine the advantages and disadvantages of secular and non-secular nations, as well as any ethical gains or losses that could result from the transition from a secular to a more religiously inclined state. Are all secular states equally worthy, or are certain types of secular governments more deserving than others? Which, if just some? In order to find a form of secularism that addresses the most significant concerns, I expand on its conceptual and normative structure. Finally, I wonder whether the quest for alternative conceptions helps us to bridge the gap between the traditional East and the contemporary West. I contend that the secularism practised in India is a contemporary alternative to that practised by the majority of Westerners, one that might one day be advantageous to everybody.

Theocracy And Established Religious States

I start by comparing secularism to the anti-secular beliefs it is tied to and opposed to in order to define its conceptual framework. Anti-secular beliefs support an alliance or unity between church and state rather than its separation. A theocratic state is one that has unity with a certain religious order and is controlled by divine rules that are directly executed by a priestly order that claims divine commission. An obvious example is Khomeini's vision for the Islamic Republic of

Iran. It is important to differentiate between a theocratic state and one that legalises religion. Here, religion is given official, legal status; but, despite the formal partnership that benefits both the state and church, the sacerdotal hierarchy does not control the state. States with a strong church presence are thus in some respects cut off from religion. Particularly, there is some institutional differentiation between the two, with different persons filling different roles in each. The state and church are nonetheless related in a more substantial way, since they work towards a similar goal that is essentially determined by religion.

There could also be a link at the level of legislation and policy, with these arising from and being supported by the union of the state and the church. Therefore, a first- and third-level linkage of goals and policies goes hand in hand with institutional disconnection at the level of roles, functions, and powers. An established church-based state differs from a theocracy in that there is a second-order separation of church and state. Theocracy and the establishment of a religion are not always correctly differentiated from one another, just as the difference between the establishment of a religion and the establishment of its church is not always made. Some faiths do not have churches. But a state has the authority to formally recognise a church-free religion. For instance, the majority of Hindu nationalists in India do not have a church to build but yet want to make Hinduism the official religion.

Early Protestants intended to abolish the Roman Catholic Church but did not want Christianity to lose its status as the state's preferred religion. The founding of a single religion is compatible with the dissolution or non-existence of a church, its establishment as a single church, or its establishment as a collection of churches. It is also possible to establish numerous faiths, with or without a church. Therefore, there are five different sorts of regimes where the state and religion are closely related. The first kind of government is a theocracy, in which there is no formal division between the church and the state and the sacerdotal hierarchy also has direct political control. Second, states with a single established religion are divided into three categories: those without a single church, those with a single church, and those with multiple churches. Third, some governments have many established faiths[2].

Which of these do anti-separationists have in mind when they see a secular state being replaced by a different one? There is no doubt that some religious activists want a theocracy or a government that creates its own religion or church. However, the majority of anti-separationist academics criticise separation while distancing themselves from an entirely religion-centered state. They neither overtly support nor condemn this. This is hardly unexpected given that a quick assessment of these political systems reveals that they are all very problematic. They've existed inequality not just between different faiths but also between churches of the same religion in states that had one official church, such as the unreformed established Protestant Churches of England, Scotland, and Germany and the Catholic Churches in Italy and Spain. Inter-religious or inter-denominational battles sprang out in the multiple-denominational society when other church or religious organisations acquired power. Religious minority endured ongoing religious persecution when they did not. Everywhere one religion is technically and substantively entrenched, there is still a problem with the persecution of minorities and internal dissidents.

This has to be emphasised since current criticisms of secularism often call for a more tolerant attitude towards religion while ignoring fundamental information about what this would imply. Take Pakistan as an example, where the Sunni sect's virtual establishment has been terrible for minorities, especially Muslim minorities. For instance, Ahmedis have been classified as a non-Muslim minority under Paper 260 of the constitution and are not permitted to use Islamic nomenclature in their social or religious activities. Ahmedis have been put on trial and found guilty for identifying as Muslims or referring to their place of worship as a "mosque." Or think about the Gujarat pogrom, which demonstrates how devastating a Hindu Rashtra would be for Muslim minority in India. It would be difficult to argue that religious minorities had the same rights as Jews in the Jewish state of Israel.

DISCUSSION

In some respects, states that formally create a number of different faiths or religions New York in the middle of the eighteenth century, the Vijayanagar Kingdom in the fourteenth century are better. They probably won't be too violent. People from different faiths will probably get along with one another. The majority of churches or faiths could be equal. Financial assistance may be provided to religiously affiliated schools on a non-discriminatory basis. Each denomination may be given a lot of freedom inside its own affairs by the state. However, governments that have many churches established have their limits since they often oppose the freedom of individuals who identify as members of each religious organisation and may continue to persecute atheists and those who practise other faiths. In such environments, closed and oppressive groups may flourish. It's possible that some states don't have laws permitting people to leave their religious group. They could acknowledge certain religious identities but not many identities or what can be referred to as non-particularized identities. They often disregard citizenship rights and are typically unconcerned with the nonreligious liberty of persons or organisations[3].

Specific States

So, from an ethical standpoint, are secular nations better? At least some secular governments are quite troubling from a moral standpoint. This may be shown by identifying three degrees of disconnect that correlate to the levels of connection that have previously been determined. A state's goals, institutions, legal system, and public policy may all be divorced from religion. A major, first-level separation separates a secular state from both theocracies and states with well-established faiths. It has independent goals that are often, if not always, largely disassociated from religious goals. Secular nations have separated institutions, much as established religious states. However, secular regimes go far further in their disconnection: they completely separate themselves, refuse to openly create religions, or formally disestablish those that already exist by taking away advantages that established churches previously took for granted. Religion has no official standing in a secular state.

No religious group has the right to claim exclusive ownership of the state. Nobody is required to pay taxes for their religion or to take religious education. There are no automatic funding available for religious organisations. Two things theoretically follow. First off, a state that is not theocratic is not necessarily secular since it is fully compatible for a state to be neither governed

by divine laws nor by a priestly order while nevertheless maintaining a formal alliance with one religion. Second, as states with established churches also have the formal separation of state and religion, this characteristic cannot be used to identify secular governments. Church-state separation is incompatible with political secularism[4].

Different Secular States

A state's public policies and legal system may also be divorced from religion. In certain instances, this gap is wholly opportunistic and serves the interests of the state and its political elite in their quest for self-aggrandizement. These will be referred to as amoral, secular governments. They are often autocratic and imperial. A excellent example would be the British colonial state in India, which, despite the numerous claims of Christian bias, was mostly secular and driven almost entirely by power, riches, and social order and maintained a policy of tolerance and neutrality towards other religious sects. This is understandable since empires are more concerned with the labour or tribute provided by their people than with their religious beliefs. Nations that are driven by values like peace, liberty, or equality may be distinguished from amoral secular nations as they are called value-based states. This third-level disconnect may be done for many purposes and take various shapes. Disconnection may sometimes entail complete exclusion.

Secu- larism thus turns into a political taboo concept that forbids interactions with religious activities. This exclusion itself might be in one of two ways. The early French and Turkish models are representative of the first. In order to manage, regulate, and sometimes even obliterate religions, they are excluded from this. These anti-religious regimes may use epistemological arguments, such as the idea that religion is obscurantist or superstitious, to defend the break. Or they could make reference to a principle like equality, insisting that the only way to achieve vital ideals is to subdue or eradicate religion. The American model serves as an example of the second variety, which views disconnect as mutual exclusion. The only indiVerence between religious and political institutions in this place is, at most, benign or courteous. When a state is specifically cut off from religion at all three levels, we may say that a "wall of separation" has been built. According to this definition of secularism, religion must be privatised, or beyond the reach of the state. These governments are not anti-religious; rather, they offer religion a specific shape while defending freedom of religion, liberty in general, and citizenship equality[5].

Liberal-democratic secular regimes uphold peoples' freedoms to criticise the religion they were born into, go so far as to reject it, and freely practise another religion or practise none at all. They ensure that everyone, regardless of faith, has equal access to rights associated with active citizenship, such as the ability to vote or run for public office. They often advise their population to only support coercive legislation that have popular support. Why so? Because the equal respect principle is broken if others are required to obey a law in words they do not comprehend and for justifications they cannot support. An explanation for a coercive legislation does not qualify as public justification if other reasonable and conscientious persons have good grounds to reject it. A religious justification does not qualify as a public justification since it is a prime example of a reasoning that other people have legitimate grounds to reject.

A legislation based exclusively on a religious justification cannot be passed as a result. In other words, in democratic and pluralist polities, there is no place for simply religious views or loyalties. Critics who want to restore religion's place in politics often contrast self-aggrandizing, immoral, or blindly anti-religious secular regimes with ones that are more receptive to religion. This contrast is unfair. By contrasting religiously friendly nations with the worst types of secular governments, this seeks to change perceptions in favour of religiously friendly states. It may sometimes be useful to draw a comparison between theocracies or governments with well-established religions and immoral or absolutist secular regimes since there isn't always much to differentiate between the two. On freedom or equality measures, both perform appallingly. However, the liberal-democratic model must be taken into consideration when comparing the relative benefits of religious and secular nations, not the often refuted, harshly anti-religious, or self-aggrandizing secular regimes. Talal Asad uses the crimes of Hitler and Stalin as well as those of "secularists" like Saddam Hussain and Ali Hyder to condemn secularism, although this is not a very effective tactic. Demeaning secularists for failing to grasp that Sharon may murder and terrorise Palestinians without using Torah verses also serves no purpose.

Secularism, an ideology founded on values, is committed to criticising these secular governments just as much as it is to criticising religious nations that disregard the ideals of equality and liberty. The statement that "in modern democratic politics, there is not much reason to fear a religious majority more than a secular majority" is also astounding to read. The arguments made by Charles Taylor about the exclusionary tendencies in contemporary democratic states with religious or ethnic majorities clearly point to the inherent potential for de facto singular establishment in these states as well as the wide range of exclusions and injustices that give these states their identity. It is confusing and off-topic to claim at this point that religious majorities are no worse than secular majorities just because different religious groups have coexisted peacefully in the past. Due to the difficulty in interpreting what a secular majority entails, it is ambiguous. The statement is accurate if it refers to a group of staunchly atheistic secular absolutists. However, if this remark refers to a majority that is opposed to using religion as a political football, then it is incorrect. It is missing the point since any kind of exclusion from the realm of freedom and equality is perfectly consistent with peace amongst communities. After the riots in Bombay in 1992–1993, Indians sadly discovered once again that a scared minority is prepared to pay any price to get calm.

Criteria of Mainstream

LEFT-LEFT Democrat Sectarianism

What are the issues with this prevalent Western paradigm, if any? That remain? There are several complaints. First, religious people who seek to support their preferred political convictions on the basis of their conscience are said to find it offensive that religious grounds must be barred from liberal-democratic politics. Why should individuals be discouraged or stigmatised for holding the opinion that their politics must be in line with their morals? It is incorrect to suppose, as Richard Rorty does, that only religion is a conversation-stopper, or that only religious individuals bring fervour and sectarianism to politics. Liberal secularism fails to respect a religious person's moral agency and contravenes its own concept of equal respect when it asks

them to practise restraint and eliminate religious justifications from the justification of a coercive legislation. In fact, the requirement for restraint may be counterproductive since it drives religious people to create their own exclusive community where anger and bigotry may develop.

This may result in identity freeze as well as the construction of impenetrable barriers between religious people and other citizens. Therefore, it is often preferable to engage religious individuals rather than avoid them. Second, this kind of secularism is unable to comprehend how a believer lives their life from the inside out. It overlooks what is perhaps the most important aspect of most religions: their encouragement of followers to choose to live a restrained, regulated, law-bound, and desire-abnegating existence. A religious life entails more than simply having a deep devotion to a personal deity; it also entails obeying his commandments and submitting to them. For a typical liberal, this may seem a nightmare, yet it more accurately embodies the fundamental elements of most faiths than liberal secularism. Third, viewing division as exclusion betrays its own sectarianism; this is a sectarianism that can coexist peacefully with liberal, protestantized, individualised, and privatised religions but lacks the resources to deal with those that require a more outward or political presence or have a strong communal orientation.

It is almost hard to accommodate community-specific rights due to this group-insensitivity, which also makes it difficult to defend the rights of religious minorities. In other words, while this secularism manages inter-religious dominance, it lacks the resources to do so. Fourth, the Protestant morality is thought to be the source of mainstream secularism in the West. Therefore, its universal aspirations are maybe its worst flaw. It assumes a Christian civilisation that has quietly faded into obscurity through time, making it simple to forget. Christianity permits this self-limitation, which the majority of the outside world naively erroneously interprets as disappearing. If this description is accurate, then this "inherently dogmatic" secularism cannot peacefully live with other faiths. Given the state's immense power, it must attempt to mould and change them clearly an instance of unjustified influence, if not downright aggression. Secularism is thus seen as unfriendly to non-liberal, non-Protestant Christians despite its claims to respect religious freedom.

Overall, it gives us the impression that we must choose between hostile aggression and benign indifference. Fifth, liberal secularism places unreasonable restrictions on how concerns should be brought to the public's attention by relying too much on a rationalist conception of reason. Some topics are inherently emotional, while others become so because they are expressed by those who aren't necessarily conditioned to think critically, as liberals demand. Secularism's paradigm of moral reasoning is, in summary, context-insensitive, theoreticist, absolutist, urging us to think in terms of this or that, and too dependent on rigidly held monolithic beliefs or ideals that are seen to be true or superior or fully non-negotiable. These are strong criticisms, yet it would be incorrect to consider them as a complete denial of secularism. Non-liberal faiths must be allowed more room in our conception of social and political life because they uphold moral principles that liberal secularism usually fails to acknowledge. We cannot, however, ignore the fact that such faiths continue to be a source of discrimination and repression despite our efforts to accommodate them. States that support non-liberal faiths typically support immoral behaviour.

For instance, in Pakistan, the Qanoon-e-Shahadat law of evidence, which is approved by religion, treats the testimony of two women or two non-Muslims on an equal footing with that of a single male Muslim, establishing the inherent superiority of Muslim men over women and minorities and violating the principle of equality. Hinduism still excludes women from the affairs of their own religion and maintains an institutionalised system of subjugation via religiously sanctioned norms relating to cleanliness and impurity, such as the ban on menstruation women entering some temples in India. The secular nature of the Indian state is gravely threatened by this infringement of women's religious liberties[6].

What does this all indicate? It exemplifies three points. First, we need to show compassion for injustice and exclusion motivated by religion, regardless of whether such practises are liberal or not. Second, although nations with strong religious ties may be sensitive to the moral rectitude of non-liberal faiths, they are not necessarily so when it comes to their persecution. Third, that the liberal security strategy of non-interference may be counterproductive. In other words, a vision of secularism is needed that respects all of the aforementioned characteristics while also going beyond but not discounting liberal principles. I contend that such a model has already been created on the Indian subcontinent; it is neither exclusively Christian nor Western, and it satisfies both religious and secularist objections to certain types of secularism.

Indian Sectarianism

Indian secularism is special due to seven characteristics. Its multiple value character is the first. Indian secularism understands liberty and equality both individually and collectively, and more clearly recognises linkages to ideals that mainstream Western views have lost, such as harmony between groups. It includes provisions for both the freedom of speech and the right of religious groups to create and maintain the educational institutions necessary for the continuation of their respective religious traditions. Second, since it was raised in a culture that is profoundly multireligious, it is as obsessed with inter-religious dominance as it is with intra-religious dominance. The approach allows for this even while community-specific political rights were suppressed for contextual reasons. Thirdly, it adheres to the concept of principled distance, which is in opposition to one-sided exclusion, reciprocal exclusion, rigorous neutrality, and equidistance. Fourth, it acknowledges the difference between various types of depoliticization as well as between depublicization and depoliticization.

It does not want to depublicize religion since it is not antagonistic to its existence in public. The first- and second-level depoliticization of religion is acknowledged as being significant, but the third-level depoliticization of religion is only acknowledged on the basis of context. Fifth, it actively opposes certain aspects of religion while actively respecting its other facets. This results directly from its dedication to a variety of ideals and principled distance. The Indian paradigm embraces the idea that criticism and indifference are compatible and that one should not choose between the two. In this way, it continues the legacy of the great Indian religious reformers who sought to alter their faiths precisely because they valued them so highly. Sixth, it adheres to a highly contextualised style of moral reasoning that paves the way for other civilizations to develop their own forms of secularism. In essence, it creates room for a variety of secularisms. Seventhly, it defies the strict interpretive framework that categorises our social environment as

either traditional, indigenous, or non-Western or Western contemporary. Indian secularism is contemporary, although it differs greatly from popular perceptions of Western secularism[7]. Two characteristics, contextual character and principled distance, will be further explained. As was already said, the mainstay of Western secularism views division as primarily entailing reciprocal exclusion. The concept of principled distance deconstructs the separation metaphor in a unique way. At the level of goals and institutions, it acknowledges a separation between the state and religion, but at the third level of policy and legislation, it does not make a big deal out of it. Recall that theories that resist unfair freedom limits, morally repugnant inequities, inter-communal dominance, and exploitation are all examples of political secularism, an ethic whose concerns linked to religion are comparable. On the other hand, a secularism founded on principled detachment is not dedicated to the common Enlightenment conception of religion. It acknowledges that people want to connect with something bigger than themselves, like God, and that this desire takes the form of both private thoughts and feelings and public social practises.

It also acknowledges that religion serves as a source of identity for individuals as well as a cumulative tradition. However, it asserts that even if God exists and if one religion is real and another is erroneous, this does not give the "true" ideology or religion the authority to compel individuals who do not share its beliefs to follow it. Additionally, it does not provide a justification for discrimination in the fair allocation of freedoms and other priceless resources. Similar to the previous example, a secularism based on principled distance acknowledges that religion may not have had a specific public relevance when it came to defining the character of the state or country in the past, but this does not imply that it does not have any public significance now. According to certain interpretations, this is what the "wall of separation" argument presupposes. But if religion is important to the general population, a democratic state must simply take that into consideration. Indeed, religious organisations may have an impact on people as long as they do so using the same procedures, with access to the same resources as everyone else, and without taking advantage of anybody or unfairly preying on their anxieties and weaknesses, which usually accompany religious experiences.

But what does principled distance really mean? The inclusion or exclusion of religion and the participation or disengagement of the state are subject to the principled distance policy's flexible approach, which at the level of legislation and policy should rely on the situation, nature, or present status of relevant faiths. This involvement must be controlled by secular state-underpinning principles, i.e., principles that stem from a dedication to the aforementioned ideals. If religious involvement fosters freedom, equality, or any other secularist ideal, religion may influence governmental affairs. For instance, if a coercive legislation of the state that is solely based on religious principles is consistent with freedom or equality, voters may accept it. Depending on whether these ideals are fostered or destroyed, the state may interact with religion or detach from it. It may engage positively or negatively. Principled distance sets itself apart from rigid neutrality, which holds that the government must support or oppose all faiths equally and uniformly. Instead, it is based on a difference made by Dworkin between treating everyone equally and treating everyone equally.

According to the appropriate political definition, the equal treatment principle calls on the state to treat each citizen fairly in the relevant situation, such as when allocating resources or opportunities. On the other hand, the idea of treating everyone equally mandates that each individual and every group be given the same amount of consideration and respect. This second principle may sometimes necessitate unequal treatment, such as when resources must be distributed equally, but it may also need equal treatment on other occasions. According to this perspective, treating individuals or groups equally is completely compatible with differential care[8]. Religious organisations have often asked for exemptions from situations when legislatures step in and enact laws that are neutrally applied to the rest of society. They have done this by claiming that the legislation either forces them to behave in ways that are against their religion or prohibits them from carrying out actions that are required by it. For instance, Sikhs ask for exceptions from police dress codes and legislation requiring obligatory helmets in order to wear turbans as prescribed by their religion. Jews in other places want exceptions from Air Force rules so they may wear yarmulkes. Muslim women and girls insist that the government refrain from interfering with their chador, which is legally necessary. A practise that is prohibited or controlled in one culture may be allowed in the minority culture due to the special status and significance it has for its adherents, according to the principle of principled distance.

Religious groups may demand that the state not interfere with their religious practises, but they may also demand that the state interfere in a way that provides them with special assistance, with the justification that doing so will allow them to secure things that other groups are regularly able to obtain due to their social dominance. Principled distance may give religious organisations the authority to perform legally binding marriages, to have their own divorce procedures, ex-husband and ex-wife laws, ways to define a will, laws regarding post-mortem property distribution, arbitration of civil disputes, and even its inheritance, child custody, and adoption norms. Principled distance, however, does not only permit exceptions. Given the social and historical context of all significant faiths, it could be necessary for the state to intervene more often in certain religions than in others.

For instance, if the state wants to promote social equality, it may need to intervene more in caste-based Hinduism than, say, Islam or Christianity. However, if the state wants to foster the ideal of religious liberty that is diversity-driven, it may have to become involved in Christianity and Islam more so than Hinduism. If this is the case, the state cannot absolutely ignore religious factors or maintain strict neutrality in this regard. It cannot determine in advance whether it will always avoid meddling with religions or if it will do so equally in all cases. It is true that it may not link to every religion in society in precisely the same way or affect each one in the same way or to the same extent. It must make sure that nonsectarian motivations compatible with values and principles govern the interaction between the state and religions.

CONCLUSION

Secularism's subsequent history is more non-Western than Western. Modern, Western mainstream ideas and ideologies struggle to cope with the post-colonial religious plurality in their cultures and pay little attention to characteristics of the Indian model. Western secularism might turn within, to its own history, or outward, to an Indian secularism that, in a sense, mimics

both the past and future of secularism in order to learn more about its own rich and complicated structure. The way Western secularisms see themselves may alter if they take a close look at Indian secularism.

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CHAPTER 21

POST-COLONIAL THEORY AND MULTICULTURALISM

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ABSTRACT:

There isn't a single, cohesive corpus of post-colonial philosophy, as most critics on the political genealogy of post-colonialism have emphasized. There are many different political and intellectual endeavors that came together to provide a foundation for current post-colonial criticism. They have a considerably longer history than academic memory can often comprehend, and contrary to what much modern theorizing may imply, their influence has not been limited to the study of literature, art, and culture. They have articulated critical criticism that is both overtly political and theoretical. It turns out to be just as extensive and diverse as Europe's colonial expansion, which was disputed and argued over even in its earliest forms. The foundation of post-colonial theory is the complex theological and anthropological debates over the morality of European expansion and the ensuing ethical and political issues raised by conquest, violent rule, native uprising, as well as more overt issues like trade and cultural diversity.

