



Equality Part II

Equality and Freedom

Two Principles as Complementary Principles

- Normally, people think **freedom** means "leave me alone" and **equality** means "everyone the same."
- But **social liberals** argue → these two are not enemies, they are **complementary principles**.
Freedom without equality becomes empty (only the privileged enjoy it).
Equality without freedom becomes mechanical (no scope for choice or creativity).

Amartya Sen – Capability Approach

- Sen says, true **freedom** is not just about removing chains, but about being **equally equipped with capabilities**.
- Example: If both rich and poor are legally "free" to go to school, but the poor child cannot afford books or tuition, is that **real freedom**?
- Sen: **Capabilities** (health, education, income security) make **equality of freedom** real.

MacPherson – Creative Freedom

- MacPherson takes it further → freedom is not just "absence of interference," it's about **creative freedom**.
- He says **equality enhances opportunities for individual development**.
- Example: In a society where resources are shared fairly, individuals can explore art, science, entrepreneurship — not just struggle for survival.
Equality **expands the canvas** on which freedom can be painted.

The Essence

Think of it this way:

- **Sen** gives us the **toolkit** (capabilities).
- **MacPherson** gives us the **canvas** (creative freedom).
- **Equality and freedom** together create a **just society** where people are not just free *in theory*, but free *in practice*, free to **become their best selves**.

If freedom is the **engine**, equality is the **fuel** — one without the other cannot take us far.



Impediment to Freedom

Alex de Tocqueville – Tyranny of Majority

- Tocqueville warned that when **equality** becomes the central value, people start caring more about being *the same* than being *free*.
- Result? Individuals become **subservient to public opinion**.
- If everyone wants equality of opinion, dissent disappears → leading to a **tyranny of majority**.
Example: In a democracy, if majority opinion crushes minority voices, society loses **freedom of thought**.

J.S. Mill – Weighted Vote

- Mill valued **liberty** above all.
- He feared that **formal equality** (one person = one vote) could allow the majority to dominate minorities and the less-educated to silence reasoned voices.
- Solution? He suggested a **weighted vote** — giving more weight to educated citizens, to **protect minorities** and maintain genuine liberty.
Equality of votes might look fair, but it can **reduce freedom of intellect**.

F.A. Hayek – Mirage of Social Justice

- Hayek argued: humans are **different in skills and talents** → so **socioeconomic inequality is natural**.
- For him, any attempt to forcibly impose equality through redistribution destroys freedom.
- He called it a **mirage of social justice** — an illusion that looks attractive but is impossible without heavy state control.
Example: Excessive welfare policies may reduce incentives, innovation, and ultimately shrink everyone's liberty.

The Essence

So, from this perspective:

- **Tocqueville** feared equality of opinion → leads to **conformism**.
- **Mill** feared equality of vote → leads to **majoritarian tyranny**.
- **Hayek** feared equality of outcome → leads to **loss of liberty** and a **mirage of justice**.

In short: **Too much equality can suffocate freedom.**

It's like giving everyone the same pair of shoes — it may look fair, but it won't let people run freely, because not every foot is the same size!



Social Contract & Equality

Freedom for Society

The **social contract tradition** teaches us that people are not born into ready-made societies. Instead, they **willingly give up some freedom** to create an organized society.

Why? Because only by limiting *absolute freedom* can we ensure **security, order, and justice** for all.

It's like saying: "I'll give up my right to hit you, if you give up your right to hit me" → and together, we get **peaceful coexistence**.

Harold J. Laski – Equality ≠ Identical Treatment

Now, here comes an important clarification from **Harold J. Laski**:

- **Equality is not identical treatment.**
- Why? Because **men are different** — in **want, capacity, and need**.

Example: A student who is visually impaired does not need the same exam sheet as others; he needs a **braille paper**. Giving him the same sheet as everyone else would be "identical treatment," but it would actually be **unjust**.

So, equality in the social contract means **fairness tailored to human diversity**, not mechanical sameness.

The Essence

The **social contract** shows us that society itself is born from a compromise — freedom is exchanged for justice. But as **Laski** reminds us, **equality doesn't mean cloning people's conditions**. Instead, it means **meeting unequal needs fairly**.

Think of it like this: society is a symphony — not every instrument plays the same note, but equality ensures each gets its chance to be heard.

Different Schools of Thought on Equality & Freedom

Classical Liberals & Neoliberals – Negative Liberty

For **classical liberals** (like John Locke) and **neoliberals** (like Hayek), the greatest threat to freedom is the **state itself**.

