



## **FACULTY OF JURIDICAL SCIENCES**

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**NAME OF FACULTY: Dr. Shiv Kumar Tripathi**

# Lecture-36



## **Elements of Liberalism:**

Liberalism has been branded by many as meta-ideology which means that it encompasses many principles, values and elements within its fold. Whereas other ideologies do not possess this capacity. The following are the main elements/principles/values of liberalism—Individualism, freedom, reason, toleration, consent, constitutionalism, equality and justice.

### **1. Individualism:**

Individualism is the central idea or theme of liberalism. It believes that the interests or welfare of the individual should be given primacy over all other values and principles. Individual is the basic concept of political theory and arrangements shall be made to safeguard his interest. Liberalism says that since a political system consists of individuals it should be the chief objective of this system to see that their interests are fully protected and the individuals are quite capable of doing their own job. The role of the state is to some extent like a night watchman.

This conclusion is based on certain presumptions such as they are reasonable and do not harm others. They are capable of pursuing their own interests and outside interference will not produce any benefit. To reach the goals (the development of individual's personality, protection of interests, allowance of freedom etc.) it is essential that the society is to be restructured suitable for people.

It has been suggested by liberal thinkers that establishment of market economy, curtailment of state authority to the minimum level, non-governmental organisations must have maximum freedom to operate etc. The liberalism believes that all these are indispensable for the development of the latent qualities of the individuals. That is why it is frequently said that the primacy of the individuals is the core of liberalism or liberal political philosophy.

### **2. Freedom:**

Another important core value, principle or element of liberalism is freedom. To the liberals it is the value of supreme importance because without it the individual will simply be a unit without any dignity. Moreover, liberty or freedom is the best vehicle for developing the best qualities. But the liberals do not advocate for absolute or unrestricted freedom because freedom/liberty will do more harm.

They are in favour of chained or restricted liberty. J. S. Mill (1806-1873) was the pioneer of individual liberty but he favoured the association of law with freedom because he believed that restriction is for the general welfare of the community. The famous British historian Isaiah Berlin (1909-1997) developed a famous concept of liberty which states that liberty/freedom has two concepts—negative and positive.

The negative liberty implies that man should be allowed to enjoy an atmosphere free from all sorts of restrictions. This was the contention of classical thinkers. But modern liberals do not think of liberty where there shall be no restrictions. It is positive liberty because real liberty is one which implies laws and restrictions.

### **3. Reason:**

Liberalism harbours upon reason. To put it in other words, liberalism and reason are inseparable from each other.

#### **This relationship can be viewed from angles more than one:**

(1) Mention has been made earlier that liberalism partially the product of Enlightenment which strongly emphasises that man is rational being and guided by reason and rationality. The advent of Enlightenment emancipated man from age- old superstition, ignorance and bondage. Enlightenment also established the age of reason.

(2) Since individuals are rational and reasonable they are quite capable of taking any decision and to judge what is good and what is bad for them. In that case there is no necessity of imposing any decision by any outside power/authority.

(3) The liberals believe that real progress of society could be achieved only through the individual initiative and outside interference will dampen the spirit of initiative.

(4) The primacy of reason ultimately led Adam Smith (1723-1790) to enunciate a doctrine of laissez-faire. A large number of philosophers and thinkers enriched the various aspects of Enlightenment through their philosophy and ideas. Enlightenment in all possible ways gave priority to reason and rationality. "Rationalism is the belief that the world has a rational structure and that this can be disclosed through the exercise of human reason and critical enquiry".

### **4. Toleration:**

Toleration is another value/element of liberalism. In any society there is found different opinions, religious sects or communities of belief and faith. All of them must live side by side peacefully and for this is required toleration. Also various ideologies and opinions make a society diverse. It is the basic feature of any society. Liberalism believes that all these diversities must exist side by side.

One community/section has no right to impose its decision or belief of another. Only in authoritarian community imposition of ideas and belief happens. On the other hand, liberalism attempts to accommodate all the beliefs, faiths, ideologies and opinions. Lord Ramakrishna very frequently said many are the opinions and many are the ways.

The noted French philosopher Voltaire (1694-1778) once said "I detest what you say but I will defend to the death your right to say it". This opinion of Voltaire clearly shows that

he forcefully advocated for the practice of toleration. Massacre of St. Bartholomew (1572) is the manifestation of the most hated type of intolerance.

Not only this massacre, numerous other events took place in various parts of European society and they were definitely black spots of society. What liberalism wants to impress upon us is that toleration ought to be practised by all sections of body politic and if it is not done the progress will be adversely affected which will be a loss for whole humanity.