KEYWORDS:

Cultural, National, Imperial, Intellectual, Philosophy.

INTRODUCTION

This perspective on the development of post-colonial thinking suggests that it may be appropriate to see the increasing emergence of critical commentary on European colonialism as a component of an expanding counter-history of colonialism. Discussion of what we may generally refer to as colonial governance included disagreements about universality, sovereignty, freedom, democracy, property, and justice even while practical or administrative matters were at the forefront. The first discussions on these issues took place during the initial stages of Europe's colonial expansion. They quickly branched out from the churches to support a larger political paradigm change that put an end to a divinely constituted, regionally constrained, social existence focused on ideas of a united humanity that had been recognised unquestionably as God's children[1].

The drawing of international boundaries in the Tordesillas Treaty of 1494 and the ceremonial reading of the Requirement from the prows of Spanish warships anchored safely off the shores of the New World were significant symptoms of this significant change in political and ethical rules that, though it may not have been solely sparked by events in the colonial contact zones, transformed the way that government could be practised there¹. Concern and ambiguity regarding the helpless and innocent state of savages and primitives, whose predicament would be deemed to demand care and uplift as well as rationally applied compulsion, were increasingly present in these contemporary arguments. Arguments of this kind were often raised in discussions during the Enlightenment about human particularity, reason, development, and

worth. In order to explain human diversity and make it a stable, calculable element in the rational ordering of an expanding world populated by new political and social actor's movements, classes, corporate powers, armies, national states, and contractual governments they shaped the contours of secular rationality and encouraged the formation of new varieties of scientific thinking.

Similar issues would eventually become fundamental to divisive debates over the merits and nature of the race concept and the scientific, historical, and artistic discourses that it sparked. The importance of plantation slavery in the New World has been shown by Susan Buck-Morss and others. Political philosophers in Europe questioned the Haitian revolution. As a consequence, their conceptions of politics, justice, and philosophy itself were modified. Other political outcomes of this lengthy war included the global anti-slavery movement, subsequent efforts to defend native and indigenous populations, and unequal attempts to make the questionable civilising objectives of colonial governments equitable and responsible. These campaigns sought to fundamentally alter European self-perception in addition to gaining respect for slaves and indigenous as human beings of equal worth, endowed with moral identity, and in need of redemption. By focusing on the problems that resulted from seeing European life and settlement in relation to other people's customs and practices, the latter aim might be completed.

The main focus on differences in religion and culture among Europeans gave way to new ideas about diversity that may cause and explain the increasingly significant differences that were being identified between Europeans and other groups of barbaric and savage people. These questions did not often or right away result in a clear or straightforward hierarchy of racial groupings. That eventually developed as a result of efforts to elevate European colonial rule to a unique level of logic after the revolutionary notion of fundamental human equality came into play. After such changes, divergences would either be conceptualised on a time scale in which human groups were seen to be at different phases of a similar journey towards the same final goal or confined by ideas of culture, character, geography, and climate. Once again, the concept of race played a key role in this procedure. The critique of colonialism's institutionalisation as a political, economic, historical, and philosophical idea served as a major source of inspiration for anti-colonial movements that later contributed their vitality and wisdom to post-colonial analyses[2].

Michel de Montaigne's unnerving ethnographic contact with the wise, bewildered cannibals he saw in Rouen, France, rather than on the remote coasts of the New World, is where another branch of what would become post-colonial theorising originates. This reflective pattern developed within a Europe that was forcibly segregated along religious lines. As a consequence, many different concerns were raised about the nature and importance of visible, physiological difference as well as the cultural variances that gave it the appearance of being powerful. Conflicts inside Europe had a crucial role in making the problem of barbarism more complex and preventing it from remaining entirely outside of Christendom. This painful conversation on human variety grew more systematic and comparative when the historic unity of Christendom broke apart.

Two of its early geo-poetic emblems were Gulliver and Crusoe, whose informal anthropological techniques began to coalesce into a cohesive predecessor of comparative method. The same spirit also motivated Montesquieu to put the unresolved European uniqueness to the test against the backdrop of unending cultural variation. This multifaceted perspective on social life touched the humanism of Vico, the culturalism of Herder, as well as the cosmopolitanism of Kant on its way

to the present. It then emerged through the mazes of Hegel, Marx, and Nietzsche into the barren, hostile landscape of the twentieth century, where a disillusioned and terrified Freud became its most notable custodian after witnessing Zionism and the rise of Nazi antisemitism[3].

Each of these philosophers left behind a substantial corpus of philosophy that dealt with issues found in areas of colonial interaction. Reading them all in connection to the emergence of imperial geopolitics, the issues of racial strife, hierarchy, and degeneration that preceded it, as well as other emerging anthropological themes, might be beneficial. Long-term thought has been given to the definitions of human variety and the importance of social and natural divides. The most notorious alien characters that frequently appeared in this vein of commentary on the boundaries between civilization and barbarism during the nineteenth century as a result of European settlement in colonial territories that had previously been regarded as inhospitable were the horrifying and repulsive figures of the Jew, the Muslim, and the Negro. This kind of discussion and introspection has to be distinguished since it did not centre on the strange and barbaric as they were depicted in the far-off places where they would be considered to be at home. Instead, they were closely scrutinised when they showed up elsewhere, as roving outsiders in the urban, contemporary heart of Europe. How is it possible to be Persian? The well-known query, "how can one be an Arab?" was posed by one of Montes-quieu's baZed, trendy Parisians in the presence of interesting and exotic otherness. A Jew? An African?"

The most recent question was how to wear a hijab. The generic "Jewish Question" served as a vehicle for a number of issues relating to religious tolerance, civil rights, and political rights that were discussed as part of enlightened Europe's investigation of rational political culture and the place of foreigners within it. Indirectly, this debate also influenced the development of post-colonial thought. From a number of perspectives, European intellectuals looked at tolerance, however not all of them saw it as a virtue, even when it may be linked to the building of peace and prosperity. In certain instances, it was thought that obtaining political rights would need conversion or some other kind of moral cleansing that would promote human recognition while also getting rid of the less socially acceptable components of Judaism. The idea that the authors who provided many of the intellectual foundations of social liberalism were bound by a philosemitic inclination has been contested by a number of historians[4].

DISCUSSION

Many of the most important and noteworthy contributions to European political theory seem to be undermined by remarks that are, at the very least, unclear concerning Jews and the viability of include them in the operations of a healthy national state. This presents significant difficulties. They provided political and philosophical thinking with a developing case study of how difficult it was to handle a resolutely foreign presence inside a civilised democracy via the character and history of this group. The traditional interpretation of the elements of modern post-colonial thought often places an emphasis on the ideas that were borrowed from the national liberation and decolonization movements that first restrained and later reversed European expansion. These radical efforts originated in what is now known as the global South and were twentieth-century phenomenon. They often developed from sovereign nations that chose not to support either capitalism or communism. These governments were dedicated to redressing the rationally determined political and economic injustices that had developed during the colonial period, but they were also willing to consider alternative political ideologies that would distinguish them from Europe's corrupted conventions by being incompatible with the colour- and culture-coded

hierarchies that had governed the practical terrors of colonial rule and the Darwinian imperatives of imperial administration. The orientation and objectives of the political community may, for instance, be decided by traditional or pre-conquest concepts of family, property, power, and space[5].

Richard Wright, an African-American author and thinker exiled in Paris in the 1950s, visited Bandung, Indonesia, for the renowned gathering of non-aligned nations. He talks about the political orientation that will emerge "beyond left and right" after the last vestiges of colonial dominance were overcome in his book *The Colour Curtain*. Wright expressed a yearning for new kinds of politics that could only be understood after racial and colonial hierarchies had been overturned in his passionate attitude, which was openly opposed to both communism and capitalism. The many injustices and abuses associated with colonial power, as well as strong protests against racist ways of thinking and organising the world, have prompted many intellectuals to look for alternative political expressions. They might be inferred from pre-colonial cultures and customs and found in the colonised people's religious perspectives. They were significant not only because they valued such despised resources, but also because they promoted a view of Europe's political ideologies as ethno-historical achievements unique to the historical contexts in which they initially developed rather than as universal ideas. Nelson Mandela and W. E. B. DuBois. Two of the most well-known political supporters and interpreters of this anti-colonial wave were E. B. DuBois. Their contributions continue to be crucial to the endeavour of post-colonial theory and aid in putting it in order as a discipline of study. They both argued that neither history nor humanity could be possessed only by Europe and her imperial offspring. Both recognised that subaltern groups' pre-conquest customs and clandestine daily lives contained important cultural resources that could be used to amplify resistance, channel dissent, and advance the pursuit of long-abandoned human rights such as citizenship and independence[6].

During his tenure in South Africa, Gandhi had seen firsthand the strength of racial animosities and the unique brutality of colonial warfare. In *eVect*, he advocated for a kind of cultural nationalism that fused Hindu ideals and morality with radical parts of European thought about nationality, autonomy, and change. He adored Tolstoy and Thoreau and drew political lessons from the national battles of the Irish and Welsh. DuBois saw the importance of black America's yearning for citizenship in terms of Hegelian philosophy. His itinerancy, like Gandhi's, seems to have nourished his criticisms of injustice. He developed a dialectical theory of African-American political identity, concealing his cosmopolitan inspiration by encasing it in a folksy lyrical vernacular, by adapting ideas of global history and world citizenship from German sources. A greater, better unity that offered a hungry globe new ideas of political freedom would finally reconcile the conflicting selves of African American and the other that characterised the struggle of US blacks under segregated "Jim Crow" laws. These developments resulted specifically from the elimination of prejudice and racial hierarchy wherever they existed. *Black Reconstruction in America 1860-1880*, a seminal work by DuBois, defined these goals in a strenuous historical account.

In order to understand the importance of the time immediately after slavery as a component of a fight over the nature and quality of US democracy, he recast it. "That dark and vast sea of human labour in China and India, the South Seas and all of Africa; in the West Indies and Central America and in the United States that great majority of mankind, on whose bent and broken backs rest today the founding stones of modern industry" is where DuBois repositioned African-Americans among those with whom he felt they shared a common world-historic destiny. Elite

colonial education had benefitted many of the intellectual leaders of what was emerging as a worldwide resistance to imperial control. They were deeply ingrained in those intellectual and theoretical traditions that were actively being redeployed against imperial power and had thoroughly assimilated European theoretical and philosophical idioms.

This group sought to demonstrate three things: first, how distinctive theories of political agency might be developed; second, how the creation of independent national states might serve as a mechanism for making amends for the past; and third, how civilization and democracy might be produced in more inclusive and internally-differentiated forms. Marcus Garvey, the roving Jamaican leader of the United Negro Improvement Association, the century's largest transnational, Ethiopianist organisation of black people, attended Birkbeck College in London. What we might refer to as a reparationist political trend can be characterised by his deeper philosophical ideas. His sometimes-military organisation took its philosophical cues from both classical and contemporary sources. Some of the more authoritarian views of social life that Garvey gained from reading Aristotle were readily incorporated with a Platonic image of the perfect state[7].

His mass movement's reparationist motivations had to coexist with a different, less military method of political conflict resolution. This emphasised nation-building and the reversal of Africa's exodus in a similar way to Garvey, but it pushed the topic of reparation to the side. Instead, the vindication issue received priority. Ex-slaves and colonial peoples' readiness for the responsibilities of democratic citizenship and contemporary self-possession may be shown on the basis of their obvious intellectual, artistic, and moral development. The debts owed by this second trend to Victorian ideas of nationality, kinship, and uplift, in which race and family were combined into a single dynamic organism, were emphasised in a significant amount of the social and political work by African-American intellectuals of the nineteenth century. An 1893 booklet that examined the exclusion of African-Americans from the 400th anniversary celebrations of Columbus' discovery of the Americas serves as a particularly potent example of this second vision of political community and nation-building.

The text features a preamble that was written in three languages, indicating both an outward perspective and the writers' expectation of a worldwide readership. It was dedicated "to the seeker after truth" Ida B. Wells and her radical allies outlined their unique political stance in the context of a number of interconnected social issues, all of which were exacerbated and amplified by the centripetal force of US racial inequality. In particular, the operation of an unfair jail system that subtly brought back elements of the slave past was one of these difficulties, as was a steadfast resistance to the ceremonial terrors of lynching as a method of political administration. All of these difficulties were contrasted with the American Negroes' remarkable record of academic success, which not only qualified them for citizenship but also helped their authorities see them as human beings. A continual source of inspiration and guidance was the greater struggle to end colonialism. Any misconception that these significant contributions by African-Americans were distant or unconnected with the theories and activism of colonial and anti-colonial thinkers and activists in other areas of the globe must be dispelled.

Garvey devised his "Zionist" plan for the ultimate hemispheric repatriation of New World blacks to Africa. Publications from UNIA were secretly distributed throughout the complex networks of imperial commerce by sailors. The organization's international operations quickly caused colonial rulers to become concerned because they believed a fusion of his philosophy with

Bolshevism would be unstable. We are for the freedom of India and the complete liberation of the African colonies, including the Nigerias, Sierra Leone, Gold Coast, and Southwest and East Africa," Garvey declared in a 1922 cable to Prime Minister David Lloyd George. We wish your country every success, but not at the price of the world's poorer and darker populations[8]. Leopold Sédar Senghor, a politician, poet, and philosopher from Senegal, was a leading proponent of *Négritude*, a different culturally-focused, philosophical, and artistic doctrine of black resistance and rebirth that transcended national lines, within the French Empire. The many theoretical and literary contributions made by Senghor show the points of contact and impact between the francophone and anglophone anti-colonial movements. According to how he expressed his own interest in the works of African-American thinkers, "we drew our inspiration especially and paradoxically from 'Negro Americans' in the general sense of the word: from the Harlem Renaissance movement, but also from the 'indigenist' movement in Haiti, during the 1930s, when we launched our *Négritude* movement from Paris. It's true that throughout those times, black American authors and philosophers made a dazzling impression and for the first time attained fame abroad. This oppositional history emphasises how firmly rooted in the twentieth century the majority of what is now thought of as post-colonial ideology is. All of these roving figures from global history engaged in politics in several places and wrote extensively for an extremely broad variety of readerships. They evolved their varied critical objectives via difficult interactions with nationalism, socialism, and communism.

At the same time, they fought liberal ideologies that had somewhat disagreed with Europe's crimes but yet opposed the colonised peoples' desire to have control over their own political and economic futures. This multilingual corpus of material demonstrates that it takes many different perspectives to piece together the intricate construction of a cosmopolitan critique of colonial authority. Understanding the breadth and variety of elements that were both religious and profane, narrowly nationalist and expansively cosmopolitan, is essential if we are to comprehend the worldwide history of post-colonial thinking. It has been difficult to understand these component components as creating a coherent, all-inclusive story up until lately. For instance, much as the battle for nationhood before it, the pursuit of civil and political rights is often only justified in terms of national or regional issues. The national or regional locations from which the criticism was offered automatically have advantage due to underlying geopolitics. This parochialism hides the commonalities and correspondences that shaped post-colonial politics' development. We must pay attention to Gandhi as well as the liberal traditions he engaged and adapted to new ends if we are to understand, for instance, how the language of rights acquires such a potent political resonance during the twentieth century and how, as a result, the idea of Human Rights becomes so appealing and widely translated.

By participating in the 1911 Universal Races Congress in London, Gandhi and DuBois' lives became more directly linked. The outbreak of World War I a few years later would destroy the hopeful mood of this humanitarian meeting, which was intended to be a "reunion of east and west." Nevertheless, the occasion continues to serve as a crucial early checkpoint in the evolution of tricontinentalism, a unique post-colonial worldview coined by Robert J. C. Young. A movement capable of recreating and repairing the globe and ridding it of the unwholesome results of colonialism might be formed by combining local movements in Asia, Africa, and Latin America, according to the political imagination that supported this creation. H. Others who joined Gandhi and DuBois for visionary conversations included G. Wells, Ernst Haeckel, J. A. Hobson, and Georg Simmel. During the interwar era, the imperial powers would become more

concerned about the possibility of this perilous convergence of political perspectives. Their concerns were increased by the desire of many colonial peoples to apply Woodrow Wilson's postwar ideas outside of the narrow context in which he had anticipated they would be applicable, as well as by the unsettling political coalition formed in opposition to the Italian invasion of Ethiopia in 1936.

The major nations were likewise concerned about the Russian Revolution's effects spreading to their colonies. The rise of the UNIA, which was attributed to the Bolsheviks' capacity to exploit colonial unrest as a weapon to challenge both capitalist and imperial authority, had highlighted this prospect. Many anti-colonial and black New World intellectuals did gravitate towards Marxism. They were looking for a set of conceptual tools that may help them understand the causal logic of racial oppression as well as the victims' agency to resist and destroy colonial power. The ready-made formulations of Marxist theory that were available were deemed ineffective in virtually every instance, as detailed by Cedric Robinson. They were often unhelpfully Europe-centric, overly economic, and indifferent to the political implications of culture. These issues were well-known in debates of the Asian mode of production or in a perspective on the battle for survival among countries that separated them into the really historic and the utterly non-historic. But these conflicts with Marxism, led by C. Along with many others, L. R. James, W. E. B. DuBois, Frantz Fanon, and others played a vital but underappreciated role in the development of post-colonial philosophy.

They can also aid in our understanding of the post-colonial conditions-specific theoretical approaches to political agency, the periodization of the large anti-colonial movement in the twentieth century, and the advancement of post- and anti-colonial theory through the cold war and beyond. When Fanon said that "Marxist analysis should always be slightly stretched every time we have to do with the colonial problem," he was speaking for many of his contemporaries. The noteworthy contributions of the Trinidadian leftists C. are among the most accessible and significant texts that aid in measuring the influence of Marxism in this location. George Padmore and L. R. James. James, as is widely known, authored a groundbreaking analysis of the Haitian revolution that also had a lot to say on how revolutionary organisations work and what makes an effective insurrectionist leader. Padmore is less well-known and has a more significant yet still controversial association with the Soviet Union.

Both men placed a great lot of faith in the possibilities for change that began with the foundation of an independent Ghana under the leadership of Kwame Nkrumah, like many others of their political age. A Pan-African movement might provide a political alternative to the polarised choices of the cold war era as well as the too simplistic opposition between tradition and modernity via the institutional centre of that newly independent state. Rabindranath Tagore's epigraph opened Padmore's *Pan-Africanism or Communism*, which had the following conclusion: "In our fight for national liberation, human dignity, and social redemption, Pan-Africanism offers an intellectual alternative between Communism on the one side and tribalism on the other. It condemns both black chauvinism and white racism. It advocates for racial harmony based on utmost equality and respect for individuality[9]."

The humanistic tenor there is more than simply a repetition of the persuasive language found in the United Nations' proclamation on human rights. It is also a result of the will to fight openly against racism, race-based prejudice, and racist hierarchy. Many more writers use similar universalistic language in their books. It connects the anti-colonial writings of Aime Cesaire,

Leopold Sedar Senghor, and Frantz Fanon to those of Amilcar Cabral and a number of other more transient anti-colonial authors. Although they have proven to be an embarrassment to the more cerebral, intellectual, and scholastic modern forms of post-colonial philosophy, their sometimes lofty, occasionally apocalyptic, but always steadfastly non-racial humanisms are highly important. Those humanistic hypotheses have a clear, unfavourable trace of racial ideas and power structures. Even if the various rhetorics seem to overlap, the special dedication to dismantling racism and ethnic absolutism gives them a unique dimension that UNESCO-style anti-racist universalism does not share. The similar tone may be heard in the post-colonial works of individuals like Nelson Mandela, Edward Said, Albert Memmi, and Eqbal Ahmed from more modern times.

Their contributions to the establishment of autonomous political life and the liberation of former colonies from imperial domination were strengthened by a shared ambition. They aimed to make colonised people's struggles more universal while also preserving the historical and cultural uniqueness of the various communities involved, an approach Senghor pioneered in terms of political philosophy. In the writings of countless colonial intellectuals and anti-colonial strategists, this difficult commitment was articulated. It was particularly evident among those who participated in the resistance movements and armies in Europe during the fight against fascism and attempted to apply their ethical and political interpretations of racism, evil, and democracy to the divergent cause of decolonization. Following the establishment of the United Nations, a unique voice for post-colonial philosophy was created thanks in large part to the insights left behind by this group of philosophers, notably those of Jean-Paul Sartre, Frantz Fanon, and Senghor.

To develop a more comprehensive and historical theory of racial ontologies, Sartre expanded on Richard Wright's notion of the Negro as "America's Metaphor" and Simone de Beauvoir's analogous conception of the woman as a social rather than a natural reality. The dominant group created the inhuman targets of racial hate for each of them. The victims of racial hierarchy were the dominated, as Fanon would demonstrate. They were forced to live out a "amputated" humanity inside the constrained categories of epidermalization because they were unable to experience the more real ways of being in the world that may produce an account of racial differences with reference to the future. For these individuals, there were clear political and historical parallels between the racism that underpinned colonial control in Algeria and Indochina and the homicidal racism of the Nazis.

These problems were addressed by Aimé Césaire in his 1955 *Discourse on Colonialism*. One of the first proponents of a post-colonial theory, he argued that the systematic murder of Jews and other minorities in Europe was an exaggerated manifestation of the regular cruelty of colonial rule. He said that it had circled back to the foundation of European civilisation. Therefore, according to Césaire, Hitler's unpardonable act was not a crime against man in general but rather "the crime against the white man, and the fact that he applied to Europe colonialist procedures which until then had been reserved exclusively for the Arabs of Algeria, the Coolies of India, and the blacks of Africa."