- They emphasize **negative liberty** → freedom *from interference*.
- According to them, equality means ensuring **non-intervention of the state**, especially in personal choices.
- So, what matters most? **Freedom of speech, freedom of expression, equality before law**.
Example: A citizen can openly criticize the government without fear of punishment.



Marxists – Freedom from Necessities

Marxists flip the argument. They say: *What use is freedom of speech if you are starving?*

- For them, **true freedom** means **freedom from necessities**.
- They capture this in the famous maxim: **“To each according to his needs.”**
- So, equality here means **economic redistribution** → only then can a worker or poor farmer experience real liberty.
Example: A hungry child given food in a mid-day meal scheme experiences **freedom to learn** — because his basic need is secured.

Social Liberals – Positive Liberty

Social liberals (like T.H. Green, Amartya Sen) argue that freedom is not just absence of interference but the **presence of enabling conditions**.

- This is **positive liberty** → the ability to actually use one's freedom.
- They say: the state must take **active intervention** → education, healthcare, welfare, reservations.
Example: A Dalit child being given reservation in education and jobs → this is state ensuring **substantive equality** to guarantee freedom.

The Essence

So, three schools, three visions:

- **Classical liberals & neoliberals:** Freedom = *don't touch me, state!*
- **Marxists:** Freedom = *feed me first, then talk about liberty.*
- **Social liberals:** Freedom = *equip me, empower me, and then I can be free.*

In short → **freedom without equality is hollow, and equality without freedom is oppressive**. The balance is the art of political thought.

Contemporary Relevance of Equality & Freedom

Affirmative Action

In our times, **affirmative action** is one of the strongest tools to address **historical inequalities**.

- Reservation for **Scheduled Castes, Scheduled Tribes, OBCs** in India → is not about denying freedom to others, but about giving **real freedom of opportunity** to those historically excluded.
- It embodies the spirit that **equality must empower freedom**.



LGBTQ+ Rights

Movements for **LGBTQ+ equal rights** are another classic arena where **equality and liberty** clash and converge.

- On one side: **Freedom** of individuals to love and live as they choose.
- On the other: **Equality** before law → demanding recognition in marriage, adoption, employment. The recent debates in India over **same-sex marriage** show this tension beautifully: law as a tool of equality, society as a space of liberty.

Universal Healthcare vs Progressive Taxation

Modern policy dilemmas highlight the balancing act between equality and liberty.

- **Universal healthcare** → ensures **equality of access** to life-saving facilities, regardless of wealth.
- But to fund it, states impose **progressive taxation** → which some argue restricts the **liberty** of the rich to spend as they wish.
This is the modern echo of the age-old debate: how much state intervention is too much?

The Essence

So, when we look around today:

- **Affirmative action** → freedom through equality.
- **LGBTQ+ rights** → equality through freedom.
- **Healthcare & taxation debates** → the eternal balancing act of both.

And this shows us one timeless truth: **equality and freedom are not abstract theories; they are living, breathing struggles shaping our daily politics and justice.**

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Affirmative Actions

Concept

Think of **affirmative action** as a conscious attempt by society to correct the wrongs of history.

It is a **policy to address past discrimination** — to give **differential treatment to disadvantaged groups** who were denied equal opportunities for generations.

In simple terms: if history pushed some communities 100 meters behind in the race of life, affirmative action is not favoritism — it's society saying, *"Let's move them to the starting line so the race is fair."*

Rational Grounds

The policy stands on **rational grounds**:

1. **Inadequate opportunities in the past** → must be **compensated now**. Justice delayed cannot be justice denied forever.
2. In **times of scarce opportunities**, allocation should be based on **needs rather than just merit**. After all, what does merit mean if people never had equal resources to develop it?
3. **Positive intervention** is necessary to create a **level playing field** — otherwise, equality remains a mere illusion.

Example: Reservations in Indian education and jobs ensure that a child from a marginalized background has a chance to compete with someone from a privileged one.

Opponents

But the story doesn't end here. **Opponents**, particularly **neo-conservatives**, raise sharp criticisms:

- They argue affirmative action **goes against merit**, rewarding people not for achievement but for belonging to a group.
- They fear it will **erode social progress and stability**, by creating resentment among those excluded.
- More deeply, they claim it hurts **personal dignity and self-respect** → because individuals feel rewarded through **preferential treatment**, not through their **own hard work**.

This is why debates on affirmative action are so emotionally charged: it touches both **justice for the disadvantaged** and **dignity for the individual**.

The Essence

So, is affirmative action a **boon** or a **burden**?

- To its defenders, it is **justice in action**.
- To its critics, it is a **threat to meritocracy**.

But one thing is clear: **affirmative action is not just a policy** — it's a mirror reflecting how a society balances equality, freedom, justice, and dignity.



