



FACULTY OF JURIDICAL SCIENCES

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Lecture-23



Equality: Meaning and Kinds of Equality

By equality, we generally mean that all men are equal and all should be entitled to identity of treatment and income. "Men are born, and always continue, free and equal in respect of their rights". We hold these truths to be self-evident that all men are created equal". But in practical life this is not true. No two men are similar in physical constitution, capacity and temperament.

Professor Laski has very aptly remarked in this connection:

"Equality does not mean the identity of treatment or the sameness of reward. If a bricklayer gets the same reward as a mathematician or a scientist, the purpose of society will be defeated. Equality, therefore, means, first of all the absence of social privilege. In the second place it means that adequate opportunities are laid open to all".

Equality is a leveling process:

"The ideal of equality has insisted that men are politically equal, that all citizens are equally entitled to take part in political life, to exercise the franchise, to run for and hold office. It has insisted that individuals should be equal before the law, that when the general law confers rights or imposes duties, the rights and duties shall extend to all; or conversely that they shall not confer special privileges on particular individuals or groups".

Undoubtedly, it implies fundamentally a leveling process", says Professor Laski, "It means that no man shall be placed in society that he can overreach his neighbour to the extent which constitutes a denial of the latter's citizenship".

Equality, after all, is a derivative value", explains Braker. "It is derived from the supreme value of the development of personality-in each like and equally, but each along its own different line and of its own separate motion".

He further says, "We are thus arranged as it were, in a level time at the starting point of the race that lies ahead; and we start from that level line, so far as the state is concerned, with equal conditions guaranteed to each for making the best of himself-however much we may eventually differ in what we actually make of ourselves".

Kinds of Equality:

There are following kinds of equality:

- (1) Social Equality.
- (2) Civil Equality.
- (3) Political Equality.

(4) Economic Equality.

(5) Equality of Opportunity and Education.

(1) Social Equality:

Social equality means that all the citizens are entitled to enjoy equal status in society and no one is entitled to special privileges. There should not be any distinction of caste and creed, colour and race, groups and classes, clans and tribes All should have an equal opportunity to develop his personality.

All citizens In India enjoy social equality. Untouchability has been abolished and its practice has been forbidden. Previously, the policy of racial discrimination was adopted in the United States of America but Johnson I, Ex-President of U.S.A., established social equality by getting the Bill passed by the Congress.

The policy of racial discrimination is still followed by South Africa. Social inequality still prevails over there. On 10th December, 1948, the U.N.O. declared the charter of human rights which laid stress on social equality. But these rights have been violated by a number of countries in the past according to the report of Amnesty International.

(2) Civil Equality:

Secondly, we have the concept of Civil Liberty. Civil liberty consists in the enjoyment of similar civil liberties and civil rights by all the citizens. Civil laws should treat all the individuals equally.

There should not be any discrimination of superior and inferior, the rich and the poor, caste and creed, colour and race, clam and tribes, groups and classes. Rule of law is in force in England and in the eyes of the rule of law all are equal. Equal treatment is given to all by the rule of law. Similar is the case with India.

(3) Political Equality:

By Political Equality we mean equal access of everyone to the avenues of political authority. All citizens must possess similar political rights, they should have similar voice in the working of the government and they should have equal opportunities to actively participate in the political life and affairs of the country.

Political equality guarantees the enjoyment of similar political rights to all citizens. Universal adult franchise is a means to this end. Universal adult suffrage has been introduced in India. The same provision has been made in England, U.S.S.R., U.S.A., France and many other countries.

Previously, Switzerland had not conferred on women the right to vote but in February 1971 conferred the right of vote to women. In Asia and Africa there are many countries where Political Equality has not been established.

(4) Economic Equality:

Economic Equality is closely related to political equality. Professor Laski underlies the great significance of economic equality. "Political equality is therefore, never real unless it is accompanied with virtual economic liberty; political power otherwise is bound to be the hand-maid of economic power".

According Lord Bryce, Economic Equality "is the attempt to expunge all differences in wealth' allotting to every man and woman an equal share in worldly goods". But this concept of ideal economic equality can never be materialised in practical politics.

By economic equality we mean the provision of equal opportunities to all so they may be able to make their economic progress. This can be done only in Socialism and not in Capitalism. Hence, Capitalism should be replaced by Socialism.

(5) Equality of Opportunity and Education:

By equality of opportunity and education we mean that all the citizens should be given equal and similar opportunities by the state. All the individuals should have similar chances to receive education. They should have similar opportunities to develop their personality. Racial or any type of discrimination should not be observed. There should not be any distinction of caste and creed, colour and race, rich and poor. In India, all are provided with equal opportunities and all have equal rights to education.

MCQ

1.The term 'liberty' has been drawn from the Latin term

- A. Libel
- B. Lingua
- C. Labour
- D. Liber

2.One of the major factor that has stimulated the globalization process is

- E. Effective utilization of resources.
- F. Increase in income and wealth.
- G. Willingness to co-operate.
- H. Rapid Improvement in technology.

3.Removing barriers or restrictions said by government is called

- I. Liberalization
- J. Investment
- K. Favorable trade
- L. Free trade

4.Globalization by connecting countries leads to

- M. Lesser competition among producers.
- N. Greater competition among producers.
- O. No competition between producers.
- P. None of these.

5.'Euro centrism' as the term for an ideology was coined by whom?

- Q. Karl Marx
- R. Green
- S. Samir Amin
- T. Rousseau