There are several variations of this idea nowadays. Both some Third Reich veterans as well as historians of concentration camps, a political technology that originated in colonial warfare, have endorsed it. Post-colonial philosophy now brings all these ostensibly divergent historical and ethical resources into conversation. Primo Levi described the aspects of the racist fear he

experienced in non-prescriptive writing that encouraged intelligent comparison across historical and cultural boundaries without being sucked into a debate about the relative merits of various histories of oppression. Most significantly, Levi's fellow prisoner Jean Améry mentioned Fanon's work on violence as one source where he had been able to find an analysis that could help restore physical and metaphysical dignity to the damaged being of the tortured prisoner in his theoretically sophisticated discussion of the experience of being an intellectual in Auschwitz.

These links were made possible because, after 1945, the development of post-colonial thought occurred in an environment that was particularly favourable due to widespread criticism of the Nazi Reich as a racist government. Several interconnected political processes connected to the dissolution of the British Empire may be used to triangulate the political interpretations that followed. Apartheid was established, India was divided, and Israel was reinstated as a state in Palestine as a result of the disaster of 1948. Eqbal Ahmed, Edward Said, Stuart Hall, Ranajit Guha, Gayatri Spivak, and most recently Mahmood Mamdani were some of the most notable players in the subsequent period of post-colonial thinking. These warrior generation successors may be identified by the fact that they had all moved from once imperial and colonial places into the unstable heart of the urban systems created by overdevelopment. As a result, early exposure to migration and exile, cultural diversity, and hierarchy as well as the daily difficulties of social life under racialized, colonial laws had enhanced their perspectives on politics and culture. This intellectual stratum contains the direct forebears and first practitioners of self-consciously post-colonial philosophy. They have created a large critical endeavour that, at its finest, has crossed academic and political concerns by promoting a sophisticated notion of culture as a political and para-political sphere in a variety of ways.

This group's intellectual energy was focused on analysing some particularly complex issues, such as the residual influence of colonial arrangements on nominally independent states, the unique impact of racism in linking colonial history to the lives of immigrants and settlers and distorting the politics of countries that had benefited from their colonial potency, and the difficulties that former colonies encountered when creating new governmental structures. During this time, post-colonial philosophy was dominated by opposition, first to the wars in Algeria and Vietnam and subsequently to South Africa's indisputably coloured government. South Africa in particular became the target of a historically large worldwide opposition movement. All aspiring analysts of the unique patterns of statecraft seen in post- and neo-colonial regimes were put to the moral and methodological test in the one nation where the political power of racial hierarchy could not be contested.

This transitional group's interventionist endeavours provided the groundwork for their more academically minded successors, many of whom were eager to comprehend how post-colonial culture and politics were articulated via a fast-growing global circuitry. Following the release of Said's *Orientalism* in 1978, a completely different understanding of the politics of race and ethnicity was paired with attention to the historical, cultural, and philosophical processes that had formed the Orient as an object of knowledge and power. In situations where having access to formal citizenship did not mean that equality could be taken for granted or that complacent democracy would put aside its historical associations with racism, this additional element was provided by the history of immigration by formerly colonial peoples and by their own interpretations of their political fate and duty. At this point, post-colonial analysis started to be deliberately practised.

Post-colonial theory's institutional turning point was characterised by a deep engagement with feminist issues. They were acquired from current sources and from the work of anthropologists and colonial historians. Gender hierarchies, sexuality, and unexpected kinds of intimacy, according to authors like Kenneth Ballhatchet, Vron Ware, and Anne McLintock, were essential to how colonial civilizations operated and how they continue to affect modern urban life. The colony did not adhere to any neat formal division between public and private, making opportunity for transgressive and personal connection. Revisions to the narrative of interpersonal, governmental, and cultural interactions that had been shed light on by feminist historical studies were necessary in order to take gender dynamics into consideration. The entwined lives and experiences of colonised and coloniser women may redefine basic analytical categories like class, country, family, and home if they could be studied jointly, relationally.

The fusion of post-colonial and multicultural theory didn't take on a solid academic form until this contact with feminist criticism. According to current discussions on multiculturalism, there is no agreement on how the word should be used in the humanities or politics. For attempts to develop a more conceptual and abstract discussion of its worth as well as for comparison approaches to the variety of occurrences to which the word may be used, this heterogeneity has problematic repercussions. There are now many different disciplinary inflections on multiculturalism. Additionally, it has been influenced by a variety of unique local histories. From England to South Africa and North America, where, for instance, Canadian and WE dispute concerning the term's interpretive possibilities have not converged, various, contradictory assertions have been made about it. Once we understand that multiculturalism, like post-colonialism, is often a disguised method of communicating about race and about the risky processes through which race becomes a subject of culture, the issue becomes even more difficult.

These two bodies of theoretical thought met in culture, which publicly provided the setting, and race, which offered the rules governing their interaction. The majority of current conflicts over multiculturalism can be linked to a series of disagreements over the state of racial and ethnic relations in North America and their place in the global political processes that US racial and ethnic systems are now being exported to. We must take notice of the fact that the word "multiculturalism" conjures up what may be referred to as a mosaic plurality for many political thinkers. This idea of the connection between variety and oneness is quite unique. It comes from historical circumstances that are unique to North America. In this method, shards of culture which are inherently ethnic and racial are mutually positioned by limited civic cement and by the strongest force of market relations, which support a larger and more vibrant public sphere than government has been able to control or is motivated to preserve.

These pieces are supposed to stay unaltered and unaffected by their closeness to other comparable parts of a bigger image, which, when seen from a distance, might be quite appealing, regardless of how lovely they may be when taken in isolation. This model encourages and occasionally attempts to legitimise an interpretation in which race and ethnicity are elevated and reified as absolutes, and in which diversity is contained within symmetrical or at least similarly-configured social and cultural units that are arranged, regardless of any hierarchical arrangement they may be made to form, so as to form a national unit. This specific perspective on ethnic diversity and cultural diversity is not a useful method to consider how multiculturalism functions in modern society. These concepts are plagued by an earlier, pluralist notion of society that has its roots in colonial statecraft. It may be shown in people's reluctance to conceptualise economic,

social, cultural, and political differences in a hierarchical pattern and their inclination to perceive the same differences mixed laterally or like the pieces of a round cake that only touch at its centre.

This approach to multiculturalism offers a rejection of post-colonial theory, which has stressed on the primordial importance of cultural struggle and its relationship to political processes, by repeating the political habits, patterns, and styles that were formerly distinctive of colonial authority. It is easy to forget that discussions with indigenous communities in different national governments have given birth to some of the most significant and influential strands of political discourse on diversity. Although such discussions have mostly centred on issues of recognition, restitution, and sovereignty, commentary on rights, culture, and diversity may also be highlighted in other ways. Meetings between "hosts" and immigrants have given rise to a diverse, though linked, range of conversation about citizenship, tolerance, and plurilingualistic, religious, and cultural.

The latter might consist of post-colonial peoples with citizenship claims or could be made up of local descendants of refugees, asylum seekers, guest workers, and other people whose affiliations are disputed for various reasons. All of these organisations' marginal positions have traditionally been linked to a more culturally focused commentary on the issues and opportunities that assimilation, national identity, and belonging offer. A third kind of multiculturalism has developed as a result of a few overt initiatives to challenge unfair racial hierarchies. Independent post-colonial nations like South Africa have enacted such reforms. They also resulted from efforts to address the harm done to democracy by acts of genocide, segregation, and the introduction of colonial administration's methods and mindsets into the urban core. This third kind of multicultural speech includes a number of historical examples. When, for instance, the political legacies of the Third Reich, the abolition of Jim Crow, and the formal dismantling of Apartheid were regarded to have more than just local importance, it gained a worldwide scope.

CONCLUSION

Political formation might include components from any or even all of these methods. They have intertwined and affected one another, resulting in intellectual and moral dialogues with the notions developed by decolonization movements. It is now necessary to untangle these histories of theoretical study and political strife. Periodically, the urge to conceptualise difference without having to consider the hierarchy and struggle that separate imperial and colonial authority resurfaces. Despite these revisionist tendencies, there are some benefits to refocusing the conversation on the history of racial ideologies and European colonialism. Those timely investigations may provide a valuable understanding of contemporary governance. As post-colonial theory emphasises, it also has ramifications for the notion of culture itself, for the contentious concept of multiculturalism, and as a result for the politics and ethics of multiculturalism. It has implications for conceptions of law, state, and the administration of power.

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CHAPTER 22

POLITICISING THE BODY: RIGHTS, PROPERTY, AND CONTRACT

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ABSTRACT:

Political theorists have traditionally utilised the human body as a metaphorical reference point. The whole concept of a "body politic" relies on the idea of a single, distinct organism with commanding and submissive portions that might be healthy or diseased, powerful or weak. Hobbes' Leviathan, where he compares the sovereign to a gigantic "artificial man" whose body parts represent the various aspects of government, contains one of the more well-known representations of "the body political" in early modern political thought. When he said that political theorists had not yet severed the head of the monarch, Foucault called attention to the crucial but problematic function of the body as metaphor in modern and current political philosophy.

KEYWORDS:

Contemporary, Historical, Political, Property, Society.

INTRODUCTION

When compared to a changing "history of ideas" about "natural bodies" and "natural law," Foucault's influence on contemporary political thought can be characterised as a shift towards a contextual and materialist "history of bodies". In his opinion, both political and human bodies are themselves mutable historical entities. The human body not only provides political theory with a wealth of metaphors, but it also acts as a meeting point for political notions of the "universal" and the "particular." The human body is thought of as the foundation for a universal view of humanity and for those rights that everyone carries by nature when it is recognised as a component of nature and hence considered to be controlled by natural law. All people have the same fundamental physical needs water, food, and shelter and are equally susceptible to crime, disease, or death. The lack of polity, according to Hobbes, causes everyone to live in terror since "the weakest has strength enough to kill the strongest". Reason compels us to seek protection via enforceable covenants or contracts since guaranteed, although constrained, political rights are preferable than unenforced natural rights. The efforts undertaken by political theorists to defend universal natural rights are therefore turned into specific historical and political rights, the exact shape of which will differ from state to polity. For instance, Locke's interpretation of the social contract as a restricted tool to safeguard the property that everyone should, but do not, have by natural right, does not agree with Hobbes' explanation of covenant and the need for the absolute power of the sovereign[1].

Insofar as the experience of needs, desires, and vulnerabilities is irreducibly "private," the body also serves as the foundation for universalism and as the site and support for the moral uniqueness of each unique individual. Cultural mores and traditions make sure that the "privacy"

of individual experience is nonetheless infused with specific local meanings that serve to bind each individual to a particular community or polity. The astonishingly various ways in which we paint, adorn, perfume, and outfit our bodies to announce our identities as men, women, or members of this tribe or that group, according to Ignatieff, are what unite us rather than the naked body that we all have in common. The culturally and historically distinct body is envisioned in this sense as the source of both diversity and identity, of particularity and universality. Humanity is an idea, yet people are always a part of a specific group. The abstract rights of the individual and the necessity to "belong" to a specific group that upholds those rights have increasingly been brought together via citizenship during the course of the modern era, at least in the West. Different faiths and civilizations will conceptualise and assign social and political responsibilities and rights to its followers in various ways. The way these challenges have been conceptualised in the West is the primary concern of this chapter. Provides a description of certain parallels and distinctions between "East" and "West" conceptions of rights and obligations.

Body and "Property-in-Person"

The historical conception of human beings as having natural rights, especially the right to their own persons, is a characteristic feature of early modern Western ideas. These rights provide people the ability to establish a social contract wherein mostly useless natural rights are traded for, or turned into, protected political rights. One such important explanation is provided by Locke's idea of "property in the person." Understanding Locke's beliefs on the moral condition of people and the innate ability for reason depends on his adherence to a Christian worldview. Without reason, individuals would be unable to recognise the natural law that ultimately underpins social fairness and political rights. Although Locke puts a person's "life, liberty, and estate" under the generic word "property", it is the more specific idea of "property in the person" that supports this more general phrase. "Though all the earth and all inferior creatures be common to all men, yet every man has a property in his own person; this nobody has any right to but himself," he writes in the same passage. "From this natural title to one's own person flow rights to freedom, to possessions, and, with the invention of money, the right to accumulate wealth." The creation of money enables the extension of legal proprietorship to "the grass my horse has bit" and "the turfs my servant has cut," transforming what was once held in common into private property and "exclud[ing] the common right of other men". Extensive property is therefore reserved for "the industrious and rational", even though God gave the world to all men in common. According to certain theorists, Locke's concept of property had terrible repercussions for those whose abilities for "industry" or reason were regarded inferior or lacking[2].

Diverse schools of thought have interpreted Locke's idea of "property in the person" in current political theory in quite diverse ways. Libertarianism and Marxism, which are essentially antagonistic ideologies, both rely on different readings of Lockean self-ownership to support their claims regarding legitimate and illegitimate rights to property. For instance, Nozick cites Locke's theory of property as support for his libertarian principles of justice. Marxist explanations for the unfairness of wage labour are based on the notion that the worker "owns" his ability to change nature via labour and should therefore be entitled to the rewards of that labour. Locke's theory of property is used by Nozick to argue against the redistribution of social goods since doing so would constitute stealing from those who have generated them. According to

Marxist theory, the only way to stop the exploitation and alienation of wage workers, who in a capitalist system possess nothing except the ability to work, is to socialise property.

The issues with the basic concept of self-ownership and its place in modern capitalist society have been brought up by A. Cohen. He contends that we must go beyond the concept of self-ownership if the principles of equality and freedom are to be realised. Instead, we must foster a new culture of "mutual service" among individuals in both the market and in political interactions. The topic of property in the person will come up again in a different context in the next section, despite the fact that the specifics of these current discussions cannot be effectively covered in this chapter. C. Locke's inference "starts with the individual and moves out to society and the state," according to B. Macpherson.

The "possessive individualism" of early modern liberal political thought, in his opinion, failed to take any account of the social conditions and relations necessary for such conceptions to seem plausible. Part of the issue is that Locke and his contemporaries paid little attention to the ways in which the rights and property of "possessive individuals" depended on the subordination of certain others. The existence of others who were politically constituted as the property of someone other than his or her own "person" was arguably necessary for the notion of owning one's "person," and these distinctions of sex, race, class, age, ability, and the like represent a number of challenges to the modern conception of the freely contracting individual. Who may sign the agreement? How should duties and rights be divided among the political body? Who shall be deemed a person? Are all "status" identities to be abandoned in favour of the "abstract individual" and "contract" of the contemporary era?"

DISCUSSION

Insofar as the concept of the "individual" suggests a norm that favours white, well-to-do Western males, many feminists have claimed that Western political theory is rife with a masculine bias. Cross-cultural research, however, demonstrates that the pattern of a favoured masculine norm that excludes women is replicated among these communities, even those who have been marginalised by Western political theory. The term "individual," which refers to all people, is therefore not just particularised across cultures, but also by intracultural designations that define certain bodies as "naturally" lower or subservient, such as "women" as opposed to "men." Related issues affect the "person" category. According to the rule of coverture, women were not considered to be "persons" under English law, which did not recognise all human beings as "persons. Due to the crucial role that the concept of property in the person has played in supporting claims to rights and in the development of judicial and other institutions, these exclusions are significant to the discussion of this problem. Only individuals who own "persons" over which they have political and legally recognised rights are entitled to freedom. Not everyone can simply adopt the position of the abstract person that contemporary contractual society assumes. Distinctions based on sexual orientation and race, which are often viewed as variations in natural species, seem to be status identities that influence where a person fits into the polity[3].

Charles Mills used the appropriate phrase "somatic norm" in his book *The Racial Contract* to describe how bodies may be normalised, excluded, or included as distinct but inferior in racist, sexist, and colonial settings. In *The Sexual Contract*, Carole Pateman's work is expanded upon by Mills. The primary institutional links of contemporary civil societies, such as citizenship, employment, and marriage, according to Pateman's argument in this book, "are constituted

through contract". She interprets Locke's debate with Sir Robert Filmer on whether patriarchal authority is customary or natural in a fresh and thought-provoking manner. She contends that Locke's rejection of Filmer's "natural" patriarchalism should not be seen as the complete demise of patriarchy. Instead, the "sons" overcame the "fathers," establishing the fraternal type of contemporary patriarchy. The social compact, which is meant to explain how contemporary civil societies came into being, only provides a portion of the tale.

According to Pateman, the sexual contract must be seen as the required underpinning of the fraternal social contract in order for modern contractual society to be comprehended. The sexual contract fills in a plot hole and reveals how contemporary political and civic society is dependent on the subjection of women as mothers and spouses in the home. "Property in the person," the "individual," "freedom," and "contract" are each subject to a careful investigation in her thesis, which questions notions crucial to contemporary political theory. The significance of *The Sexual Contract*, for the purposes of the present, is in its presented critique of the idea of property in the person and its claimed function in guaranteeing the freedom of the "modern" individual. In addition to recognising the significance of earlier socialist and feminist political theorists' work, Pateman also highlights the contradictory character of socialist and feminist claims for rights.

Such rights in the contemporary era are inescapably dependent on the dubious idea of self-ownership, which is in turn often linked to autonomy. Without claiming the right to "possession" and "control" over their bodies and abilities, how can women or workers fight against subordination? But endorsing the contemporary "political fiction" of "property in the person" ultimately works against women and labour. Despite what Locke said, a person's property cannot and does not support that person's freedom. Instead, this political illusion is what enables a particular set of contractual forms of subjection that are contemporary in nature: "contract always generates political right in the form of relations of domination and subordination". In its present form, a contract often involves an exchange of obedience for protection, as she emphasises again and over again. The wage contract subjects the employee to the capitalist, while the marriage contract subjects women to males[4].

The story by Pateman also has a significant feminist component. She claims that the myth of property in the person was never meant to apply to women. The marriage contract, which constructs her as "civilly dead," that is, as deprived of the legal status of "person," is how women's ambiguous inclusion in civil society occurs. Although the "natural" powers of the father over the sons historically gave way to conventional relationships between brothers in the fraternal polity, the power of men over women and the family retained its supposed foundation in nature. Women are not included in civil society as "persons" or "individuals," but rather as women. Women cannot join civil society on an equal basis with men because their bodies lack the characteristics of the abstract person. As a result, the sexual contract serves as a tool for the politicisation of women's bodies and abilities.

Ironically, the "naturalisation" of women's submission to male's results in this politicisation. The early modern contractarian theory holds that women are "naturally deficient in a certain political ability, the power to generate and preserve political right". The politicised female body is neither self-owned nor capable of serving as the foundation for women's freedom to enter into contracts on par with men. It is paradoxically politically constructed as a component of nature and conversely included in and excluded from civil society. The point remains that sexual difference remains problematic from the perspective of modern conceptions of self-ownership

that were examined in Section 2, even though Pateman does not come to the conclusion that sexual difference is a status distinction that contractual society is powerless to change[5].

Why does modern political theory care about past ideas of "rights," "persons," and "contract"? Why should historical concepts and institutional arrangements be of significance apart from their contribution to the history of ideas given that women are no longer denied the status of individuals under the law? According to Pateman, the critical edge of current political theorising might be blunted by failing to consider the historical settings in which certain political concepts emerged. An adequate critique of libertarianism must pay attention to the conceptual, legal, and moral distinctions between self-ownership and property in the person. For instance, Cohen's critique of self-ownership is ineffective against contractarianism because he neglects to note the difference between the concepts of "property in the person" and "self-ownership." The "political illusion" of property in the person was essential to the formation of marriage and work, two of the most important institutions of modern contractual society.

According to Pateman, "rights are perceived in proprietary terms when the individual is regarded as an owner of property in the person. It is legal to transfer the right to self-government, at least in the 'private' domain of economic enterprises, since the main characteristic of private property is that it is alienable. Contractarianism thus produces relationships where the fiction of property in the person allows the illusion that a person's capacities and skills can be separated from the "person." The ability to labour, in other words, is falsely conceived as being able to be "hired out" without compromising the integrity of the individual. According to Pateman, moral philosophy has hijacked current debates on self-ownership, causing them to ignore the political issue presented by modern marital and economic relations, namely the fact that the "marriage market" and the labour market are markets in property in the person. A truly egalitarian and democratic view of citizenship, the third main social institution, is incompatible with these marketplaces, which deal in the "renting of persons." Relationships of dominance and subordination in the "private" worlds of family and work might look legal due to the illusion of property in the person and the alienability of proprietorial rights. According to this perspective, understanding the idea of a person's property and the historical and institutional vicissitudes associated with it reveals why a contractarian society is incompatible with democratic citizenship[6].

Reworking Pateman's argument on the sexual contract, Mills claims that the racial contract is a bargain between whites for the worldwide subjection of non-whites. Like Pateman, Mills stresses on the ongoing importance of historical political constructions of bodies that were labelled as "different." The contemporary political narrative of freedom, contract, and consent is not a narrative for or about individuals who were seen to be of a lower race. In order to explain their political subordination, white males leave the state of nature, whilst women and non-whites genuinely become connected with nature. Mills contends that under the racialized polity, non-whites are conceptualised as "carrying the state of nature around with them, incarnating wildness and wilderness in their person". This claim is in line with most feminist political criticism. Similar to the sexual contract, the racial contract is based on "a politics of the body": "there are bodies impolitic," and such bodies "are considered incapable of creating or completely integrating into a body politic".

The dependency of the free abstract person on excluded individuals in at least two ways is shown by Mills' characterization of the white male body as a "somatic norm," which is inherent in current political theory. First off, as Orlando Patterson's work implies, the Western political

understanding of freedom is derived from the phenomenon of slavery: "The slave establishes the norm for humans," since it is thought of as a subhuman being. Second, by hiding its sociopolitical construction, the somatic norm permits the positing of race as a biological or natural category. In other words, according to Mills, "whiteness is not really a colour at all but a set of power relations." According to Mills, the racial compact subjects not just bodies but also space itself to a standard. White fraternal patriarchal bodies political "normalise" space, sex, and race. The domestic sphere, colonised territory, and civil society are politicised locations that serve to validate the status of the "impolitic" or "politic" bodies of individuals who inhabit them[7].

