

EQUALITY

INTRODUCTION:

Equality, like liberty is another essential condition for the balanced development of human – beings. Equality is possible only in an independent and free environment. Man has continuously struggled for equality along with liberty. In all the countries of the world, even in the present times, people have to struggle a lot in order to achieve equality. Economic and social inequalities in India have weakened Indian society, but we are still unable to uproot these inequalities. On the other hand, even in a country like United States of America, there is racial discrimination policy between whites and blacks.

MEANING OF EQUALITY:

Equality like liberty is also the back bone of democracy. Man is born free and nature does not discriminate even after his birth. Man gets the rays of the sun or moon in equal measure. Nature does not prevent him the availability of air or water. This proves that man is equal even after his birth. The National Assembly of France recognized the equality of man in the Declaration of Rights of Man. It held men are born and always continue, free and equal in respect of their rights (Declaration of Rights of Man – 1789). Similarly, American Declaration of Independence recognized the absolute truth that God creates all men equal. It states, “We hold these truths to be self-evident that all men are created equal”.

Thus, two important declarations clearly state that nature has made all the people equal, hence everybody should be treated in equal terms. It means that though all men have been equal, but social systems have not only created difference among them but also created conditions of inequalities among the various classes of the society, because of this people have not made desired advancement and development.

DO ALL DIFFERENCES INVOLVE-INEQUALITY:

By equality some people mean that men should be equal in all respects because men are equal from the very birth. They argue that all human beings should be equally educated, equally wealthy, holding equal status in job and drawing equal salary this is a wrong concept.

Huxley and Acton have criticized the doctrine of equality on the basis that treating all human beings equal is unjust and impossible. God did not create all men equal, as some are bright, some dark, short, tall, weak and strong. Even if two persons draw equal salary, they will spend according to their individual interests. Therefore, all cannot be equal. Thus, it is not possible to treat all people equally. All differences do not involve inequality.

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DOES EQUALITY IMPLY SAMENESS:

Equality has both negative and positive form. Generally, equality means a condition where special privileges are abolished and equal opportunity has been provided to all for development. There should not be special privileges on the basis of birth, caste, religion, colour or appearance. Everybody is equal in the eyes of law. State should provide at least proper opportunities, so that the talent of the citizens is developed. Therefore, the abolition of special privileges and creating conditions favourable for the growth of talent are the pre-requisites of equality.

To establish the theory of equality, it is essential to give equal opportunities to everybody in the society, so that no one will remain undeveloped.

Thus, equality doesnot imply sameness. But equality means equal opportunity in every field of life without any prejudice.

MAJOR FORMS OF INEQUALITY:

The major forms of inequality are as following:

1. **Natural Inequality:** Natural equality is that everyone is equal during birth. Everyone by birth possesses equal moral thinking and power. But even during birth, children are not equal. They are different in appearance, colour and strength.

2. **Civil Inequality:** Civil inequality implies when everyone do not have equal civil and fundamental rights. All citizens are not treated equally before law. Equal punishments are not given for similar offence and law makes discrimination on the basis of birth, wealth, sex, religion or education.

3. **Social Inequality:** Social inequality means the existence of special privileges for a particular law on the basis of birth, caste, language or colour. Everyone do not have equal opportunity for growth.

4. **Political Inequality:** The right to participate in the government of the country is known as political right. But when all citizens do not have right to participate in government, it is called political inequality. If there is any discrimination on the basis of sex, language, birth or colour, it is political inequality.

5. **Economic inequality:** Economic inequality is when one section of the society exploits the other section. A group of the society goes on accumulating wealth and wealth is concentrated in few hands while another group is devoid of economic comforts and remains in extreme poverty and is not able to satisfy its basic necessities.

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HOW CAN EQUALITY BE REALISED:

Equality is studied in two forms. Negative form of equality and positive form of equality.

i) **Negative form of Equality:** When a particular class in the society, gets privileges on the basis of birth, property, colour and religion, social inequality creeps in. Consequently, the privileged class gets more opportunities in comparison with others and that becomes the better developed and powerful class and imposes its domination on others. Negative liberty means to abolish the privileges of any particular class. The aim of negative liberty is to establish a society based on equality by abolishing the man – made inequalities, so that there may be no hurdle in the way of any individual's development. Thus, negative equality means, removing the man-made inequalities in society and the privileges and facilities given to the people of a particular class will be put to an end.

ii) **Positive Form of Equality:** Positive equality means provision of equal opportunities of development to all the individuals of society. All people have equal basic necessities, in the absence of which his proper material development will not be possible. Therefore, it is extremely essential that everybody should have opportunities for the fulfillment of his basic necessities. Positive equality provides equal opportunities to all the individuals for development of his intelligence and wisdom, so that there may be all-round development of the personality.

