

Quadrant II – Notes

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Notes

Types of Equality

Legal Equality: Legal equality was won after a prolonged struggle in human history. Ancient societies usually did not even entertain the idea of legal equality. For instance, Aristotle, an ancient Greek philosopher, recommended differential punishments for the same offence for citizens and slaves, on the alleged ground that the slave was less sensitive to punishment.

Legal equality means granting of equal legal status to all individuals in society irrespective of their birth, physical and mental capacities, religion, gender or other differences.

It implies equal subjection of all citizens to the law and equal protection of the laws for all citizens. Law doesn't make difference between rich and poor, white and black, men and women. In the eyes of law all are equal whether in taking reward, protection or punishment. It denies special privileges to anyone.

Legal equality by itself is no guarantee for perfect justice. For that, it should be supported by 'equal opportunities' to get justice through the court. In many capitalist nations, courts ensure everyone equal protection of their liberty but many times innocent people due to barriers such as lack of money and illiteracy fail to approach to court or engage well-versed lawyer to seek justice. But smugglers, black-marketeers, adulterators win the case by their ability to engage best lawyer to defend them. In such times it becomes duty of the state to try out some mechanisms to offer them equality of opportunity.

Political Equality: Political equality denotes the equal political rights to all citizens. It implies the right to be represented in decision-making bodies on an equal footing, i.e. on 'one man, one vote' basis. It also postulates that nobody will be barred from holding political office on grounds of birth, religion, sex, race, language etc. This in turn means that there will be no privileged class in society entitled to rule, and the state will not accord any special consideration to the will or interests of any particular individual or group in society. The doctrine of political equality is derived from the general belief that individual is a rational being, capable of political judgment irrespective of his physical and mental capacities, education and wealth, etc. It also proceeds from the assumption that when equal political rights are extended to all individuals, they will be able to give best expression to the common good and will make government shape public policy as per the requirements of the public.

Democracy is acclaimed as best form of government because in it people get maximum democratic rights, right to vote, equal freedom to hold and express political opinions without fear or favour, and equal right to form associations to influence political decisions.

Political equality is impossible without social and economic equality.

Social- Economic Equality

Social equality means treating all equally in society irrespective of their financial status, religion, caste, colour, sex, age, education etc. People are bound to be different in their choice of occupation, education, colour, religion or by their natural setup but none of these should be considered as reason to grant someone superior or inferior status in society. Social equality opposes racism, casteism and misogyny. It is the protests movements under this equality that gained women right to vote in U.S, prohibited slavery, destroyed claims of racial superiority, prohibited untouchability, gave LGBT people dignity of life, banned caste-based discrimination, gave women and girls exposure to education and job.

Economic equality doesn't mean equal distribution of wealth. What it demands is that primary needs of life of everyone should be fulfilled after that point, inequality can be allowed. Absolute economic inequality is impossible in the world and hence making such claims is insanity.

Economic equality exists when all people have Adequate employment, reasonable wages, adequate leisure etc. some thinkers held practice of private property responsible for economic inequality, hence demanded abolition of private property. In capitalist countries, government impose heavy tax on rich in order to finance social services aimed at welfare of poor.

So long as the principle of equality is not extended to the economic sphere, the legal-political equality will continue to serve the interests of the rich class without substantial benefit for the masses. The demand for economic equality was put forward to assert the rights of the

working class to enable them to shape their destiny. Economic equality was meant to promote socialism in order to rectify the faults of capitalism. Socialism advocates replacing the capitalist system itself by a socialist system with a view to securing a classless society in the process. Socio-economic equality postulates the right to equal satisfaction of basic needs, which implies state provision of education, employment as also of essential social services, such as cheap transport, fair price shops, hospitals, community centres, public parks, health resorts, etc. State regulation of industrial conditions of work, minimum wages, workman compensation, pensions, etc. are also intended to achieve socio-economic equality.