It is important that neither Pateman nor Mills believe that women's and racialized groups' attaining self-ownership would result in the end of sexual and racial discrimination. The ultimate commodification, alienation, and exploitation of all facets of human existence, according to Pateman, would result from this. The power to contract in such circumstances would socially cement and further legitimise the harmful political illusion of property in the person, as her critiques of the prostitute and surrogacy contracts demonstrate. Both theories suggest moving beyond thinking of people as pieces of property to a more enduring and just type of individuality that emphasises autonomy understood in ways other than self-ownership. In contrast to Pateman, Mills does not believe that the contract itself is the primary issue. On this issue, his argument is more in line with Pateman's theory of sexual difference than Susan Moller Okin's description of "gender". Mills wants to "eliminate race," just like Okin anticipates a world in which gender has no bearing on one's social and political standing. Mills sees the racial contract as a historically persistent organisation of bodies that may have been different, in contrast to Pateman's explanation of sexual difference.

The "voluntarization" of race is the ultimate goal of his "demystification" of the racial compact, which he describes as a kind of "ideologiekritik". I'll come back to this subject in the paragraph that follows. The idea of the somatic norm has lately been used by Nirmal Puwar to demonstrate how the particular of racial and sex-based embodiment limits one's capacity to inhabit purportedly "neutral" public space. She depicts the body as a deeply politicised entity that may be both empowered and restricted by the social practises and public places that help shape it, building on the work of both Pateman and Mills. Puwar demonstrates "the ways in which bodies have been coupled with and decoupled from specific occupational spaces" by evaluating current instances of "bodies out of place". Puwar's study sheds fresh light on the topic of the general and specific. In order to highlight the manufactured privilege of the "unmarked" white male body and its capacity to naturalise its exclusive claim to be master of political spaces, the particularity of the ostensibly "universal" body of the social contract theorists is brought under the limelight.

Body And Effect

The idea that the body is created, normalised, or "materialised" in various ways across history and culture may be argued to incorporate a certain level of contingency into political action. What is to stop a radical voluntarism with relation to political identities if subjects are produced and reconfigured throughout time and space? What stops people from "choosing" new identities if identity is regarded to be contingently constructed? Is Mills' theory of "voluntarizing" race based on this idea of "choice"? Does Okin imply that gender abolition may be accomplished via free will when she calls for it? Can "whiteness" or "maleness" advantages that have been historically and politically established be renounced with a simple act of will? Recent studies on

the body, affect, and "micropolitics" have focused on this issue. If the Foucauldian approach to identity formation as an ongoing process involving numerous micropolitical power relations is accepted, then work on and through the body, as a form of political praxis, seems viable. However, such work cannot be reduced to a simple-minded voluntarism[8].

William Connolly has emphasised the ethical and political relevance of micropolitical praxis via what he terms the "relational arts of the self", citing Nietzsche and Foucault as sources of inspiration.

It is a political practise available to anyone willing to develop their critical faculties and think on the ways in which identity is built and remade, even if this "art" cannot be reduced to only acts of will. Connolly encourages "[w]orking on oneself in connection to the cultural distinctions through which you have received definition," promoting an "ethos of interaction" with various individuals, marked by "generosity and patience. By doing this, you may make yourself more receptive to engaging with other religions, sensuality, gender norms, nationalities, and other things. Connolly's analysis is not restricted to intersubjective relationships. Additionally, he emphasises the need of focusing on the intrasubjective, or infrasensible self, contending that doing so is required for the "cultivation of sensibility" in order to change the structure of habitual affects as well as the cognitive self.

The work of contemporary "body politics" theorists raises active questions about whether such practises are susceptible to charges of self-indulgence on the part of the politically privileged or to criticism on the grounds of presenting an implausible political voluntarism. One answer is to point out that this does not necessarily mean that current identities are arbitrary because of the contingent nature of the histories that have built them. Furthermore, historical events from the past could end up defining current material needs. The implication from this perspective, according to Patton, is that a Foucauldian approach to the materiality of power prevents human agency. Instead, a Foucauldian approach may make unstable or aporetic parts of modern subjectivity more apparent, opening up opportunities for experimentation and change on the ethical and political fronts. Such experimentation cannot be equated with political voluntarism since it entails awareness to and meticulous genealogical examination of the potential for change that is inherent to the "present.

Beyond Separate Ownership

Autonomy And Interdependence

The idea of how specific types of bodies have been historically, socially, and politically constructed via power relations. This modern micropolitical perspective differs greatly from the modern contractarian thinkers' ahistorical, naturalistic conceptions of bodies, rights, and the law. The capabilities, shape, and fundamental materiality of the human body are historically constituted rather than floating about people and covering them for a while with this or that period's clothing. Although the body still plays a liminal role in the articulation of the contrasts between particularity and universality, autonomy and reliance, identity and diversity, and so on, in these modern interpretations. However, it might be argued that modern "body politics" theory is better suited to demonstrate how these disparities need not result in intractable contradiction. One is neither only a historical artefact nor a historically uninterested person. An individual's autonomy, identity, and particularity are instead always intimately linked to particular historical, social, and political practises. Additionally, interdependent relationships are ubiquitous.

According to this perspective, the choice is not between "either" and "or", but rather between "and". Particularly in current feminist political theory, this viewpoint is pervasive[9].

The work on human capacities by Martha Nussbaum, which presents a universalistic theory of human being and entitlement but also makes an effort to pay attention to the specific cultural circumstances in which people usually live, is an example of this sort of approach. The link between autonomy and self-ownership that dominates much of current political theory is rejected by Nussbaum. Despite disagreement regarding the capacities approach's eventual viability and the assertion that "certain human abilities exert a moral claim that they should be developed" , one aspect of its explication seems particularly important in this case. The main human functional skills that Nussbaum outlines are referred to as "combined capabilities." For instance, it is not believed that a person's capacity for labour is a "given" characteristic of that person. Instead, every human being's "internal" talent always implies the existence of suitable "external" circumstances for its realisation. Additionally, these outside factors will inevitably influence the specific manner in which any given "internal" talent will be represented or realised.

Latent human talents and particular economic, cultural, and political conditions are inextricably linked to human potential. For instance, in order to be actualized and sustained, the capacity for autonomy, or self-determination, depends on proper social circumstances, certain types of continuing relationships with others, and so forth. However, this does not mean that every human capacity will be used in a uniform manner across all settings. Culture will inevitably have a role in how a certain human talent is realised. This is a result of tightly linking the realisation of a person's innate qualities to the particularity of their environment, which includes their cultural background. It also emphasises the need of relational realisation for any human power, aptitude, or capacity.

The ability to work or create, for example, cannot be seen as a person's "personal property," therefore I cannot claim "ownership" of myself or my skills since they must first be developed or represented within a social and cultural framework. The easiest approach to think about rights is to consider them as unified capacities, notwithstanding Nussbaum's preference for "capabilities talk" rather than the more divisive "rights talk". Although Nussbaum does not state it in this manner, her explanation of rights may be seen as relational, embodied, and contextualised historically. Furthermore, it provides evidence for the necessity for political philosophy to go beyond the idea of self-ownership.

Right and Citizenship

It was proposed that citizenship practises in modern political life are progressively bringing concepts of the universal and the personal together. Rights refer to certain historical and cultural means of governing social interactions rather than being "natural entitlements" or alienable pieces of "personal property." When conceived in this way, the term "human right" does not conflict with the above-mentioned materialist, historical, and embodied perspectives. However, it does imply that if any person's "human rights" are to be protected, then the rights of every person must also be protected. For human rights to be successful, they must be distributed internationally. Some political theorists contend that a global system of human rights must be supported by cosmopolitan governance due to the rising multidimensional interconnectedness of all cultures and countries of the globe.

This aim will fall short, however, if it is seen as the imposition of a rigid "list" of "universal rights" that must be upheld consistently in every social, political, and cultural setting. The prior understanding of the materiality of the body and the forces by which it is created at certain times and locations would be directly at odds with such a scheme. Even while it recognises the objective of attaining universal justice, it ignores the many settings in which justice may be achieved. Global justice principles also run the danger of sustaining Western cultural imperialism as a political strategy. Instead, political theory and practice must recognise that discussions between various historically formed identities and polities are continuous and open-ended. This makes it probable that national or local civic practices will continue to be the primary means by which rights are implemented. By putting out this argument, one is acknowledging that cultural diversity is not only superficial or "ideological," but rather a profoundly historical and lived difference[10].

Another reason to be wary of the notion of an unchanging set of human rights that would be implemented through "cosmopolitan citizenship" and governed by international law. Hannah Arendt's post-World War II observations on those bodies who weren't covered by any one body politic provide sobering reading for pondering the difficult issues today's politics of "rights talk," "self-ownership," and "the body." When a human person loses her polity and is reduced to a naked body, universal human rights that have been "merely pro-claimed" but not "politically secured" are useless to her. Ironically, the bodies that are most heavily politicised often lack any safe, secure political membership. Arendt's reflections on "the decline of the nation-state and the end of the rights of man" serve as a stark warning to political theorists not to lose sight of those actual human bodies that existing bodies politic treat differently: exploiting, excluding, and even destroying some, and all of this, frequently enough, for the purported protection of those who are deemed to be "proper" citizens of "properly constituted" "No person is unlawful," Benhabib tells us.

CONCLUSION

Being reduced to a naked body, or being a human "in general," is to "belong to the human race in much the same way as animals belong to a specific animal species". According to Arendt, such reduction entails "the loss of the entire social texture" that each person is born into and that gives them each a "distinct place in the world." Being human is not about belonging to a genotype or species; rather, it is primarily about belonging to a certain culture, which may be located in space and time. "The extermination camp survivors, the prisoners in the concentration and internment camps, and even the relatively content stateless people could see."that their greatest risk lay in the abstract bareness of being nothing but human". Statelessness, the right "to belong," and citizenship now create critical issues for political philosophy. The criticisms of the rights-bearing person of contractarianism discussed here give a distinct perspective on rights and their significance. Without strong institutional embodiment, rights soon become "mere proclamations" and citizens become "a naked human body." Above all, rights build connections between people. They organise and distribute people's abilities to act and be acted upon. Understanding human beings and human societies in relational terms calls attention to both what we must do in order to maintain our humanity as well as the intricate and consistently unique ways in which we become human.

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CHAPTER 23

NEW WAYS OF CONSIDERING PRIVACY

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ABSTRACT:

RFID chips are an electronic "label" that include particular code numbers that enable them to be recognized at any moment. The electromagnetic impulses released by the chip when it is brought close to a reading equipment provide it enough power to broadcast back its specific code number. RFID chips don't need an internal power supply. These "smart labels" may be sewn onto items like a pair of pants, and because of their radio-transmitted identifiability, anybody who sees you wearing them will be able to find and identify you. Everything one purchases becomes forever traceable and identifiable. Future RFID chips will have an additional use. They may be inserted beneath the skin of a person with simply a little procedure, making it possible to read and recover data, such as medical patient information, at any time. These chips are but one illustration of the vast and revolutionary technological advancements in recent years.

KEYWORDS:

Autonomy, Freedom, Informational, Private, Privacy, Public.

INTRODUCTION

The advancements have produced whole new technologies that breach people's privacy in novel ways and present fresh dangers to it. These technologies are used to gather information about individuals, observe them, listen to their conversations, and monitor their actions. Additionally, there have been completely different social shifts that have altered the line between the private and public spheres and altered the social meaning of each. These include the fact that women can no longer be relegated to the world of domestic and family work and are instead taking on and want to assume an equal position in the worlds of gainful employment and public life. They include the fact that sexuality and intimacy are no longer kept strictly private and are instead publicly shown and presented in books, newspapers, television, and other forms of media. They also include the emergence of a brand-new category of television shows where viewers may virtually interact with the participants one-on-one, as in reality TV series like Big Brother.

Because of these three historical processes, there has been a recent interest in redefining privacy. These processes are: radical changes in the relationship between the sexes and a concomitant reconfiguration of the private sphere; the intrusion of intimacy into the public realm through previously private themes that have turned public; and shifts in notions of individuality. Additionally, these instances imply that there is no one history of privacy and that what constitutes "private" at any given moment changes. They highlight the distinction between public

and private life's essentially traditional character[1]. The next section takes a quick look at some of the more traditional conceptions of privacy and explains why they are quickly losing relevance. This makes it simpler to identify the novel aspects of novel hypotheses. In a subsequent phase, I examine fresh interpretations of the word in greater detail. Following this overview, I provide a systematic analysis of the issue as a whole in which I differentiate three aspects of privacy. Finally, I provide a quick overview of the normative issues related to privacy.

Ancient Ways of Considering Privacy

What is novel about contemporary privacy conceptions? What, in contrast, were the conventional views on privacy? By seeing the established boundary between the public and private spheres as either "naturally given" or "drawn by convention," the antagonism may be more clearly understood. In the traditional self-description of civil societies, the private and public spheres are distinguished in essentially natural terms: the realm of privacy includes feelings, hearth and home, emotional support for male members of society, and childrearing, while the public realm is characterised by reason, "brains," and professional life. As shown, the "natural" coding of the boundary dividing the private and public follows the line separating the sexes. The private sphere has a dual relevance in the evaluative semantics of civil societies as a result of this natural coding. On the one hand, the domestic sphere, including the family, is valued and prized as the realm protected from the demands of a hostile world, a realm where love and affection prevail instead of competition and the pursuit of profit, and which provides a haven both from the strict laws of the economy and from the unyielding rules of politics. However, there is also a negative view that unmistakably equates the private and public spheres with "women" and "men," respectively. This reading portrays the private as inferior to the public, just as nature is inferior to civilization[2].

Civil civilizations often describe themselves in this way. Throughout Western political theory, this division of the public and private spheres and the gendered denigration of the private may be found in one form or another. According to Aristotle, who believed that the private sphere was one of necessity, constraint, confinement, and submission to the laws of nature and reproduction, it is not limited to liberal thought in this sense. Instead, Aristotle is where it first found its classic formulation. According to Hannah Arendt, a modern Aristotelian, there is a clear social ontology that makes it seem natural, as it were, for some things, people, and activities to be regarded as private while others are public. The private domain is the domain of the household, which Hannah Arendt describes as "the sphere where the necessities of life, of individual survival as well as of continuity of the species, are taken care of and guaranteed." Arendt's view of this differentiation might be characterised in this regard as a "old" philosophy of privacy, even if she no longer believes that it must coincide with a gender-specific division of labour.

But it is primarily classical liberal ideology that asserts a relationship between a gendered division of labour and a natural sense of seclusion, designating the home as the place where women belong. Liberal thought has supported equal rights for all people since Locke, but it has also held to a natural understanding of privacy that blatantly runs counter to the idea of equal rights. This, of course, has nothing to do with nature and a lot to do with power and culture. When seen just from the perspective of norms, nature gives us no justification for why certain

activities or people should be deemed "private" and others "public." Contrarily, the division is always of a conventional nature, which is one of the reasons why new approaches to privacy may require a redefinition of the private and a reaffirmation of equal rights to privacy and freedom that are no longer incompatible with the tenets of a liberal democracy based on equal rights. Among the wide range of social meanings attached to privacy, only one facet, or one sector, is highlighted by the natural and gender-specific coding of privacy. The distinction between the private and public is made in static terms, as if we were dealing with well defined areas rather than dimensions or dynamic borders set to decide, for example, what should be considered private in public places. Thus, the conventional, outdated coding of privacy is that it is something natural, feminine, or unchanging, that it belongs to the "household," or that it is a space that is unmistakably and definitely defined in contrast to what is public. As a result, it is no longer believable from a normative or empirical standpoint.

DISCUSSION

The history of liberal ideology indicates another, substantially different, interpretation of privacy in addition to this natural view. "Privacy" has also meant something like to "freedom from interference by the state or society in general" since Hobbes, Locke, and most specifically Mill and Rorty. Most of today's normative views of privacy are predicated on the idea that, under this tradition, privacy is legitimately and strongly linked to the idea of freedom. At this point, it is important to note that theories of privacy of the changes it has undergone, the threat it faces, and the function it fulfills can be found in a wide variety of discourses, often entirely distinct from one another, each of which approaches the issue from a different perspective, draws on a different history of privacy, and emphasises a different aspect of the concept. Sociological theories of the public sphere, for instance, as well as studies of the changing family, use a concept of privacy that cannot be reduced to the natural sphere of the home but is nonetheless general and unspecified, simply in opposition to the idea of the public sphere. The same is true for theories of civilization and modernity that assume privacy exists but don't delve into further depth about it. Therefore, privacy essentially still pertains to "the private family" for the most part [3].

The discourses of legal studies, philosophy, and feminism, in contrast, have placed a greater emphasis on the idea, description, and significance of privacy itself. A much-diversified discussion on the various interpretations of a right to privacy has been seen across the numerous disciplines of legal studies, reflecting the very wide range of case law. This debate has been particularly sparked by well-known judicial cases. Particular considerations of the idea and notion of privacy in philosophy mostly originate from the 1960s. Theories regarding the importance of privacy, the link between intimate relationships and what, if anything, it means to have a right to privacy have been created as a result of this and how it has related with and reacted to social and legal changes. In sociology, philosophy, and legal studies alike, feminist ideas have had a significant impact on these debates. Feminist perspectives have criticised gender-specific division of labour and the natural idea of privacy from the beginning, as well as liberal theory variants that were founded on a male social contract that excludes women. One cannot, strictly speaking, refer to feminist theory in the single form in this context since not only

are there many different definitions of privacy employed in the relevant literature, but there are also radicalist criticisms of the divide between the private and public that go along with these definitions. However, in general, it may be claimed that feminist ideas work to redefine and reinterpret privacy, challenging the conventional, oppressive notion of private[4].

We've previously seen that more contemporary conceptions of privacy conceptualise the private as pertaining to, constituting, or concerned with individual, personal freedom or autonomy. This is true of legal doctrines, philosophical ideas, and feminist interpretations alike. The emphasis on freedom and autonomy is present in all privacy theories, from those that address sexual self-determination to those that focus on informational privacy to those that place a premium on domestic privacy.¹ This new association of freedom and privacy has not, however, been without criticism. Before delving more into the various, freedom-oriented privacy ideas, I will first give three different types of critique. I contend that these three types of critique are misunderstood scepticisms to the new privacy ideas, even if they should be recognised as such.

The Communitarian Critique

The fact that theories of privacy portray individual freedom as the basis for privacy raises suspicion in the minds of communitarian theorists. They generally challenge the relationship between autonomy and privacy. They contend that privacy should be seen as a domain or dimension of existence concerned with particular practises also important to the community at large rather than as a realm or dimension of individual freedom, that is, as functionally tied to the individual self. Therefore, privacy must be seen as a right accorded to each person as a member of the community rather than as a territory to which the individual has a claim as an independent creature. This is based on the notion that liberal views of privacy see the self as detached and egotistical. This is seen to be illogical from an epistemological standpoint and politically undesirable since communities and communal practises usually take precedence over the development of the individual identity. Therefore, privacy should not be mainly defined as an individual's right to self-determination, according to communitarians, but rather as protection provided to practises that rely on being hidden from the eyes of others.

However, as many scholars have shown, this communitarian criticism is not compelling. The assumption that a theory of privacy based on the concepts of individual autonomy and freedom cannot also conceptualise the self as relational in character and as constructed and contextualised in many ways is false. Furthermore, it is a politically unsettling misunderstanding. Particularly in feminist views of privacy, it is emphasised that individual rights must take precedence over social obligations in order to provide equal freedom in making choices about one's life and one's body. Communities' customs and practises may be oppressive and discriminatory, necessitating the protection of each person's right to privacy.

The Radical Egalitarian Feminist Critique

In general, radical egalitarian feminist theories are sceptical of any conception of privacy that portrays privacy as emancipatory. The one created by MacKinnon is the most well-known of them. According to MacKinnon, the argument that people have legal or moral rights to privacy is just another attempt to force women back into an ideologically constructed category of privacy

that is defined as the non-political or pre-political and only ever gives them rights if they are deemed to be different or abnormal. According to MacKinnon, such a view of privacy does not challenge the sexual hierarchy. Instead, it only upholds the societal power structures that are shown in the association between males and the public sphere and women and the private sphere[5].

It might be argued in response that MacKinnon fails to draw an adequate line between a natural, pre-political understanding of privacy and a legal-conventional one. The latter allows for the critique and revision of both old conceptual distinctions between the private and public as well as society in general. If one can maintain a concept of privacy that is not in the gender-specific, natural tradition but is focused on the idea of freedom, it seems unnecessary to give up a concept of privacy that may prove crucial to women in general and to the self-determination of the female sexual body in particular.

A critique of the Theory of Power

The third form of critique of freedom-oriented conceptions of privacy concerns takes the idea of power as its point of departure. These provide a more basic critique of the libertarian ideas of autonomy and freedom. They have reservations about individuals who conceptualise privacy in terms of autonomy because, inasmuch as this is consistent with other dichotomies and follows from them, and since dichotomies in general tend to be exclusive and, to some degree, oppressive in character. Furthermore, they contend that these conceptions are flawed because they place too much emphasis on a male, "rational," definition of autonomy and fail to adequately critique the power structures that are present in society. These arguments are by no means uniform; they range from those that seem to reject all conceptualizations of privacy to those that suggest alternate methods of defining privacy. Morris is one of the latter, advocating that privacy be thought of as "intractable" and a "reprieve from scrutiny and public judgement." This third strategy is especially troublesome since it seems to be opposed to the whole idea of a normative conception of private. Morris' viewpoint, however, is different in that these methods explicitly indicate why privacy is important and why it should be seen as a right, but it is unclear in Morris' theory why this is the case[6]. None of these three categories of criticism, in my opinion, can really disprove the relationship between freedom and privacy as a norm. I contend that theories of privacy are always also theories about preserving individual liberty, and as a result, I see conceptions of privacy based on a concept of individual freedom as offering the most intriguing and progressive possibilities for the word. In this setting, it is feasible to differentiate between several types of privacy, each of which realises and supports a unique feature of personal freedom and is thus distinguished by a unique potential for conflict with other rights or values.

Dimensions of Privacy

There are three such elements of privacy that should be noted. These privacy dimensions—not realms function, or from a moral standpoint, should serve, to safeguard, promote, and generally eVectuate individual liberty. As we saw above, there are freedom-oriented theories of privacy across the board, from those that address the privacy of activities to those that address

informational privacy or the privacy of the home. Therefore, it seems logical to talk about these many facets of freedom and privacy individually.