VARIOUS DIMENSIONS OF EQUALITY:

There are three dimensions of equality, that is legal, political and socio-economic equality, which are essential for progress of an individual.

i) **Legal Dimension of Equality:** In democratic countries, legal equality means that all are equal in the eyes of laws of the country. The state will not differentiate among its citizens, which may be harmful for any individual and legal equality may become neglected. The basis of legal equality is the "Rule of Law". The following aspects are included in the rule of law;

a) **Equality before law:** Equality before law means that all the individuals are equal before law. This is the negative aspect of legal right which implies that there will be no privileged class in the society. The state will not establish any such system which may provide any special facilities to any class of citizens on the basis of birth, religion, caste, sex, colour etc and denies to other class so that it is exploited or harmed.

ii) **Equal protection of Law:** Equal protection of law means that every person has an equal right to approach a law court for the protection of his rights. Under

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the right to constitutional Remedies in the Indian constitution, every citizen of India can get equal protection of law.

iii) **Prohibition of discrimination:** Legal equality means that the state will not discriminate among citizens on the basis of religion, caste, family or birth place etc. Similarly, no one can be prevented from using the public places, shops, hotels wells, tanks, bathrooms and roads.

iv) **Equality of opportunity in matters of public employment:** all the citizens of the country should be given opportunities in getting government service. Nobody should be debarred from government service on any basis.

v) **Special provisions for weaker sections of the society can be made:** Legal equality doesnot mean that if any section is backward, some special provisions cannot be made for them. Special arrangements and amenities for women, children, aged and weaker sections are in accordance with legal equality.

POLITICAL DIMENSION OF EQUALITY:

Political dimension of equality implies:

a) **Freedom of speech and expression:** In a democracy, every citizen should have the freedom of speech and expression. In this right, both speaking and writing is included. Article 361A, States the press is empowered to publish proceedings of the legislature.

b) **Right to Vote:** It is essential for the establishment of democracy that all the citizens should have equal rights in the organization of government. Thus, every individual is given the right of voting on basis of equality, without any discrimination.

c) **Right to get elected:** For organization of democracy, right to get elected is also necessary. If only a few persons are given the right to get elected, then a privileged class will arise and spoil the spirit of democracy. Thus, every citizen of India, above the age of 25 years, has been given the right to contest elections.

d) **Right to petition:** Under political equality, every one has right to approach the judiciary for getting his grievances removed. He can move petition for this purpose. By moving a petition, the representatives come to know about the grievances of he people and people consider the government as their own. Petition is never considered as an anti-government activity.

e) **Right to hold public office:** Under political equality, the citizens have the right to get government offices without any discrimination. The qualifications fixed for any office are equal for all. A union public service commission has been organized at the centre to select candidates, without any discrimination, for higher offices.

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f) **Right to reside permanently:** it is main function of the government that it will guarantee an equal right for all the citizens to reside permanently. If a citizen commits a crime, he may be given any punishment, including the death sentence, but should not be thrown out of the country. It is fundamental right of a citizen to reside permanently in his country of birth.

viii) **Right to criticize the government:** In democratic countries the people give the reins of government in the hands of their elected representatives. If representatives are not working for welfare of people, people can criticize them, but only through constitutional means. This criticism makes the government alert and mind of government is attracted towards the grievances of people. If this criticism continues, then people in power, will not be able to win the elections next time. Thus, the criticism of the government is an instrument in the hands of people for their security and is equally available to all.

SOCIO-ECONOMIC DIMENSIONS OF EQUALITY:

Socio-economic equality means the establishment of such an equal society where the individual of all the classes have social and economic equality.

i) ***Social dimension of equality:*** There are social differences in every society. But the countries which were slaves for a long time and where the process of social reform had been slow, there the social differences and inequality spoiled the society very badly. In addition to it, where the social narrow mindedness in the form of casteism and communalism were present, there also social inequality developed. Social inequality is present even in those countries which are called developed countries.

Social equality implies a society in which the mutual relations of all the classes of society are based on equality. In the society, based on discrimination of high and low, and big and small on the basis of religion, caste, sex, birth place, colour etc., there is absence of social inequality. In the U.S.A, there is discrimination on basis of colour, in Africa the blacks are the victims of Apartheid policy of the whites and in India the scheduled castes and tribes are discriminated on basis of caste, to call them low is the indicator of social inequality in the Indian society. To maintain social equality, many articles have been inserted in the Indian constitution. Seats have been reserved for these backward classes. They are encouraged with concessions for education, and efforts for creating self respect in them. In the Declaration of Human Rights by U.N.O, in 1948, a lot emphasis has been laid on social equality.

ii) ***Economic Dimension of Equality:*** Economic equality means that all the people should have equal material possessions or the physical and mental labourers should receive equal wages. Economic equality means that the basic necessities of all the individuals should be fulfilled and there should not be too

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much inequality among the members of society. National income should be distributed in such a way that all the people of the country should be equally benefited and the means of production should not be monopoly of the few. Thus, by removing the economic inequality prevailing in the society, the aim of economic equality is to remove gap between rich and poor, to such an extent that differences seems reasonable.

For economic equality, mixed economy is suitable. In mixed economy both public and private sectors co-exist and co-operate in the development of country. In it, the individual's attitude of exploitation is curbed and arbitrary nature of state is also controlled.

ESSENTIAL ELEMENTS OF EQUALITY:

The essential elements of equality are:

i) **Absence of Prerogatives:** It means that special rights are not granted to people on the basis of caste, creed, sex, wealth or religion. But this is negative aspect of equality. In true sense of equality some people should not enjoy prerogative rights and greater numbers of others are kept devoid of these rights. In a society where some people enjoy special rights, proper developments is not possible. But again for that population of a state, which has not developed due to certain circumstances, special arrangements and opportunities should be availed to them.

ii) **Adequate Opportunities to all:** Each and every citizen should get equal opportunities of development and progress. Adequate opportunity means that every individual should get opportunity of satisfying his basic needs.

iii) **Justifiable discrimination:** Concept of equality is though opposed to granting special rights to individuals but it does not mean that the group of society which has lagged behind in the race of development, efforts should not be made for it to bring it at par with others. For the upliftment of weaker sections, special opportunities are granted to them and there is a provision for reservation of seats in government jobs as well.

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