## **5. Consent:**

Consent is another value/element of liberalism. The idea of consent though very old, its modern appearance took place in the hands of the contractualists, such as Thomas Hobbes and John Locke. Both of them assertively argued that the members of the state of nature assembled together to take a decision about the setting up of a body politic and behind this decision there was the consent of all. Locke dealt elaborately with consent and this was one of the pillars of his liberalism.

The freedom fighters of America raised their arms against the British rulers and said that they had no consent behind British rule in America. We hold the view that consent is a very important element of any democratic government and this has been variously explained by many in numerous forms. It is generally held that representative form of government is the most popular embodiment of consent. J.S. Mill was a great defender of government based on consent.

The liberal thinkers even go a step ahead and declare that every law and policy must be based on the consent of those for whom these are made. In this way consent has become an integral part of democracy and liberal political philosophers are of the opinion that all forms of pluralist societies (also liberal societies) must start from below. That is, consent of all or majority must constitute the basic structure of society.

## **6. Constitutionalism:**

Constitutionalism is an important principle/value/element of liberalism. It has two meanings—narrow and broad. In its narrow meaning constitutionalism means certain limitations upon the government specified by constitution. The narrow meaning further states that whenever a government intends to discharge any function or adopt a policy it must follow the restrictions.

In broader sense it implies values, principles and ideas which act as guide to the government. Whenever the government proceeds to some work it must implement these values, principles, ideas etc. The objective is to give proper credence to the aspirations of the people and to translate them into reality.

Constitutionalism is a basic principle of liberalism. It, in simple language, states that government's business never specifies that it has the unlimited freedom to do anything

without considering the advantages or disadvantages of the common people. It must follow certain basic rules and procedures laid down in the basic or ordinary laws.

Needless to say that this idea was first formulated by Locke and in the later periods it was adhered to by many. This is called constitutionalism or liberation. We can further state that constitutional principles must be observed by both the rulers and the ruled and none has the authority to act arbitrarily. The arbitrariness and constitutionalism are the issues situated at two opposite poles. Constitutionalism is another name of limited government or the theory of limited state.

## **7. Equality:**

Liberalism is based on another principle and it is equality. Though we treat it as a political principle/value it is also a religious and moral principle because the religious-minded people generally say that every person is born equal as Rousseau said man is born free. So it is unreligious to deprive him of his equal status with others.

The religious people also believe that it is never the intention of God to create inequalities among men and if an artificial distinction is created among men that will go against the will of God and in that sense it is immoral. We can further observe that as a political ideology liberalism has also built up a nexus with religion.

But liberalism is also an ideology of practical world. In any society all the individuals cannot claim same levels of merit, intelligence and capacity of hard work and in that case there must arise clear differences in remuneration. This must be admitted. Idleness and hard work cannot be equally remunerated and if done so that will make way for the appearance of gross injustice. None will be ready to demonstrate his ability.

This type of social inequality does not infringe upon the concept of equality. Equality as a principle in political science asserts that none will be allowed to enjoy special privileges ignoring the common minimum privileges to which everyone has legitimate claims.

## **8. Justice:**

Though justice is a principle of both socialism and liberalism, the latter gives it more importance and politically declares that the very basis of liberalism is justice. The liberal justice has several forms or meanings. We note few of them. It is the declared policy of liberalism that each individual will have his due share and since all men are born equal none can deprive other of the share.

All the persons have same status in society and there shall be an atmosphere so that people can enjoy the status. "Liberals, fiercely disapprove of any social privileges or advantages that are enjoyed by some but denied to others on the basis of factors such as gender, race, colour, creed, religion or social background. Rights should not be reserved for any particular class of persons. The most important forms of equality are

legal equality and political equality". Liberal conception of justice further draws our attention to the point that the door of opportunity shall be open to all.

Everyone will get the chance to have a share of opportunity. Liberalism also speaks of social equality. All these interpretations lead to the liberal conception of justice. It also says that talented and non-talented persons are not to be grouped together. In this political ideology there is a special place of talents which means that merit should be recognised and should be given its due share. It is called meritocracy.

## MCQ

1. According to the liberal theory private property is mainly:

A.Inherited from forefathers

B.Given by nature

C.The result of one's labour

D.The result of exploitation

2. Liberalism' is the anti-thesis of:

A.Aristocracy

B.Democracy

C.Capitalism

D.All the above

3. In the broader sense 'liberalism' can be equated with:

A.Democracy

B.Capitalism

C.Socialism

D.Totalitarianism

4. In the present century the evils of the theory of laissez-faire were sought to be checked through:

A.State intervention

B.Capitalist intervention

C.Socialist intervention

D.None of the above

5. Liberalism stands for:

A.Social liberty

B.Political liberty

C.Economic liberty

D.All the above