Deliberative Privacy

Decisional privacy, sometimes known as the privacy of acts, has just recently emerged as a specialised phrase in the literature. The US Supreme Court's decision in the *Roe v. Wade* case, which allowed women the first-ever legal right to sexual and bodily autonomy and the ability to end a pregnancy on the basis of their right to privacy, was a deciding factor in this case. "This right to privacy," Justice Blackmun famously said in his justification. "...is wide enough to include a woman's choice to keep or end her pregnancy". This judgement and the debates that preceded and followed it had a significant impact on how privacy was subsequently conceived, and not only in the United States. Feminist theorists have viewed sexual freedom of action, the privacy of personal and sexual actions, and the woman's right to sexual self-determination as key components of the idea of privacy largely as a consequence. The privacy of the body is accorded significant weight. This includes the newly-acquired right of the woman to see her body as private in the sense that she has the choice to choose whether or not to have children and so has the right to reproductive freedom.

The discussion in Europe took a slightly different tack, mainly because the right to end a pregnancy is not based on the woman's right to privacy in most European countries, but rather on her right to make her own decisions. This is also because in Europe, the right to informational privacy has traditionally taken centre stage. The core of decisional privacy is the concept of physical privacy, namely the privacy of activities involving a person's private life. Two additional characteristics of this kind of privacy should be mentioned here because they are critical to understanding the social coding and significance of decisional privacy. Both of these aspects are related to the relationship between sexuality, the body, and identity. These concern sexual harassment and sexual orientation concerns. Due to and to the degree that the body's privacy is at risk in this situation, decisional privacy includes both protection against sexual harassment and tolerance for different sexual orientations.

Because intimate sexual decisions are said to be at the core of general decisions that may have far-reaching effects on one's identity and way of life, or in other words, the core of one's freedom to create one's own authentic identity, privacy with regard to these decisions is seen as essential. It becomes clear that decisional privacy is required to protect autonomy not only in the most intimate sphere but also in private acts and behaviour in public contexts when it is placed within such a context and understood as serving to secure the possibility of an authentic, self-determined life, of individual projects, ways of living, and a practical identity. It becomes clear, therefore, that decisional privacy must be protected in order to experience freedom in social settings and with regard to other members of society in a manner that allows for the pursuit of actions, lifestyles, and objectives without unwelcome interference. When it comes to the private facets of a person's life they lead in public, people are expected to show restraint, inattention, reserve, and indifference as expressions of respect for this decisional privacy.

Although there are many different forms of decisional privacy that must be distinguished here based on their social setting, the fundamental justification for the preservation of such privacy remains the same. If one believes that a person has the autonomy and self-determination to write her own biography, this must imply, among other things, that the person has the right to demand that both social convention and state law accept her choices and acts. Although the boundaries of such privacy are established by custom and naturally open to ongoing discussion, women are particularly in need of this kind of respect for their "privacy" in public settings. Thus, the range of decisional privacy includes everything from the right to an abortion to the right to be free in public.

Informational Privacy

The debate over informational privacy has its roots in the interpretation of the US Constitution, namely in an paper authored by Justices Warren and Brandeis in response to what they saw as an invasion of private by nosy photographers during Warren's daughter's wedding. For the first time, the right to solitude was defined as a constitutional right to privacy in this case, meaning that details about a person are nonetheless deserving of protection even when they relate to actions that take place in public. This is also known as the right to privacy since it is based on a defence of personal freedom. There have undoubtedly been significant technical advancements since Warren's daughter's wedding that have already fundamentally changed how we think about privacy, freedom, and autonomy as well as the potential for monitoring. These options for surveillance of individuals are available in both private and public settings, including online browsing. The literature often references both Bentham's panopticon and Foucault's interpretations of it when discussing the new "surveillance state"[7].

However, the concept of informational privacy also includes another component. The problem here is not only the desire to avoid being watched or having one's phone tapped, but also the more general idea that individuals like to keep the information that others have about them in check and within reasonable bounds. This highlights the fundamental link between informational privacy and autonomy: individuals want to be in charge of how they portray themselves, and they utilise the knowledge that others have about them to manage their relationships and, in turn, the roles they play in different social contexts. Diverse relationships and self-presentations, as well as autonomy and the freedom to live one's own life, would be impossible if everyone knew everything about everyone else. A person may have significant restrictions on his freedom to make plans or take decisions in a self-determined manner, as the German Federal Constitutional Court argued as early as 1983 "A person who cannot tell with sufficient certainty what information concerning him in certain areas is known to his social environment, or who is unable to assess in some measure the knowledge of his communication partners".

Here, I only want to sketch out some of the many different social settings in which freedom-restraining laws might coexist with abuses of informational privacy. First and foremost, informational privacy is important in friendships and romantic partnerships because it protects both the relationships itself and the individuals involved. According to certain conceptions of privacy, this is perhaps the fundamental essence of privacy since "relational privacy" gives the possibilities for retreat necessary for an authentic existence. Second, it is pertinent to the

electronic data exchange and synchronisation that follow inescapably from every online transaction, as well as the many potentials for data exploitation that now exist in everyday interactions between individuals. Recent efforts to pass laws in Europe, such as European Union Directives, have made progress, but these measures still fall far short of being able to regulate the intricate problems of privacy on the Internet and in cyberspace. The possibility of misusing governmental data collects for discriminatory purposes is the third element.

Recent anti-terrorist legislation in both the United States and Europe has made the issues and risks of state control increasingly apparent. It is common knowledge that one of the guiding concepts of contemporary state politics in all of these nations has been to counteract the fear of terrorism by constantly enhancing identification; in other words, by tightening limits on informational privacy and therefore, on civil rights and freedoms. The wisdom of this strategy is widely contested, and the risks of a steady decline in individual freedom in Western democracies have been frequently emphasised. But at this point, it becomes clear that society is fundamentally ambivalent when it comes to privacy. Although recent public debate has made it clear that restrictions on informational privacy also entail restrictions on civil liberties, the level of public protest has been modest; there hasn't been a widespread movement to protect informational privacy. People seem to be eager to provide their personal information in both commercial and online buying transactions. Finally, it is evident that many people do not place as much value on the preservation of informational privacy in the media as political theory and civil rights movements do. Reality TV is one example of a phenomenon that supports this.

Local Privacy

With local privacy, we have reached the time-honored location of privacy—one's own home—which, for many people, continues to evocatively symbolise the essence of private. Within our own four walls, we are free to act whatever we like, without being watched or reined in. However, it should be made apparent right away that local privacy does not result from a "natural" division of realms but rather from the notion that being able to retreat to one's own four walls is one of the essential requirements for safeguarding individual liberties in contemporary liberal democracies. This has very little to do with "nature," but a lot to do with the idea that the ability to retreat is a fundamental aspect of one's freedom. "Being-for-oneself" and isolation, on the one hand, and the preservation of familial groups or connections, on the other, are two distinct dimensions of privacy that are significant in this situation. To avoid conflict with others, individuals first seek the quiet and seclusion that come with the security of their own private home. This leads us back to the idea of bodily privacy and the desire to conceal one's physical appearance from others in order to protect a space of intimate intimacy that may even be associated with emotions of shame. In the writings of literary role models like Virginia Woolf or George Orwell, another component of such seclusion is revealed. For both of them, the privacy of the room—the privacy to write or think—is a prerequisite for self-discovery and an honest existence[8].

The private of the home gives individuals the freedom to interact with one another differently and to take a break from their duties in a way that is not feasible while doing so in public. This is the second reason why local privacy overrides protection for family connections. However, it is

well recognised that this aspect of privacy is particularly likely to lead to dispute. The gendered division of labour, domestic violence, and the idea that the home is a pre-political space have all been important starting points for feminist criticism, which has linked this realm and the understanding of privacy that goes along with it to the oppression of women. Although this is a crucial critique, I don't think it implies a fundamental rejection of privacy in and of itself. What it does mean, however, is that it is crucial to keep in mind the purpose of privacy in discussions about local privacy, which is to safeguard freedom and autonomy and, more particularly, to safeguard equal freedoms and opportunities for men and women to lead fulfilling lives. Traditional notions of privacy as the safe sanctuary for a loving family might cause conflicts here, but they have nothing to do with calls for justice or equal rights. By this point, it should be obvious that the gender-specific division of labour has nothing to do with privacy protection that is focused on protecting individual freedom, and that this reconceptualization has implications for family justice.

CONCLUSION

Several ideas stand out to me as crucial for the investigation of the meaning and normative notion of privacy, including the feminist criticism of the conventional division between the private and public spheres and the relationship between privacy, freedom, and autonomy. Additionally, it is obvious that theoretical endeavours should not adhere to the notion of a realm or domain but rather should see privacy as a multifaceted term that necessitates an interdisciplinary approach. There are still many issues. The first is the issue of what privacy might imply in a multicultural society and how cultural differences, which are often influenced by religion and have a particular impact on bodily privacy, should be normatively handled in a definition of privacy. These issues also show that the line between the private and public realms requires ongoing interpretation, is subject to disagreement, and cannot be permanently established. The connection between the person and the larger community is the subject of a second inquiry.

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CHAPTER 24

THE BODY, JUSTICE AND NEW TECHNOLOGIES

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ABSTRACT:

Although theories of justice disagree on the amount to which redistribution should occur, they all agree that it is necessary for some people to give up their worldly possessions in order to help others who are less fortunate or in greater need. Furthermore, proponents of coercive taxation for the purpose of helping the needy, or worse, take it for granted, without argument, that all individuals have a very strong right to bodily integrity, in line with libertarians as well as many liberal supporters of reproductive rights in general and abortion in particular. Libertarians often object that coercive taxation entails the coercive taking of body parts, to which supporters of the former typically respond that we should draw "a prophylactic line that comes close to making inviolate, that is, making body parts not part of social resources at all" around the body. In conclusion, the current literature on distributive justice holds that we owe one another material, but not physical, assistance.

KEYWORDS:

Genetic, Justice, Life, Responsibility, Right Path.

INTRODUCTION

The presumption that people have no obligations to one another about their bodies as a matter of justice, however, may and must be challenged in light of ever-improving medical technology. Therefore, let's assume for the sake of argument that people have the right to the material resources they need in order to lead an independent life from the relatively well-off, provided that they are not to blame for their predicament and that the well-off would not jeopardise their own chances for such a life by offering such assistance. By the same token, as we will show in this instance, people also have a claim to some of the physical assets of those who can assist them. Organ transplants, genetic engineering, and artificial wombs are three examples of medical technology I use to support my argument. I also highlight the ways in which these technologies cause us to reevaluate the nature and extent of our duties to act justly towards one another.

The majority of these individuals won't get a transplant, and some of them will die as a consequence. Thousands of people throughout the globe are so medically dependent that they must need an organ or tissue transplant in order to be independent or even to live. Organ scarcity is a serious issue, to put it briefly. Nevertheless, the literature on justice has a tendency to concentrate on the distributive problems brought on by a lack of material resources. When it discusses the issues brought on by the lack of organs, the issue of selling them takes centre stage.

There are few studies on alternate methods of organ procurement, particularly forcible taking. Thus, there is a presumption in favour of giving people the right to decide what happens to their body both before and after death, which is occasionally contested but not often. However, one must be committed to granting the ill a right to some of the organs they need in order to be autonomous if one believes that the poor have a right to the material resources they need. Let me just explain the situation. First of all, because organs are resources, it seems reasonable to claim that the ill may have a right to someone else's organs.

They are thus not a part of what makes a person; rather, they are tools that people employ to carry out their conceptions of what is right and that are communicable from one person to another. For the following rationale, the ill do have a right to the organs of the healthy. An opponent of voluntary taxation who feels that encouraging personal autonomy is morally important makes the following claim: "Some individuals are not independent because they lack material means. That argument is based on two ideas: the fact that some resources are required to render a life autonomous, which are the proper subject matter for duties of justice; how one came to not lead an autonomous life. In cases where they lack such resources through no fault of their own, such as through being born into a certain family or social class, for example.

It is now abundantly evident that in order for humans to be autonomous, we need to have access to bodily parts. Total blindness leaves a person without a vital resource, which limits their ability to take advantage of many chances. Compared to someone with two kidneys, a person without kidneys who requires painful, two-hour dialysis three or four times a week is less healthy and has less time to take advantage of the possibilities society offers. So on additionally, the distribution of bodily parts is mostly determined by chance. In fact, humans are often not to blame for needing bodily parts. For example, they are frequently not to blame for getting cancer and needing bone marrow, requiring a blood transfusion after surgery, experiencing renal failure, being born blind, etc[1].

Therefore, it seems arbitrary to claim that the wealthy have a responsibility to assist the poor by way of transfers of material resources while denying that the "medically rich" have a responsibility to assist the "medically poor" by way of transfers of body parts, in line with proponents of coercive taxation for distributive purposes. Two common criticisms of the aforementioned claim are that people, whether living or dead, should be recognised as distinct individuals, and that their physical integrity should not be in danger. It is believed that the seizure of bodily parts is unfair precisely because it disobeys both standards. The argument that everyone has a right to bodily integrity is generally believed to be accurate, as we saw at the opening, and it seems that this makes the objection it bases all the more potent. Actually, neither defence is effective.

The possibility that I could have to give you a portion of my body does not go against Kant's injunction that we respect one another as distinct individuals with our own goals. Because the demand stipulates that we should regard one another as both means and ends, it follows that we may be used as means as long as we are also used as ends. Therefore, the criticism only holds water if the forced removal of bodily parts equates to using individuals simply as tools. The fact that I occasionally have to give blood, donate a liver lobe under local anaesthesia, or lose a

kidney or cornea after death does not prevent me from living a minimally autonomous life, and the fact that I am required to go through those procedures in order to help someone who is in dire need of the relevant organ does not mean that I am only considered a means to his ends[2].

However, it is also true that my physical safety is at jeopardy. It is argued that bodily integrity is vital enough to be safeguarded by an absolute right inasmuch as we require control over our bodies in order to be autonomous. However, objecting to the seizure of organs is problematic because we would be allowing a world in which some people are left without the body parts they require for autonomy and, in fact, undermining the very value that gives bodily integrity its appeal by giving the healthy the absolute right to control what is done to their body. Therefore, it can be necessary to compromise some people's physical integrity in order to advance the ideal of autonomy.

DISCUSSION

Thus, the content of justice is redefined as a result of organ transplantation. Additionally, genetic engineering. Additionally, genetic engineering has an impact on the definition of justice since, as we'll see, it makes us wonder whether justice is a quality of the parent-child connection. Many modern theorists of justice often differentiate between causing misery via poor luck and causing it through decision. They also frequently presume that our circumstances, such as our abilities and handicaps, which are bestowed upon us by nature, are the result of chance. They contend that the purpose of justice principles is to control the distribution of costs and gains that result from our possession or lack thereof of certain abilities and limitations, as well as from the numerous decisions we make during our lives. The assertion that nature, and not other people, is to blame for our abilities and disabilities, however, is obviously false. As parents and citizens, we greatly influence the opportunities of our offspring through care and education.

We also play a role in determining their future health before conception, during pregnancy, and after birth. It is already possible for doctors to determine whether a given individual is likely to pass on specific genetic diseases to his future children, and in the not-too-distant future, they will be able to remove the genes that carry those diseases and replace them with healthy ones. Medical advancements that give us greater control over our genetic make-up also increase our influence over the prospects of our children. In the distant future, it might be possible to identify the gene combinations that contribute to the growth of physical characteristics, personality traits, intellectual abilities, and talents. As a result, prospective parents might be able to choose particular gene combinations so that their future children have a higher chance than they do now of, say, being tall, driven, kind, proficient in mathematics, and musically gifted.

Genetic engineering, it seems, will increasingly become the result of our parents' choices, and will be left to chance to a much lesser extent than it is now. It has become commonplace in recent years to note how genetic engineering blurs the lines between chance and choice. We need a new understanding of justice, according to some scholars, since third parties may and often are to blame for some of the problems that affect us. However, it is unclear precisely what changes to current accounts are needed. First off, it won't change the fact that, from our perspective, our circumstances will still be dependent on the sheer luck of having parents who made certain

choices or didn't make them—in the future. This is because the precise contours of our genotype, and consequently of our phenotype, may one day only be determined by other people's choices. Furthermore, we already have opinions on whether or not some people have a claim for assistance because we already know that some people lack prospects for autonomy because, for example, their parents repeatedly mistreated them or neglected to give them the resources they required to grow up.

Although we already possess the means to solve the problems brought on by genetics, doing so requires a change in emphasis from the issue that theorists of justice often address to one that they frequently ignore. Not "does an individual who suffers some harm through bad brute luck have a claim for compensation?" is the most urgent issue presented by genetics, but rather, "how should he behave if he is in a position to hurt someone else?" Some philosophers contend that in order to protect their future offspring, parents have a moral obligation to undertake genetic therapy. They make the following case. Someone wouldn't do his kid any harm by refusing to undergo genetic treatment if it were true that everyone had the unalienable right to have children since in such scenario, the parent would have total control over the child. However, as we've seen, justice demands that people be provided with the material resources they need in order to live independently if they aren't to blame for their lack of those goods.

Although this does not by itself indicate who should help the poor, one may infer two justifications for asking parents to do so in relation to their kids. First, and this should go without saying, our possibilities for living independently are greatly influenced by the level and kind of care our parents offer us, and more particularly, but not primarily, by the resources—food, clothes, and medical attention—that they supply. Because we are more dependent on our parents than anybody else during the first few years of life, they are best suited to fulfil their responsibility to provide us those resources. If one believes that giving the poor the chance to live independently is a necessity of justice, then must also believe that parents have a responsibility to their children to advance those possibilities. Second, by creating us, our parents not only help us but also place on us a lot of responsibilities that we have manifestly not agreed to. They should at least provide us the tools we need to bear those obligations, therefore that's what they should be doing[3].

Therefore, one might infer the more contentious notion that, in the court of law, parents have a responsibility to make sure they do not pass on major defects to their offspring from some commonly held beliefs on parental responsibility in general. Also keep in mind that this claim does not just apply to situations when the kid would suffer from a severe handicap or impairment absent genetic therapy on the parent. In other circumstances, even though the absence of a given human capacity does not result in a handicap, it nonetheless prohibits us from selecting and putting into practise particular conceptions of the good. In light of this, parents have a responsibility to provide their children the complete spectrum of human functionings that allow us to define and pursue a vision of what is good, in addition to making sure they are free from illnesses and impairments. This issue may sound quite contentious; after all, do we really want to claim that parents should make sure their kid has a proclivity for enjoying the arts as a matter of justice? I think so.

Liberals criticise the fact that many children from low-income families simply lack access to creative chances and support a publicly sponsored educational system that would provide opportunities for all children, regardless of their socioeconomic or family status. By reading the right to education in this way, they are really asserting that taxpayers have a moral obligation to fund that effort with taxes. Importantly, that obligation is due to the kids themselves, not to the parents who may desire to enrol their kids in such schools. Now, if children's desire to live autonomous lives supports holding people morally responsible for making the necessary educational resources accessible, then it follows that parents are morally responsible for providing those resources to their children. Because it wouldn't make sense to say that people have a civic responsibility to pay taxes to support an educational system that promotes autonomy while also rejecting that they have a moral obligation as parents to send their children to such institutions[4].

If the aforementioned reasoning is true, it suggests that parents have a moral obligation to make sure their kid experiences the whole spectrum of species functionings. Because if we can criticise on liberal grounds the fact that some kids don't get exposed to the arts because their parents are poor, why can't we criticise the fact that kids whose parents didn't make the right genetic decisions don't have the personal capabilities to appreciate the arts? There is a difference between the two circumstances, without a doubt. In the first instance, it is assumed that youngsters have the innate ability to appreciate the arts, and it is said that their parents' financial inability to support them unfairly prevents them from using it. It is contended that they are wrongfully denied that same potential in the latter scenario.

This divergence, however, is immaterial in the current situation for the simple reason that the case for children being free to utilise their creative talents regardless of their parental neglect draws its power from the importance of such talents in the first place. Now, one of the most frequently used arguments against medical procedures designed to prevent the birth of disabled children is made by representatives of some disability rights movements. They claim that by supporting genetic engineering, one is presuming that the unborn would choose not to be disabled if given the option. The argument counters that by making that assumption, one is disrespecting those who are already disabled because one is judging their life to be unworthy and because one is imposing on the unborn a definition of what constitutes a disability that the disabled themselves may well disagree with[5].

There are three grounds to question the viability of the objection. First, if it opposes genetic engineering, it must also oppose medically treating children after birth for defects since doing so assumes that children would choose a life free from disabilities if given the option. Foregoing pregnancy on the basis that one's offspring will not lead fulfilling lives must also be detrimental. The disability objection's proponents, who would hold parents responsible for seeking out conventional medical care for their disabled children, have no excuse not to hold them accountable for genetic interventions that would prevent their children from acquiring that particular disability in the first place. The argument's supporters, who believe it is acceptable to delay parenthood in order to guarantee that one's offspring do not inherit the disorder in issue, have even less justification to object to genetic therapies used for this goal. Of course, this first

issue does not address the assertion most often expressed by radical deaf activists that what we consider to be a handicap is not really one.

Those activists would agree with me that prenatal genetic engineering and conventional medical care are comparable, but they would come to the contrary conclusion that standard medical care in this case, for deafness should be abandoned. It is difficult to refute such viewpoint without beginning the issue, but in my opinion, it cannot be adequately done. The notion that humans typically require normal species functionings in order to be autonomous does not entail that someone who lacks such functionings cannot be autonomous, which brings me to my second point. However, it is undeniably true that a person who is deaf especially one who develops the condition in adulthood can only be independent at a great expense. The only genuine method to determine if someone would prefer deafness over hearing is to observe the preferences of persons who have dealt with both circumstances. It is evident that against a backdrop of complete knowledge, full hearing is often seen as superior to deafness based on the number of formerly completely hearing individuals who are seeking therapy against deafness. Similarly, the fact that most radical deaf activists are born deaf is probably not a coincidence[6].

Third, using the assumption that most individuals wouldn't want to live with a disability in no way implies that the afflicted themselves are less deserving of care and respect. In light of this, my case does not suggest that deaf activists who choose deafness above full hearing and who refuse to get treatment are unable to determine what is in their best interests. In fact, because they have lived their whole lives without the ability to hear and have constructed a professional, social, and family life accordingly, forgoing therapy may be the logical course of action for them. But for many others, who would experience unfair treatment if they were denied the chance to live comfortably in a society where the great majority of people had full hearing, which may not be the case.

This opposition to genetic engineering is based on a deeper concern: the concern that, in a society where genetic therapies are available, people who are disabled despite all odds will face even greater discrimination because their existence was, after all, preventable. It would be unwise to disregard such claims given the lengthy history of prejudice against the handicapped concerns are unfounded. However, it would be foolish to cease utilising and researching genetic techniques for that reason just as it would have been foolish to stop researching cures for deafness out of concern that individuals who are still deaf might face prejudice. In summary, the correct thing to do is to investigate genetic therapies and make more efforts to erase biases held by the physically fit towards the crippled[7].

Therefore, parents have a responsibility to submit their body, more especially their gametes, to pertinent genetic procedures in order to protect their offspring from circumstances that undermine autonomy. In presenting my case to that effect, I used arguments that were comparatively well-known to address the novel and challenging topic of genetics. Furthermore, I asserted in effect that parents have moral responsibility to raise their children justly. And that is less well-known. Justice, it is generally believed, governs our behaviour towards one another as participants in political institutions rather than as partners in interpersonal interactions. However, there is no need to limit the scope of justice to the latter since we may have just as big of a

negative impact on other people in those relationships as we can via official institutions. What following examines another another physical duty of justice owed by a mother to her unborn child by drawing on this viewpoint.

People who support the coercively directed distribution of resources are steadfast in their belief that persons who depend on others for physical resources in order to be independent have a right to such resources. If true, his assertion might raise questions about whether abortion is legal. A foetus, after all, depends totally on its mother's desire to provide him the nutrients he needs to live and, eventually, grow into a healthy newborn, via her own body. Then, don't women have a moral obligation to make their wombs accessible to the foetus they are carrying for whatever long it need them? Contrary to popular belief, a mother does not have to feed her unborn child since she has a right to bodily integrity, as noted by Judith Thomson in her key paper on abortion. However, strictly speaking, Thomson's reasonable unwillingness to carry her foetus to term merely justifies terminating the pregnancy; it does not justify killing the foetus. It is clear that Thomson is not alone in thinking this way because her viewpoint is one that is generally supported in the pro-choice literature. It's true that achieving the former without performing the latter is now impossible. The development of "artificial wombs," or plastic tanks filled with amniotic fluid where embryos are fed via the analogue of the umbilical cord, has been verified by recent news reports. In the event that a woman is unable to carry a foetus to term, it is envisaged that artificial wombs would be employed, among other things, to host the foetus.

The difference between ending a pregnancy and killing a foetus is hardly discussed in the abortion literature, despite its overwhelming volume. However, it is an important difference. As I contend here, a pregnant woman may have the option to end her pregnancy when artificial wombs are accessible, but in two instances, she has a responsibility to do so by having the foetus transferred to an artificial womb rather than having an abortion. Therefore, in those two situations, a pregnant woman may be required to put her body through a medical operation in order to ensure the life and growth of her foetus into a healthy newborn. Such a case may be made based on the least contentious of all presumptions about the moral position of the foetus, namely that it gains moral status and, hence, a right to be unborn at the beginning of the twenty week of pregnancy when it becomes conscious. One might further suppose that, first, abortion is permitted until the twentieth week and, second, that beyond that time, a woman may abort if and only if a significant interest of hers, such as her bodily or mental health, would be jeopardised by the continuation of the pregnancy. In the two instances, a pregnant lady who was over the twentieth week of her pregnancy had to decide between having an abortion, continuing the pregnancy, or transferring her foetus to an artificial womb.

1. Through mutually agreed-upon intercourse, Anne becomes pregnant. She will suffer severe health problems if she brings her foetus to term.
2. Beth commits rape to get pregnant. She does not want to raise that specific kid.

According to the aforementioned presumptions, both women are permitted to have an abortion and so cause the death of their foetuses after twenty weeks, however the validity of their argument weakens as the foetus approaches the point at which it may be fully regarded as a person. However, when artificial wombs are accessible, not all of them will be permitted to do

so. For instance, Anne may defend ending her pregnancy by arguing that she has a moral obligation to not forego her health in order to save the life of her foetus, but she won't be able to do the same for choosing to cause the death of her foetus. Because of the fetus's presence in her womb, she is prevented from pursuing her important interest in maintaining her health, not the foetus itself. It's true that Anne could be prepared to have her foetus placed in an artificial womb anyway, but this does not make the argument why she should do so irrelevant.

Beth's situation is more complex. It is generally accepted that women who become pregnant as a result of rape are morally permitted to have an abortion for two different reasons: it is entirely understandable, or so it is claimed, that they do not want to take responsibility for a child created without their consent, and it is also entirely understandable, or so it is claimed, that they do not want to carry, for nine months, a reminder, in fact a part, of their abuser, in their body. This means that even if a woman who has been raped may escape having to care for the kid by carrying it to term and giving it up for adoption, she cannot be forced to do so if she does not want to[8].

Now, if Beth's objection to becoming pregnant with a kid for which she does not wish to accept responsibility is the justification for allowing her to abort, then she has a moral obligation to use an artificial womb. In other words, one might concur that Beth shouldn't be forced to raise the child or carry it to term, but still maintain that insofar as doing so would violate the child's fundamental right not to be killed, she should have the child transferred to an artificial womb and, in a sense, placed up for adoption. This is only a suggestion, and one would be inclined to argue that it seems unfair to force a woman who has been sexually assaulted to undergo a medical operation for the sake of her unborn child. So let's separate the three options. First off, having the removal process doesn't cost more physically or emotionally than getting an abortion.

If such is the case, Beth has a responsibility to transfer the foetus to a synthetic womb. Second, the expense of removal is more than the expense of an abortion, but not by an amount that would jeopardise Beth's prospects for a life with even a modicum of autonomy. In such instance, I contend that she should have a removal rather than an abortion. Because although if the fetus's neediness, as we saw above, does not provide it a right to be carried to term in her body, it does grant her a right, at least in theory, to submit her body to the removal operation, given that doing so would not jeopardise the fetus's chances for an independent existence.

However, if and this is the third possibility—removal is more expensive than abortion because it endangers Beth's prospects of living on her own, then, in light of the aforementioned justification for providing physical services to the poor, she cannot be held responsible for carrying it out. Therefore, Anne and Beth are obligated morally in effect to transfer their foetus to an artificial womb and, if they decide against raising it, to place it for adoption. Such a claim would be unaccepted by many people.

No woman, they would say, should be forced to choose between raising this kid even if she doesn't want to or placing it for adoption and having to deal with the shame that comes with abandoning it. According to such perspective, abortion is acceptable not simply because the woman may avoid continuing the pregnancy, but also so she can find a solution to her

predicament. It is difficult to justify killing a foetus, however, on the basis that its mother shouldn't have to feel guilty for having abandoned it at birth once the foetus has moral status, and this difficulty increases the closer it comes to moral standing of an infant.

Because at that moment it has gained a fundamental right not to be murdered, which can only be overcome by important factors, such as those involving the health and welfare of its mother. The mother may have decided to abort the kid earlier, before it was granted this privilege. However, in my opinion, she cannot decide after twenty weeks that she cannot handle leaving the child behind and causing its death. However, once artificial wombs are available and if the cost of removal does not jeopardise her chances for a minimally autonomous life, then she is under a moral obligation to not cause the death of her foetus and to transfer it. Of course, without artificial wombs, one may think that she has the right to abort on the grounds that she shouldn't be forced to undergo the pregnancy and birth.

CONCLUSION

The three medical advancements I looked at in this paper cause us to rethink justice in the following ways: our duties to one another go beyond simply providing them with the material resources they require; they also include being willing to put our bodies through sometimes invasive procedures should they require our bodily resources, specific genes, or nutrients and oxygen that we no longer want to provide through our bodies themselves. Theorising about justice necessitates not only a response to the question of whether compensation should be given to the unfortunate, as we saw when examining genetics and artificial wombs, but also a response to the question of how we should act towards one another, insofar as some of our choices can adversely affect others without their having any control over them. If justice consists in mitigating the effect of bad brute luck. In addition, when examining the demands that justice places on our behaviour towards one another, we should acknowledge that they apply to our behaviour towards those with whom we have more intimate connections, most notably our children, and not just to that which is mediated by political institutions. If I'm right, then a relatively uncontroversial view of the standards of justice as they relate to the distribution of material resources, when viewed through the lens of some new medical technologies, produces fairly contentious conclusions about the body and intriguing insights into justice itself.

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CHAPTER 25

THEORY OF POLITICS AND PARANOIA

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ABSTRACT:

When considering political ideas from a psychodynamic perspective, the relationship between political theory as a way of organizing the public and self-defense as a way of organizing or safeguarding the inner or private self becomes more important. Such correlations, according to Hannah Arendt and others, do not exist; to perceive one would obscure the public sphere, misrepresent motivation and purpose, and suggest a misleading relationship between unconscious processes and public behavior. However, would argue that internal psychological conflict affects political reality via the power of belief systems, which runs counter to this viewpoint. And belief is the result of a complicated interaction between the internal self's structurization, or lack thereof, its affective and developmental underpinnings, and the facts and sensations produced by the outside world. While it would be oversimplified to say that internal psychological structures totally shape exterior reality, they do have a significant amount of impact on what occurs in and to the public via their existence in ideology and belief.

KEYWORDS:

Authority, Psychological, Public, Politics, State.

INTRODUCTION

People don't only hold certain beliefs because they belong to a certain social class, have received philosophical reasoning training, or represent the interests of a particular, historically constrained culture. Additionally, internal psychological processes that have their roots in the early stages of development may encourage self-identification, when an idea takes the form of a belief or a theory. In its most basic manifestations, what we develop as psychological defense may manifest in adults as moral and ethical conviction, ideology, or religious dedication or fanaticism. Therefore, paranoid political systems and theories may be a symbolic representation of emotional worries expressed subtly or overtly via ideas that structure a culture's politics. Here, politics is seen as a symptom of deeper diseases in the culture. And what we cannot or will not accept in our fantasies about human motivation and desire, we embrace in our political life as a sort of repository for bad self-representations: murderous rage, destructive aggression, paranoid surveillance plans, the institutionalization of deceit, and the absence of superego restraint. The language of the unconscious is actually expressed in politics, which serves as a crucial psychological space inside the culture to keep split-off, undesirable, and shed aspects of the self. Political arrogance, delusions of dominance, and narcissistic wrath in the self may have a significant influence on public policy.

The psychological internal and the political exterior worlds of experience are intertwined and mutually dependent. It is difficult to have a paranoid political philosophy or political philosophy

without an audience to reflect its ideas and relevance. Consider the public environment as reflecting the self's cracks. It may be more or less "cohesive" or it may undergo catastrophic disintegration, leading to a state of bewilderment or schizoid non-identity. Or the general people may be engulfed in horrifying belief systems that hold that there are adversaries everywhere and that the planet is always in danger. An assault on the self, on its ability to separate the inner from the exterior, paranoia subverts the will and muddles the relationship between the self and the other. A paranoid person will vigorously protect themselves and use considerable energy in doing so because they are afraid of being infected by "external" forces that might harm their lives. A paranoid believes that "thoughts and feelings" are "directed from the outside, as they were in childhood." For the "success of this most perfect form of imprisonment," the paranoid "must employ the perfect jailer," a persecutor who constantly threatens the self's survival. Experience carries risk and discomfort, and the self is threatened by an internal tyranny that is just as lethal as any kind of external oppression.

For the paranoid, innocence, safety, pleasure, or happiness have no meaning; instead, the world seems as a nightmare, a fall into horror, and a fear of reality as we know it. What D. says about emotions defines them. Compliance demands are what W. Winnicott refers to, and an intense inner compulsion that is reinforced by an external demand sends the self into a condition of distraction and panic. The Freudian theory of the origins of paranoia in repressed homosexuality is not helpful in looking at the politics of paranoia and its presence in canonical moments in political philosophy because of the power of pre-verbal affect and the globalizing emotions of pre-verbal thought.¹ Freud's analysis of Dr. Schreiber, while clinically an interesting case study, bears little relevance to understanding the political and theoretical operations of paranoia in the public space. It offers a limited understanding of the causes of extreme suspicion and is useless in illuminating the political underpinnings of paranoid. Recognizing the dynamic of paranoia as essential to the growth of perception and aVect helps one comprehend the influence of paranoia on the conscious self.

This dynamic, however, is not a result of uncertainty about the sexual object; rather, it is a mental state that may or may not have pathological characteristics and that results from ancient disintegration worries with roots in long-forgotten pre-verbal worlds. The resonance of this pre-verbal cosmos in consciousness may be more responsible for the dread that the world is imploding than an objective evaluation of current experience. Outside of a clinical interview, it is obviously difficult to tell with any precision to what degree paranoid conceptual frameworks theoretically exaggerate the state of reality. It is a reasonable psychological assumption that paranoid anxiety, or the fear of disintegrating, may be a factor in accounting for the theorist's conscious organization of the world given what contemporary psychoanalytic theory suggests about the ability of the unconscious to influence consciousness^[1].

Global pre-verbal percepts may play a significant role in defining morality, behaviour, and how experience is perceived, according to psychoanalytic research.² More specifically, the psychotic realm of human experience, in which intense pre-verbal aVect literally consumes consciousness, may play a significant role in political thought and action. The research on mistrust and paranoia in early psychological development by Melanie Klein, Wilfred Bion, Michael Eigen, Thomas Ogden, James Grotstein, and Vamik Volkan offers a more intriguing and tenable theoretical explanation than the early Freudian theory. According to these psychoanalytic theories, trauma and preverbal assault are the root causes of paranoia and how it affects the self. Strong mistrust that has been exaggerated to a pathological level by delusional constructs is known as paranoid

projection, and it originates from areas of the self that are considerably less definite than Freud's sexual aetiology.

The force of self-disintegration anxiety, which is the amplification of real-world anxieties and embellishing them via delusional imagery, transforms into defensive scenarios with an emotional valence far more global than what Freud envisioned as worry about gay, erotic urges. In the clinical dis- course, the psychological dynamic that causes extreme anxiety is the link of paranoia with the projection of adversaries. Allowing the "enemy" to survive puts political and psychological reality in jeopardy. The "enemy" is terrible and menacing and has to be eliminated. Thus, paranoia plays a genuine role in political theorists' theoretical frameworks as well as in the deeds of political leaders. In this chapter, I want to concentrate on Hobbes, although it is also true that contemporary political leaders employ paranoia as a tool for political mobilisation. Ignoring the tight relationship between political aVect and political action would mean separating the internal psychological dynamics of political leaders from the acts of the state.

The intimate relationship between political decision-making and administrative authority and strong psychodynamic influences is shown by contemporary psychoanalytic thinking on paranoia. According to a paranoid aVect's interpretation of Hobbes' Leviathan, theory itself serves as a safeguard against both the self and the world descending into a timeless unconnected cosmos of chaos and dread. Or, to put it another way: the paranoid vision supports strong political will, a psychologically based commitment to protecting individuals and communities from the horror of political fragmentation. Paranoid imaginings offer a defence against mental breakdown or lunacy. I would suggest that Hobbes was worried by this: the capacity of the emotional world to undermine both the politics and the individual. He had excellent grounds for holding this opinion; it was shown by civil wars, power battles, arguments over religion and belief, and the pursuit of personal fame and ambition[2].

However, for a theorist like Hobbes, real-world action necessitates that political will sustain paranoid political structures. Real-world activity may in fact foster paranoia. Hobbes argued that in order to bring order to tumultuous political contexts, power must be encased in a worldview of mistrust and inquiry. It is a theoretical faith, but one that Leviathan derived from propositional logics of geometry and the unquestioning assumption that geometric reasoning held the key to objective "reckoning." However, paranoid theory can actually reinforce the very emotional and structural dynamics that initially brought the regime to the verge of disintegration. Hobbes' preference for an absolute and oppressive political will may be attributed to his dread of lunacy, its strength, and the fact that it exists in nature. In part anchored in truth, Leviathan is a theoretical imaginative leap that is enriched with neurotic projections in an effort to keep both the political system and one's own sense of order from collapsing. In Leviathan, Hobbes expresses the constant anxiety of becoming insane, both for oneself and for the government.

DISCUSSION

Hobbes shows no inclination for a politics characterised by participation, reciprocity, spontaneity, or joy. The exact opposite is true. The spontaneous turns into the hazardous, the "decaying sense" of imagination gives rise to all kinds of phantasmagorical images with little regard for order, the unpredictable becomes frightening, and the avoidance of rigid conformity to political law and regulations is regarded as unacceptable. In Leviathan, liberty is seen as a constraining dynamic on the eVectiveness of rule, as opposed to being interpreted as extending

the bounds of participation. Individuality, at least in the sense that John Stuart Mill uses the term in *On Liberty*, becomes a definite hazard in the political sphere when used as a justification for legitimately challenging power. For the paranoid political theorist, the motivation for political advice is always the dread of disappearing into nothingness or a psychotic unhinging of the world. Hobbes criticises the "Babel" of political discourse because it feeds political imagination and undermines a single, absolute sovereignty[3].

The movie *Leviathan* is an excellent illustration of how paranoia may be used for political purposes, how the dynamics of the paranoid process shape the theorist's conception of what is fair and right, and how paranoia as a structure of control shapes philosophical choices as well as the approach to and use of reason. Hobbes argues theoretically that imposing a political structure using surveillance, sanctions, and the possibility of punishment for transgression can dominate and tame an unruly nature. Hobbes relegates cooperation, dispute, and mutuality to the economic realm, the pursuit of what he calls the "commodious life." Theory combats polluted speech or political language that has been twisted by the irrationality of emotion. A reminder that not everyone views civic freedom or political tolerance as ultimate good, *Leviathan* is an oddly current statement about authoritarian principles affecting political perception and behaviour. Of course, there are legitimate threats to the state and to oneself, but speculative imagination has the power to turn a legitimate danger into an unbreakable rule of political government.

Overkill results from paranoid interpretations of reality, and faith in what political nature needs to make reality governable vanishes. Hobbes defends order and stability with a tenacious and unrelenting scrutiny, hypervigilance, or watchfulness. In *Leviathan*, an effective authority is one that forgoes political speech's right to free play in favour of unquestioning submission to whoever makes the "rules." Authority thrives on fear: the fear of exceeding boundaries, the fear of breaking the law, the fear of speaking out against what Hobbes refers to as the common "names" or signs of the entity, or person, who rules. The rationality of philosophical form thus serves as an instrument to remove from the polity ambivalence, questioning, uncertainty, contingency, and political passion or intensity that might threaten the order of the sovereign's domination. Hobbes uses philosophy to turn the real into the paranoid[4].

I'm not debating the status of the theoretical idea from the standpoint of the philosopher. The construct itself, as well as the creative concept that underpin the theoretical model, serve as the proof. Neither is my argument an effort to prove that Hobbes is driven by enigmatic paranoid impulses, although such dynamic was undoubtedly present with many in the past. Instead, I'd like to consider the paranoid structures that exist within *Leviathan's* governing system and in the theoretical imagination. I'd like to make the case that it might be helpful to view these structures as components of a complicated pattern of paranoid defences that spring from the theorist's understanding of human nature and the motivations behind action. For instance, Nietzsche's hate of slave morality and Plato's dread of the demos show the disdain each author has for human beings who act out of self-interest and want rather than a higher, more "pure" sense. Plato's description of the decline of the state and its relationship to human character in Book 9 of the *Republic* reveals a human nature that, with all its flaws, cannot be trusted to make the right and correct decisions.

Hobbes' cataloguing of the passions in *Leviathan*, Part I demonstrates an awareness of the power of desire to influence choice and define action. The central administrative body tasked with policing the law in Plato's rules, the night council, has as its mission to maintain polity loyalty,

adherence to the rules, and their proper execution. However, the institution at the centre of Plato's political argument convenes in the dark, has its discussions in secrecy after dark, has enforcement as its primary goal, and seeks to ensure adherence to the law. According to Plato, the political function must continue to monitor any prospective threats. The world is full with wonderful things, but it is also full of their opposites, and the wrong things are more prevalent. As a result, the executive body of the Laws must be vigilant against the threat of deterioration, decline, disintegration, and lunacy. The battle we envision is, in our opinion, unwinnable and requires wonderful watchfulness. How unlike is this to Nietzsche's pure breeder in *The Will to Power*, who protects the chosen, those who actually "see," from the tainting morals and wants of the mass? What a disrespect for the populace's political knowledge! Watchfulness is the primary purpose of organisations like Plato's nightly council, Hobbes' sovereign, and Nietzsche's frequent use of images of self-control and discipline.

The Psychology of Command: Domination

The paranoid mentality, according to Leo Kovar, is preoccupied with control, the "physiology," as it were, of interpersonal power, and the idea that "power over people may be implemented either by force or by influence." According to Harry Stack Sullivan, the fixation with control that paranoid people have is an effort to protect themselves from closeness. Tenderness is replaced by dominance, and consensual interactions are absorbed by intrapsychic conflicts. According to Harold Searles, the persecuting internal objects that give rise to the paranoid self are its cause. "The patient lives characteristically under the threat, that is, not only of persecutory figures experienced as part of the outer world but also under that of introjects which he carries about, largely unknown to himself, within him."³ These agents imposing themselves on the self are experienced as coming from "without;" the paranoid views these "foreign bodies" in the self as real, having the power to harm or injure, and develops elaborate.

The want to dominate and the dread of impending destruction and disintegration drive consciousness in a dialectic that oscillates between the fear of being attacked, the awareness of the world as constant malice, and the frantic effort to avoid threat and danger. The paranoid world-view, then, provides certainty; it defends against dissolution; it constructs a peculiar but very real identity. Furthermore, much of this psychological struggle is a fight to avoid the terror and boundlessness of falling into a condition of non-identity and chaos, what Eigen calls a "evasive, hallucinatory exoskeleton." Paranoia is a basic characteristic of the self at its worst. A patient at the Sheppard and Enoch Pratt Hospital once told me he was afraid to leave the facility because the hills around Towson were dotted with long-range cannon that would instantly go off and kill him if he did. Delusion creates hermetically contained visions of power. His plan within the hospital was to construct more powerful cannon to destroy the ones "outside"[5].

Similar to Hobbes, he believed that external challenges to the state came in the form of agents, presences, phantasms, and impure moralities. Although many of the risks are undoubtedly genuine, do they need the extraordinary steps suggested by Leviathan for their containment? Is preventing infectious diseases from entering the body politic a core political goal? And what political and cultural repercussions result from elevating paranoid defence to the status of the state's and theorists top priority? Power, according to Barrington Moore, Jr., attaches itself to the need for purification, vigilance, and the eradication of the impure, the disruptive, and the chaotic. Although Moore's historical analysis might be sporadic, the information demonstrating the strength of phobia and aversion, and its connection to the dread of being harmed by the

"unclean" and poisonous, is intriguing. His analysis of the French revolutionary terrorist Saint Just convincingly shows how the terror's roots lie in the hate of the impure, decadent, and dirty.

A political environment free from contaminating and entropic factors is the ideal that power immersed in a "vision" aspires to. But what kind of Power requires this type of behaviour? Moore believes that the effect of the just political will on the political system is terrible. Even while Hobbes rejects the premise that Leviathan's authority is motivated by justice, he still views his model as the only theoretical space that can provide an orderly and orderly political environment. It is important to not undervalue Hobbes' belief that Leviathan-inspired authority may be redemptive. The sovereign would prevent the unrestrained, conflicting, and enraged political wills from entropic the political environment. Action in the paranoid political world is governed by relentless examination protecting against the entry of what is perceived as impure or harmful. Therefore, in Hobbes' opinion, it is imperative for Power to regulate public discourse, monitor public announcements, and take precautions against contagious political phrases. It is not by chance that Hobbes compares threats to the commonwealth to "sickness" and "madness." Philosophy frames the universe in terms of good and wrong, driven by a paranoid will. Philosophy separates "enemies" in regard to factors dictating the polity, much like the psychological paranoid system. It removes the "weak," the "drones," the "slaves," and the "boils and scabs on the body politic."

Arguments that drive out the "bad" or launch scathing assaults on entities the philosopher considers unpleasant are how logic manifests itself. Hobbes mocks political ideologies with "wind in the head" or "hot bloods" who "have gotten the itch, tear themselves with their own nails, till they can endure the smart no longer." He warns his audience against the political diseases of "distemper," "venomous matter," "incurable wounds," "seditious doctrines," the "consumption of riot and vain expense." He criticises the "vain follies" of political aspirants and has little time for "misguided spiritualists" or "unlearned divines" who talk about "kingdoms of fairies. Ghosts and the shadows. Operating on men's minds with divisions and phrases that, by themselves, mean nothing. The prospect of collapse, political ambiguity, and religious and ideological strife all contribute to the deterioration of sovereignty and the potential for lunacy[6].

A participatory politics and its careful balance of interest and constraint are also destroyed by paranoia, along with the epistemological and psychological foundations of consensual reality. The operation of a tolerant civil society, which necessitates a significant amount of trust and interdependence, is particularly harmed by paranoia and distrust. If paranoid politics is fueled by the terror so characteristic of paranoia in the self, the impact on culture can be disastrous. Regardless of how it is defined, a paranoid political system may ironically create what it most fears in an effort to fight off crazy. Anxiety produced by the public sphere might heighten dread and deepen the paranoia of the political structure. The basic aim of the paranoid, according to Kovar, is to lock himself within an impenetrable system, and that system or illusion "must encompass him in such a manner that it creates a prison in which he may live over. After having locked the gate behind himself," he said. Hobbes slams the door in the face of anybody attempting to undermine the trained and paranoid vigilance of the sovereign power.

In Leviathan, Hobbes makes the case that authority is more than just a need. Is the Leviathan system not always on the lookout for the forces of impurity and the corrupting influence of desire? How strange that Leviathan, this magnificent geometrical expression of political form, would never succumb to the urge to enforce in the name of an ideal, a principle, or an ideology.

Can authority ever be so freed from words or opinions that are driven by passion? History has shown one of Hobbes's presumptions to be false. The dread of the "inside" upsetting the outside world of norms, laws, common names, and order underlies the authority bestowed upon institutions like the sovereign. However, the danger is believed to be external. However, the more anti-democratic and anti-liberal the political climate, the more paranoia may spread across society and exacerbate the unease and terror it was intended to stifle. Even in the face of clear evidence to the contrary, political leadership that believes in the paranoid projection utilises that belief or faith to terrify and therefore control its own political audience as well as to support its own picture of political will.

The Violent Ruler and Primordial Authority

The Hobbesian sovereign has an almost schizoid character that is mechanical, disembodied, and non-human. Emotion or affect are ceaselessly suppressed by the schizoid ego. Without emotion, especially empathy, exercising authority becomes simpler; there is less restraint on inflicting pain or imposing will. It is simpler to suppress or murder people who inspire little to no compassion, those who are seen as being toxic, dirty, or unwell. Hobbes' sovereign is connected to the collective psyche; it speaks directly to consciousness; it operates mechanically; and it appears to be wired up to the subjects' minds. It operates according to this distance of command, claims omnipotence, and has many of the characteristics that Victor Tausk has referred to as the "delusion" of the "influencing machine". The hallucination of being actually connected up to a source of immense strength and influence caught Tausk's attention in his examination of the schizo-phrenic mind; this perception or experience of being hooked up manifests as a voice or an agency so potent it determines the self's identity.

Hobbes' worst nightmare, according to Julia Kristeva, is the "unleashing of drive as such, without object, threatening identity, even that of the subject itself," which she regards as a maddening condition in a cosmos without limits or boundaries. The existence of psychosis is then apparent. Hobbes' political system is a vain effort to prevent this release of drive and a return to the irrationality of the natural state. Men have created an artificial man that we refer to as a commonwealth in order to achieve peace and preserve themselves in this way, but the commonwealth ensures its own survival by making it absolutely assured that the rules will be upheld. The ears of the subjects are chained to command; there is no mistaking the demands of obedience in this statement. "So also have they made artificial chains, called civil laws, which they themselves, by mutual covenants, have fastened at one end, to the lips of that man, or assembly, whom they have given the sovereign power?" Literally becoming a voice in one's brain, sovereignty. Additionally, the ties will be so tight that "breaking them" would result in danger and revenge[7].

The "uncertainty" of the self's boundaries and its fragility in the face of drive, desire, and violence are concepts that Kristeva discusses. Hobbes shares this obsession with boundaries; strong authority is required to secure the commonwealth's frontiers and prevent its descent into insane emptiness. The Sovereign offers a theoretical framework that works to strengthen, stabilise, and render the polity's borders resistant to invasion, danger, and dissolution. According to Kristeva, part of the "paternal function," with all of its inconsistencies and injustices, consists on fortifying the boundaries of the self; building an impenetrable "skin ego" to use Hobbes' terminology; or, to put it another way, preventing the onset of madness. Patients with narcissistic disorders find themselves consumed by "horror," "its terror, and the ensuing fear of being rotten,

drained, or blocked." A weak paternal function in the self, or, another way to put this, a non-existent superego, opens "the door to perversion or psychosis." The powerful father role of Hobbes' sovereign prevents the opposing forces in self-inflicted violence, political strife, and loss of bound-ary. But the price in terms of liberty is high.

Leviathan often uses mechanism and command as political tenets for upholding the limits of the commons. The power of all together is the same as the sovereign's power, or "by all together, they understand them as one person," or "He who hath the sovereign power is also generalissimo." These three themes identity with the common power, fusion of will, and submission to authority—describe what is required of the subject. Dread, uncertainty, and terror are driven from public areas by submission to the sovereign's will. In political concerns, the subject's will is the sovereign's will. The ultimate good in this paranoid political family is order, yet it's the same need for order that might have fatal emotional effects. The actual effect of oppressive power may be the exact opposite encouraging civil insurrection and the assertion of political and ideological claims via the use of violence despite Hobbes' efforts to prohibit bloodshed in the commonwealth. Living in a state of anxiety causes one to internalise paranoid ideas and "messages," which exposes one to the possibility of the "collapse of the barrier between within and outside," as described by Kristeva.

Hobbes, however, believes that the exercise of sovereign power guards against political collusion and the mental retreat towards Kristeva's description of the "natural condition" of humanity as "an inescapable, repulsive." Abominable primitive energy that is on the cusp of separation and is unconscious tempts us to lose our differences, our words, and our lives, leading to aphasia, deterioration, and death. Because of this terrifying potential, a paranoid politics that aims to stop this downward spiral or better yet, the fantasy that it will ever happen—inevitably restricts freedom, justifies oppression, forbids the free expression of opinion, and establishes clear lines between certain political relationships that are acceptable and those that are not. The negation of order, the growth of entropy, and the return to the chaos of the natural state may thus be the results of the hypervigilant political will.

Paternal Authorship, Psychological Nature, and Unruly

SELF

The youngster recognises power and order as the primary dynamics in an emotional existence as a result of the parent's fixation with bringing order to the cosmos and dominating psychological "nature." The way Hobbes describes this relationship is important to note: "I put for a general the inclination of all mankind, a perpetual and restless desire of power after power that ceaseth only in death." Or, to put it another way, "The paranoid character renounces 'Love' for the sake of 'Power'" The sole epistemic result of this circumstance is the understanding of the universe as power: via the projection of power, fear, and menace as the fundamental structures of all human experience, the self learns about its own "interiority," its own frame of being, and its own existence. Hobbes argues that nature requires a strong will to withstand destructive desire. The "seditious howling of a disturbed people" might result from unguided passions, which are often just craziness.

Hobbes' hypothetical commonwealth of reason places nature under the rule of reason, making it less enticing and less likely to infuse consciousness with desire, ambiguity, sensuality, spontaneity, and the possibility of madness. The antidote to nature's unpredictable behaviour is

provided by science, which combats it with reason's unwavering certainty and the "reckoning" of consequences: "The light of human minds is perspicuous words, but by exact definitions first snuVed, and purged from ambiguity; reason is the pace, increase of science the way; and the benefit of mankind, the end ". The demands of the sovereign are apparent, but only in the sense that the geometric proof's "truth" cannot be questioned and makes no allowances for mistake. "Law in general is not counsel, but command; nor is it a command from one man to another, but only from him, whose command is addressed to one who has previously been required to obey him," says one legal scholar. The paranoid frameworks of the law, or what Hobbes refers to as command, serve as a barrier against the erasure of both personal and governmental boundaries[8].

For instance, the degree to which the Leviathan institutionalises punishment as a deterrent to vulnerability is exceptional. Hobbes describes these defences as castles against the "poison of heathen politicians andIt is hardly overstating the argument to claim that the mechanisms of punishment include obviously oppressive components. Consider how seldom John Locke used compulsion, threats of coercion, or punishment as incentives to live peacefully in a political community in the Second Treatise.

When a youngster is forced to deal with a tyrannical parent, they experience fear, panic, and dread. It is a human world full of "force and fraud," much how Hobbes described it in his natural state. When each guy is the other's adversary. Constant anxiety, the possibility of a violent death, and the short, lonely, impoverished, ugly, brutish existence of man". Spontaneity, fun, and autonomy on the side of the kid imply deadly attacks on parental authority and the definition of reality, according to the "paranoia-genic parent." In her examination of parental dominance, For Your Own Good, Alice Miller meticulously details the damaging effects of these behaviours. Similar consequences await the disobedient subject who intrudes into political "space": acting in any self-willed manner and defying authority's orders results in fast and unyielding vengeance. In his arsenal of political "signs," the Hobbesian sovereign has no need for imagination.

Whatever the sovereignty chooses is just by virtue of the fact that the sovereignty utters the law, expresses it in words. It is not a question of right or wrong, guilt or innocence, but rather of dominance, power, and the right to determine meaning. The sovereign authority creates the laws, and whatever they do is authorised by and belongs to the people as a whole. According to Hobbes, a political climate lacking in strong authority causes the "error and misreckoning, to which all mankind is too prone." It is crucial that "the end of obedience is protection" and that "the obligation of subject to the sovereign is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them" be understood to be mutually exclusive. Even if Hobbes thinks that such a plan would benefit common wealth life and combat the "ignorance and passions of Men," the political "Babel," and confusion which eventually cause "intestine conflict," the subject has no option; it is a gigantic surrender.

CONCLUSION

The goal of theory formation is to maintain the regime of certainty rather than participate in dialectic, the paranoid political theorist avoids challenging epistemic premises. What manifests is a closed system of interpretation and explanation, which is anti-liberal in the sense of John Stuart Mill's call for tolerance of divergent viewpoints. This motivation dictates how facts will be used, how the world's belief systems will be put together, and how information will be perceived. Even

while delusion alters interpretative frameworks that are founded on social conventions, in severe circumstances, reality gets absorbed into delusion.

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CHAPTER 26

CULTURAL STUDIES AND POLITICAL THEORY

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ABSTRACT:

Today, it is evident that both culture and the economics have fundamentally changed politics to the point that it is difficult to remember a time when they had not. The political is a fundamental question in political philosophy. Political theorists ask this topic in a number of different ways. Some people approach politics from what they perceive to be outside of politics, such as what they believe to be natural or divine laws or the violent actions that create polities. Others start in the middle, in the chaotically materialised and embodied cultural, economic, and affective vastness in which they accidentally discover themselves and their world. From this expansive givenness, they attempt to understand why what is considered to be political is configured one way rather than another, whether change is possible, and how it might occur. These thinkers are often intrigued by issues of politicisation and what it means to be political. As a result, they are more prone to approach the issue of how the political is generated critically.

KEYWORDS:

Academic, Culture, Power, Science, State.

INTRODUCTION

Such involvement has benefitted recently from connections with cultural studies, a reshaping of the academic left that started in England and grew especially potent in US humanities in the 1980s and 1990s. Cultural studies as a discipline envisions theory as informing practise and as changing the world. It encompasses a variety of enquiries into visual, material, linguistic, consumer, national, popular, sub-, and techno-cultures. It makes sense to assume that political theorists would be completely absorbed with cultural politics and the politics of culture given the spectacularized politics of networked entertainment culture on the one hand and the mass appeal of fundamentalist visions of a unified community in the face of extreme economic division on the other. Political theory should focus on the critical examination of the construction of political meanings, values, and expectations, on the generation of consent, in a time and place when actors become governors and presidents. Instead, most political science department theorising in the United States removes politics from its social, cultural, and economic surroundings. Scholars in the humanities, in the departments of literature and language, have conducted research on the politics of culture, on the operations of power in a multi-plicity of discursive arenas apart from the state. The few political theorists who have been part of the shift to "theory" linked with cultural studies have been institutionally placed within the social sciences have tended to be marginalised by actual or serious political theory[1].

A theoretical argument between liberals and communitarians dominated political science publications and conferences during the majority of the 1970s and 1980s. This conversation often veered off into questions of justification, freedom, and rights. Readings of canonical characters dominated most of the area at the same period and into the new century. Political

theorists seldom clearly and purposefully produced their academic work as interventions in particular conflicts. Or maybe it makes more sense to remark that such research was only seldom published in reputable publications of political theory and science. Johns Hopkins University Press launched *Thought and Event* in 1997 in part to serve as a venue for politically engaged thought. It is published online. The academic practise of political theory has suppressed research into the cultural dynamics of power, despite the evident connections between politics and culture, as if to disclaim any signs of political bias and participation. The institutional settings, disciplinary histories, and methodological commitments of political theory and cultural studies diverge, which may be one reason for this rejection of cultural research. Political theory covers the historical and current relationships between the many political themes, rationalities, and practises. Origin narratives detailing the lengthy and illustrious history of political theory as a profession in the United States were vital in defending normative political theory against behaviorist and scientific criticism. For instance, Sheldon Wolin states in a frequently quoted intervention at a crucial juncture in this conflict that "Testimony that such a vocation has existed is to be found in the ancient notion of the *bios theoretikos* as well as in the actual accomplishments of the long line of writers extending from Plato to Marx". The importance of "epic" political theories that address global issues is acknowledged by Wolin, who is careful to avoid reducing political theory to a tradition of textual analysis. Nevertheless, he conceptualises political theory in terms of a group of thinkers who all aimed to "reassemble the political world" [2].

While cultural studies seldom claims a history much older than Antonio Gramsci, it is made up of a loose association of scattered multidisciplinary study and political endeavours that cover a broad range of topics and issues. Cultural studies are connected to popular and subcultural areas of semiotic resistance and avowedly political purposes via the genesis tales in studies of English working-class culture and the political nature of postwar Britain, which emphasise this variety. Stuart Hall claims that "cultural studies is not one thing" and "it has never been one thing". Therefore, cultural studies present itself as an intervention rather than a continuing dialogue. Despite the institutional differences between political theory and cultural studies, an interface between them developed in the latter half of the 20th century that was helpful for considering the interdependence of politics and culture. Because these techniques do not represent a conversation or discussion, I refer to them as "interfaces." Political theory and cultural studies' collaborative work does not combine the best aspects of the two disciplines to create something entirely new.

Instead, this interface is a contingent, interconnected, and dynamic construction of ideas about the modern world and the political production from two sources. Interfacial work considers the dangers of assuming in advance that a certain cultural, discursive, or institutional location is already or inherently political or that an analytical intervention is political enough as it emphasises the significance of knowing how something is political. Simply put, when political theory ignores the current imbrications of politics in culture, it runs the danger of oversimplifying its descriptions. By assuming its political endorsement in advance, cultural studies runs the danger of a similar oversimplification as well as non-intervention. Interfacial work recommends four approaches: problem-ization, contextualization, specification, and pluralization for involved inquiry into the construction of the political in consideration of these dangers [3].

Problematization is the first method used by interfacial political theory and cultural studies to conceptualise political issues. Problematization is theoretical analysis and critical interpretation

of practises and performances that challenge "the way things are done around here." We can wonder why security is more often articulated as a political objective than pleasure. Or, what political views do computers and autos hold? What is at risk when these questions are posed and responded to? Problematizing politics makes ingrained political thought patterns weird, inappropriate, and in need of justification. In contrast to the objectively known "facts" of positivist social science on the one hand and the disruption of events on the other, Thomas Dumm, for instance, investigates the ordinary as a reservoir of political imaginings. His art serves as a reminder that democracy is more than this doublet, in which too much modern thought is still mired. Attentiveness to the ordinary problematizes this arrangement, highlighting how the conflict between spectacle and technocracy depoliticizes democracy.

To problematize the political is to enquire as to the causes and consequences of a political formation's specific form. In order to conceive more clearly about how other arrangements can be possible, it is important to recognise the contingency inherent in any idea of politics. Interfacial political theory and cultural studies, on the other hand, locate political questions in the current environments. The contextualization technique challenges political theories that claim to provide an Archimedean point or "view from nowhere" that can lay out universal principles of justice or the fundamental elements of a consensus about justice common to late-capitalist democracies. Contextualization emphasises the excesses that consistently slip through the cracks and undermine the ideas that make, manifest, and live the political[4].

DISCUSSION

The necessity of being tuned in to the situations in which political ideas are communicated is shown by Anne Norton's work on representation. She applies fundamental liberal principles to activities like eating, dressing, and shopping. Such actions put into action the presumptions that freedom is choice and that when individuals choose freely, they represent themselves and exert power. Norton also highlights the ways in which these actions undermine liberalism by contextualising it in everyday activities. They exhibit coercion in a framework of freedom of choice. They demonstrate the representation's ability to triumph over the thing it is meant to represent. Concepts are more than just word assemblages that inhabit literature or soundbites spoken by politicians. They serve as sites for ongoing ambition, criticism, and appeal. In order to contextualise anything, one must first go through all of the components that are connected in a certain political constellation. Contextualization enables political and cultural theorists to analyse depoliticization, the process by which issues, identities, and events are removed from political circulation, excluded from the agenda, or assumed to have already been resolved. This is perhaps most significant today, in the context of communicative capitalism and perpetual war[5].

Specification is a third approach to frame political concerns. I don't only mean to be attuned to diversity; I also mean to be attuned to the interactions that generate diversity, the relations that allow for the observation, measurement, demand, and replication of both generalities and specificities. As a result, Michael Shapiro describes the "preconstituted meaning systems" underpinning dialogues about politics in a sophisticated description of political theory as a textual practise. Shapiro differentiates and politicises the language forms, economics of meaning, productions of space, and narrative conventions that support political theory and policy processes by explicitly presenting his work as a critical intervention. In light of Don DeLillo's book about the Kennedy assassination, *Libra*, Shapiro's assessment of Robert Bellah et al.'s *Habits of the Heart* reveals such an operation at work. Shapiro contrasts *Habits of the Heart* with *Libra* to

show the underlying univocity caused by the authors' failure to specify the various and antagonistic identifications and spatializations that characterise contemporary lives, despite the fact that *Habits of the Heart* is ostensibly a realistic presentation of data obtained through systematic, in-depth interviews with a variety of American citizens.

In contrast, *Libra* presents opposing viewpoints that struggle with context and meaning. In a paradoxical way, a work with several authors that takes inspiration from so-called "real life" dialogues with real people manages to eliminate the problems of divided themes while yet letting them shine through in the fictitious words of one author. Therefore, research at the intersection of political theory and cultural studies theorises the links between present-day images and happenings and more substantial structures, relations, processes, and assemblages of power via specification. Interfacial work also tackles how pluralization produces the political. The assumption that politics must be centred on the state, defined as party activity, and explained via studies of voting behaviour is one that is rejected when the political is pluralized. Pluralism increases the number of places and categories that "count" as political. It draws inspiration from Marx's emphasis on the economics, critical race research on ethnicity, feminist views of privacy, and queer theory's attention to sexuality. This wealth of political options is shown by William Connolly's preparation of a list intended to encourage more pluralization. A micropolitics of action, a politics of disruption, an enactment politics, a politics of representational assemblages, a politics of interstate ties, and a politics of non-statist, cross-national movements are all included. Unsurprisingly, pluralization includes both the substance and the processes of political thought. Diverse political ideologies will imply diverse research methodologies [6].

The extreme expansion of pluralization, to use the terminology of Michael Hardt and Antonio Negri, can destroy collectivity and result in a plethora of singularities, but one might also question its boundaries. Is pluralization just another term for fragmentation, or perhaps a modification of the focus on market diversity that post-Fordist economics places on? Even while there is a chance for such hazards, the result is not certain. Pluralization may serve as a reminder of the creative abundance flowing through and transcending the political when combined with the three other interfacial work-specific approaches, problematization, contextualization, and specification. In contrast, these other three types of political action will need or entail restraining, even temporarily, desires to pluralize. Cultural studies "can't be merely pluralist," according to Stuart Hall. It is. it does have a stake in the decisions it makes; it does have some desire to connect" . What makes cultural studies political is that something is at risk. Additionally, Hall properly asserts that politics cannot exist without "arbitrary closure". This arbitrariness is considerably diminished by contextualization and specification, but not altogether. Closure must be further problematized, having its own arbitrariness exposed and submitted to critical analysis.

The institutional frameworks of political theory and cultural studies are the topics I'll now discuss. Before concentrating on changes in the United States, I'll quickly touch on the history of cultural studies in Britain. In various circumstances, the same themes may have a variety of interpretations and effects. I go into these situations in the sections below. I focus on Stuart Hall's contributions to demonstrate how British cultural studies allowed for a potent examination of a specific state construction. I use the work of Michael Rogin to analyse how institutional structures in the US moved away from emphases on the state and economy, even as they offered insight into American political culture[7].

Stuart Hall And the Studies of British Culture

Inspired by Raymond Williams' *Culture and Society* and *The Long Revolution*, as well as Richard Hoggart's *The Uses of Literacy*, E. According to popular consensus, Hoggart and Stuart Hall's establishment of the Centre for Contemporary Cultural Studies in Birmingham in 1964 the year P. Thompson's *The Making of the English Working Class* was published marked the beginning of British cultural studies. Cultural studies eventually became an undergraduate degree programme in nine British polytechnics over the course of the following two decades as education in England experienced severe economic hardship. It served as a helpful umbrella for humanities departments that were being forced to reorganise due to economic pressure. In general, the studies linked with the Birmingham school concentrated on the factors that shaped postwar British society, including the development of mass media, the growth of consumerism and the commodification of more aspects of daily life, and forms of racial and national oppression. A certain amount of this study stems from a dislike of Marxism. Marx's concepts of base, superstructure, and false consciousness are too deterministic and reductive for cultural analysis, and the British New Left already disassociated itself from Marxist politics in the aftermath of the Soviet invasion of Hungary in 1956. The methodical engagement with Gramsci and the expansion of his descriptions of hegemony, civil society, the conflicts of position and manoeuvre, contradictory awareness, and the organic intellectual are two ways that this distancing from Marxism is manifest. These actions are strangely, yet on the one hand, natural. Contrarily, it turns out that class needs to be defined, maybe in terms of sex, colour, or consumption-based processes of identity building[8].

This definition provides a valuable study of the formation of hegemony while also illuminating the development of class identities, offering a correction to Marxist essentialism while also devolving into a celebration of style. Innovative cultural appropriations are seen as acts of resistance and as a component of a daily political conflict. Such analyses, which have received a lot of criticism in the field of cultural studies, have a number of flaws. For example, they assume their political purchase in advance, fail to connect to a broader politics, and fail to explain why a particular stylistic performance resists rather than reinforces a hegemonic formation or why its resistance links it to progressive struggles for social justice rather than fascist aspirations for dominance. Thatcherism intended to "break its spell" on the welfare state by fusing a focus on the free market with the traditional Tory themes of order, patriotism, unity, and patriarchy. The conclusion was the "free market and strong state" formulation that had previously been paradoxical.

Thatcherism brought to a reevaluation of British ideals since what had been seen as a public goodlike meeting basic requirements, for example became seen as a private advantage of a free market. One of Thatcherism's most remarkable features, in Hall's opinion, is the widespread support it has, particularly among the social groups that a conventional Marxist theory would predict would be opposed to it. Thatcherism gained support by portraying itself as a force on the side of the populace and doing so "through a combination of the imposition of social discipline from above an iron regime for Iron Times and of populist mobilisation from below". Hall characterises this approach as "authoritarian populism". Thatcherism emerged as a consequence of an intellectual battle that saw right-wing discourses transformed and reconfigured to make room for a new way of thinking to take hold. Why has there been a change in common sense? It is evident from Hall's detailed examination of particular institutions that nothing about it was

automatic or magical. Thatcherism emerged as a consequence of years of ideological conflict, which included gaining support or authority before seizing control.

Thus, the Institute for Economic Affairs and the Centre for Policy Studies were promoting free market ideologies and backing anti-Keynesian academics even before Margaret Thatcher was elected Prime Minister in 1979. The tabloid press also adopted the focus on law and order, nationalism, and togetherness while extolling Thatcherism and Thatcher herself. These organisations "prepared the ground, were the trenches and fortifications, the advance outposts in civil society itself, from which the counter-revolutionary to the ruling consensus was launched," as Hall puts it. ...They contributed to the 'intolerable' becoming 'thinkable'. Thatcherism was a result of conflicts over ideas, beliefs, and morals that took place in civil society, a setting unrelated to the media. The concepts for Thatcherism were given by academic institutions, think tanks, and corporate organisations. The formation of this diversity of ideological components into a unity, or discursive formation, at the level of the state, according to Hall, is what is crucial to understanding Thatcherism rather than just the variety of discourses that produce it within civil society. Thatcherism was a hegemonic construction, a depiction of the previously unfathomable as the new reality of existence.

In conclusion, British cultural studies' position on the periphery of the British economy, in a context of conflict with Marxism, and as an effort to confront a right-wing coalition that had risen to power as a result of widespread social, economic, and political disruption "authoritarian populism" gave it analytical power and political clout, and even truth. According to Smith, cultural studies programmes sought to explain the unique circumstances of Britain following the Second World War in terms of new mass cultural expressions, British social democracy's reorganisation, and the demise of left-leaning politics [9]. I now turn to the American context to reflect on the unique circumstances of American political philosophy as it confronted the 1980s cultural wars. What will become clear is how the demands of political science on the one hand, along with a sense of the dominance of cultural politics, on the other, formatted political theory's cultural turn to distance it from the state.

Culture Conflict in the USA

Intellectual common sense in the USA began to reflect an agreement that everything was political somewhere between the late 1980s and the early 1990s. The comment that politics had become cultural and culture had become political was made by voices raised from a wide range of sectors. It is difficult to imagine of an activity, much less a relationship, that has not been deemed to be "political" or include "politics" or, its shorthand "power," according to Sheldon Wolin. It is not at all obvious what would not constitute as politics today. By the end of the 1980s, following feminist theorizations of the personal, familial, and sexual as areas of power and dominance, anti-racist accounts of the pervasive acts of discrimination and disempowerment that go hand in hand with and frequently negate formal gains at the level of rights, heated discussions over public art and education, not to mention the emergence of new experiments in living connected with the rejection of the Eisenhower-era establishment, it seemed clear that formal gains at the level.

The state no longer served as the primary site of political engagement, the nation no longer served as a central locus of political identification, and the sovereign configuration of political power started to be restructured with the end of the cold war and the intensification of financial and information flows through the networks of communicative capitalism. Under such

circumstances, how may democratic concerns for equality, justice, freedom, and right show themselves? For instance, to whom should claim of rights be addressed? How could damages that go beyond a particular instance of violence or bullying be universalized to reflect it? It is not just descriptive to say that "everything is political," nevertheless. A lament, that is. Politics being present everywhere is considered a concern because "too much" politics "drives out" other significant human practises or ways of being. Every word in every book was supposed to be political, stated to be intended to further the interests of the speaker or writer, according to former National Endowment of the Humanities head Lynne Cheney. ..Small-scale politics had grown into big-scale politics, which made it impossible for people to engage in anything other than politics, such as promoting the pursuit of the truth.

Similar worries were raised by prominent political philosophers. Amy Gutmann saw multicultural education as the "deconstruction" of intellectual life into "a political battleground of class, gender, and racial interests," turning "every response into an exercise of political power". The claim that "everything is political" was made during the culture wars, and it simultaneously stoked nostalgia for a period when politics aggressively politicised entertainment. In response to shifts in cultural norms controlling gender and sexuality, groups like the Traditional Values Coalition, Concerned Women of America, and the American Family Association, for instance, mobilised throughout the 1980s and 1990s. Activists attacked schools, entertainment venues, workplaces, museums, and the Internet in the name of decency, safety, and fundamental values. They set out to restore a lost culture in the midst of a wider crisis of governance. Furthermore, many of these neoconservatives understood that reclaiming the culture would necessitate a strong state in order to enforce personal responsibility, support heterosexual marriage, forbid abortion, encourage sexual abstinence, and instill respect for law and order, according to Barbara Cruikshank's argument.

Therefore, those in the USA have been active in a number of spheres of civil society, much like the many strands of the British right. They have reaffirmed the importance of the free market, promoted privatisation, eliminated the few remaining New Deal-era benefits, and reduced the size of the welfare state via significant tax cuts. Additionally, they have revived the political themes of the 1960s, particularly the significance of racial and gender identity as well as the role of culture as a weapon and arena for conflict. Therefore, the assertion that "everything is political" is a potent tool in cultural conflict. It protects those who use it while attributing widespread cultural disruptions to academic "deconstructionists" and "multiculturalists," which result from shifts in transnational corporate capital, transitions to economies based on information, consumption, and distribution, expansions in entertainment media and content, and the violence of urban decay and rural despair[10].

The complaint that everything is political is equally depoliticizing since organising, consciousness-raising, and critical thought are pointless if everything is already political. The adage "everything is political" does not explain what makes an event or text a political concern or how disparate characters and ideas come to be tied into a certain power configuration. The totalizing shorthand of "everything" ignores how ideas and problems become politically salient as well as the procedures by which specific places and people are portrayed as needing intervention, control, or quarantine. The idea that everything is political signals a shift in the political environment of late-capitalism, namely the decentering or altered function of the state, notwithstanding the depoliticization the premise perversely eVects. Everything seems political because politics are not limited to a single place or set of activities. For instance, the new social

movements of the 1960s and 1970s made certain economic, cultural, and social practices political by focusing on families, the media, churches, schools, medicine, consumerism, identity, and sexuality.

The new social movements often overcame national, ethnic, and racial boundaries thanks to global capital and networked communications technology, leading to new forms of identity and affiliation. Being connected to these movements, expanding them into universities, and offering supporting research and analysis has been one of the strengths of cultural studies in the USA. It has been a political battle to establish departments for women's, ethnic, and African-American studies as well as to allow established academic fields to research non-traditional communities, texts, living arrangements, and cultural products.

US Political Theory and Michael R. Rogin

Many academic political theorists argue against expanding political research into cultural fields, despite the fact that some have actively contributed to the development of women's and ethnic studies programmes. Sheldon Wolin expresses concern that political theory's "inability or refusal to articulate a conception of the political in the midst of widely differing claims about it, some arising from nontraditional claimants" is a contributing factor to the dispersion of politics. Invoking the possibility of totalitarianism, David Held warns against the danger that broad politicization might lead to an intrusive state. The institution of American political science provides part of the justification for this antagonism to a more expansive understanding of politics. Battles over methodology plagued the area in the latter decades of the 20th century.

In an effort to develop techniques for empirical analysis that would allow political scientists, like orthodox economists, to measure and forecast with some degree of precision, many people focused on the scientific aspect of political science. Of course, in this context, grants and financial possibilities were also given out. Simply said, the areas of political science that attracted the most funding where the application of scientific techniques predominated were international relations and American politics, and this may have had an effect on political theory. Political theorists strove to define the discipline in accordance with political science's idea of the state, especially at prestigious schools. This view of power, which reduces it to state power, is what underlies the current détente between Habermas and Rawls supporters, according to Dumm. The phrase "procedural democracy" has lately been a point of agreement between proponents of procedures that would in some way guarantee communicative action and its opponents who embrace a liberalism of fear.

This kind of democracy has the modern state as its exclusive arena of conflict. Furthermore, it is portrayed as a condition where all differences can be satisfactorily resolved by proper processes and is thought to be one that is mainly free of conflict. Consumption and consumerism, science and technology, as well as the creation of political subjects and objects, are all dismissed by state-centered, mainstream political theory. In line with Foucault, the political subject can only be seen as the subject of law if politics is examined in terms of the state. The idea of politics in other contexts begins to seem intrusive, like a call for extensive state action, or ignorant, like a misperception of what politics is. The notion that politics permeate all aspects of culture sounds like an alarmist diatribe under the assumption that the state continues to be the focal point of politics and is reminiscent of the propagandistic strategies used by the Soviet Union, Nazi Germany, and Cold War America. In other words, assuming that politics must always be directed towards the state causes the idea that everything is political to become depoliticized. Actions that

are not state-centered, and in particular, cultural politics, are made to seem, at best, ineffective or unimportant, and, at worst, crazy. Additionally, it enables people who are prepared to mobilise on various terrains to advance without resistance.

Perhaps unexpectedly, creative thinking did occur in this situation. The work of political theorist Michael Rogin, who went against the grain of political theory in the 1980s to examine mass cultural creations of political identities, serves as an example in this respect. His work, along with those of the researchers already mentioned William Connolly, Thomas Dumm, Anne Norton, and Michael Shapiro helped to create a space for politically and culturally engaged study in political theory, although a small one. In the preface to *Ronald Reagan: The Movie*, Rogin describes his focus on cinema as an effort to "use cultural documents to connect political action to its meaning and makers, in opposition to dominant tendencies in the study and practise of American politics". Rogin investigates counter-subversion and demonization practises in the US in order to achieve this. *Ronald Reagan: The Movie* rejects liberal individualism to investigate how politicians come to represent the body politic. It is one of the first works in American political philosophy to deal seriously with pictures, seeing, surveillance, and mass political integration. It doesn't take identification or affiliation for granted, instead theorising how certain cultural creations trigger the worries and apprehensions that are mobilised in right-wing politics.

This work seems to be a straightforward cultural studies exercise since it incorporates criticisms of racism, sexism, and anti-communism along with references to psychoanalysis, cinema theory, and science fiction from the cold war, and Ronald Reagan's B-movies. Rogin did not, however, directly connect his work to cultural studies. In fact, he disassociated himself from cultural studies in *Blackface, White Noise: Jewish Immigrants and the Hollywood Melting Pot*, a later significant contribution to cultural history and political theory, by posing the question, "Does resistance to elite domination appear when we turn our attention away from traditional political arenas and reconceive politics in broad, cultural terms?". In response, Rogin places his historical study of blackface's contribution to the formation of the American national identity at the intersection of a criticism of liberalism and a denial of a celebratory view of racial disguise as subversion and resistance. He shows how, in spite of *Blackface* was not a radical practise but rather a means of integration that aided ethnic settlers' transition into normalised whiteness, which contributed to part of the 1990s frenzy about the parodic presentation of identity.

They were able to assert and enjoy the perks of white identity by acknowledging their divergence from blackness. According to Rogin, liberal rights and blackface are mutually reinforcing instances of racial crossover, with the former guaranteeing whiteness for black males while the latter perpetuates racial inequality. "There are, at last, no clear, morally comforting divisions between egalitarian politics and exploitative popular culture, or between praise for diverse cultural contributions and a false sense of universal uniformity," he writes in his conclusion. It is preferable to unravel the thread that connects popular culture and liberal politics in America than than taking a side. By the time of *Blackface, White Noise*, cultural studies in the United States had, perhaps mistakenly, come to be associated with celebratory approaches to popular culture that encountered resistance everywhere, in a variety of transgressive identity performances and creative resignifications of prevailing cultural images. Such strategies are rightfully criticised for preemptively declaring their political candidature, i.e., for avoiding the organisational and analytical effort required for political battle. Celebratory cultural studies often labels their study as "political" without examining what truly is political about it. This is in lieu of specific attention to political structures, practises, organisations, or norms. Problematization is reduced to

just adopting a stance, repeating and supporting the flattening effects of the political system, excluding the tensions and conflicts running through creative products.

State, Economy, and Integration

So what about the intersection of political theory and cultural studies in the new millennium? I first identified problematization, contextualization, specification, and pluralization as the four developing strategies at this interface. In order to continue my personal contextualization of this interface, I will finish by identifying the features of post-millennial existence that point to the need to question the focus on pluralization, paying attention to both the persistence of the state and the proliferation of micropolitics. Globally, the Thatcher and Reagan-inspired neoliberal economic policies of privatisation, markets, and the abolition of essential social services deepened and accelerated throughout the 1990s. Global commerce, money, employment, and information movement have all increased significantly as a result of lower trade barriers, deregulated financial systems, and networked communications technology. Loans were available to struggling economies, but only under the tight guidelines set out by neoliberal doctrine: state services had to be reduced, utilities had to be privatised, price subsidies had to be withdrawn, and limits on capital movement had to be lifted. "In a number of cases," The Global Report on Human Settlements 2003 notes, "the conduct of privatisation was done in a great hurry under overwhelming pressure from foreign advisers, and the result was 'outright theft.' Public assets were sometimes sold to the private sector for a fraction of their true worth."

Inequality and insecurity have dramatically increased both inside and across nations as a direct effect of globalised neo-liberalism. An ideological matrix that is polarised between fundamentalism and pluralism, or between dogmatic and inconciliable beliefs, on the one side, and what seems to be an infinite number of alternatives and possibilities, on the other, is present in such an economic situation. The emphasis on limitations, boundaries, and order by fundamentalists and the excitement for variety and diversity by pluralists both take place within the context of global capitalism. The cultural war reached a new level of Republican predominance under George W. Bush's administration. The three arms of government and the broader political conversation are now under the hands of the right thanks to its cultural accomplishments. Regressive taxation, benefits reductions for veterans, time limits on welfare benefits, privatisation of social security, and the torture of prisoners of war positions that were previously extreme became acceptable policy alternatives as a result of both political parties' unwavering support for neoliberal capitalism. The unthinkable is conceivable.

The political right benefits from pluralism much as modern capitalism depends on market segmentation to offer formerly rebellious identities as lifestyle options with their own entertainment networks, websites, and accessories. Conservatives are more involved and active the more there is to be angry about, as talk radio, right-wing websites, and Fox News have discovered. Additionally, the politics of the economics become more and more marginalised the more they battle on the cultural front, opposing homosexual marriage and partial birth abortion while claiming the supremacy of their specific beliefs. When we analyse intellectual labour in the context of the flows and anxieties of communicative capitalism, pluralization and limit recombine under the garb of mobility and fixity. Intellectuals who are granted privileges due to citizenship and institutional affiliation commonly travel and spend time in temporary settings like hotels, airports, and aeroplanes. They could see themselves as global citizens who can engage in talks about world history regardless of their discipline or country of origin.

Others in the intellectual community are compelled to relocate and work as itinerant, contract academic piece-workers. Heavy weights with few rewards and poorer security are taught. They are often expelled from the school completely, sent into exile, and deported. Those who have the time to write may not have the means or chances to participate in academic conferences and publish their work. The possibility that what they write will be acknowledged in the conversations that important to them may make those who do publish despondent. Therefore, countries and institutions like universities act as barriers separating privileged from forced movement. Despite the promises of cosmopolitanism, inclusiveness, and importance made by communicative capitalism, its mobility relies on fixity. The subject is a position inside a structure is a realisation that some structuralists and post-structuralists share. There isn't a topic outside of a framework. For instance, one may picture Sean "PuVy" Combs and Dennis Thompson running into one another in an airport's privileged traveller's lounge. Their work cannot readily cross the obstacles that allow for their movement, despite being well-known in their own professions and acknowledged as significant and strong inside certain institutions. Their works have minimal significance outside of certain, sparsely porous environments. It makes no sense to cite one over the other as an authority. The key idea is that positionality and multiplicity depend on one another. Different fixed positions are implied by different discourses and institutions, and these different stances are not interchangeable. Meaning's limiting requirements are established by the situations that make meaning possible.

Conviction in one's fundamentals develops in the conflictual space created by interactions with other people; a call to one's religious truths, like the desire to defend one's beliefs, is a reaction to uncertainties, difficulties, and differences. Similar to this, a more basic bar or limit serves as the backdrop for the connecting and comparing of diverse concepts and ideas in new and shifting settings. Today's interfacial work faces a number of challenges as a result of this reliance of plurality on positionality. It first argues that critical researchers should focus on pluralization settings and describe how capitalism's appropriation of increasingly more spheres of existence occurs via diversification, multiplicity, and fragmentation. Second, critical political theorists must emphasise and develop understandings of underlying patterns and systems in order to replace fragmented rage with engaged commitment to forging wider alliances and solidarities. Fundamentalist and neoconservative orientations thrive on numerous and repeated opportunities for renewing rage. How may rerouting enmities now framed as oppositions between Christian and atheist, conservative and liberal, and patriotic and treasonous, into an economic fight capable of employing state power for common objectives function at the intersection of political theory and cultural studies? Third, the present swings between mobility and fixity force us to consider our thinking's existing constraints: Can political theory conceptualization inspire us to act against the lethal violence of capitalism gone amok?

CONCLUSION

There is no discussion or dialogue about the intersection of political theory and cultural studies. It is more of a loose association of authors and writings that share certain methodological and political objectives. The emergence of cultural studies in Britain coincides with the left's decline with the demise of the welfare state and the advent of Thatcherism. Cultural studies-related philosophers aimed to provide in-depth analyses of the cultural outputs of subjectivity, hegemony, and resistance while being connected to but critical of Marxism. These intellectuals conducted their research outside of most institutions and established academic fields. Academics, commentators, and politicians in the United States engaged in cultural conflicts over issues

including sex, racism, class, and family values throughout the last two decades of the 20th century. Cultural studies was traditionally connected with the humanities, which seemed to be the academic left in the cultural war. Political science's obsession with formal modelling and the lasting effects of cold war anti-Marxism constrained the majority of its theoretical work.

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