Affirmative Action in India

India's Acceptance

In **India**, society has been relatively **sympathetic to affirmative action**.

Unlike in the **U.S.**, where debates on **reverse discrimination** are loud and bitter, here the idea of compensating for **historical caste-based injustice** has found broad legitimacy.

Why? Because most Indians recognize that **caste** was not just history — it shaped, and still shapes, access to education, land, jobs, and dignity.

Contrast with the U.S.

Now, compare this with the **U.S. Supreme Court verdict** that **restricted affirmative action in higher education**.

In America, the worry is that preferential policies **violate individual merit** and **equal protection under law**. But in India, the conversation is different — affirmative action is seen as a tool of **social justice**, not a violation of equality.

India's Own Issues

Yet, India's story is not without challenges. Three big issues stand out:

1. Problem of Identification

- Who really counts as “backward”?
- Different states demand inclusion, and every caste wants recognition.
- Example: The demand for a **caste census** reflects this anxiety of correct identification.

2. Creamy Layer within Backward Classes

- Within OBCs, the **creamy layer** (the relatively wealthy and powerful sections) often corner the benefits.
- This dilutes the very purpose of reservations, leaving the most marginalized still behind.

3. EWS Reservations Debate

- The introduction of **10% EWS reservations** for economically weaker sections of forward castes opened new debates.
- Critics argue: Does this dilute the original principle of reservations, which was about **historical social discrimination**, not just poverty?

The Essence

So, in **India**, affirmative action is widely accepted, but the **real battle** lies in its **implementation**:

- **Identification** of beneficiaries,
- **Exclusion of creamy layer**,



- **Balancing caste and class** in policies.

In the end, affirmative action in India is not just a policy, it is the **soul of our democratic promise** — to make freedom and equality meaningful for all, not just for those born into privilege

Arguments Against Affirmative Action

1. Compromise against Merit

Critics argue that **affirmative action** dilutes **merit**.

Imagine a competitive exam where someone with lower marks is selected simply because of caste or category. Opponents say this undermines **efficiency** and **quality** in institutions and public services. For them, progress should be based on **achievement**, not **preferential treatment**.

2. Difficult to Roll Back

Once introduced, such policies become **difficult to roll back**.

Why? Because every social group starts demanding its share, and **political leaders** hesitate to withdraw benefits for fear of backlash.

In this sense, what was meant as a **temporary measure** often becomes a **permanent entitlement**.

3. Politicisation

Reservations and **affirmative action** often get trapped in **politicisation**.

Parties use it as a **vote-bank tool**, expanding quotas to win elections, rather than focusing on genuine **social justice**.

This reduces affirmative action from being a **moral corrective** to a **political instrument**.

4. Failure to Achieve Objects

Finally, critics argue that affirmative action often ends in the **failure to achieve objects**.

Why? Because benefits are cornered by the **creamy layer** within disadvantaged groups, while the **truly marginalized** remain excluded.

Thus, instead of ensuring a **level playing field**, the policy risks **deepening inequality** within groups.

The Essence

So, the critics' case is clear:

- It **compromises merit**,
- It is **hard to roll back**,
- It invites **politicisation**, and
- Often **fails to achieve its intended objects**.



But remember — while these are serious criticisms, the **moral force** of affirmative action lies in correcting **centuries of injustice**. And that is why the debate remains so alive, in India, the U.S., and across the world.

Preferential Policies

Preferential policies are meant to uplift the disadvantaged — to provide **fairness, justice, and a level playing field**. But history warns us: sometimes, these very policies can **end up favouring the dominant class**, instead of the truly marginalized.

The Case of Sri Lanka

Take the example of **Sri Lanka**.

- In the mid-20th century, the government introduced preferential policies in **education and employment** to favour the **Sinhalese majority**.
- The intention? To reduce inequality.
- But what actually happened? Instead of creating **harmony**, these measures **marginalized the Tamil minority**.

The result was **social divisions**, resentment, and eventually, decades of **ethnic conflict**.

The Lesson

So the key lesson is this:

- **Preferential policies** must be carefully designed.
- They should uplift the **truly disadvantaged**, not reinforce the power of the **dominant class**.
- Otherwise, what is meant to be a tool of **social justice** can turn into a source of **social division**.

The Essence

Remember, my friends — **justice is delicate**. If preferential policies are not **fairly targeted**, they risk becoming weapons of **exclusion** rather than instruments of **inclusion**. Sri Lanka stands as a cautionary tale for all societies, including India.

PYQ

1. Comment on: Affirmative Action 2021, 10
2. "Equality of estates caused equality of power, and equality of power is liberty." Comment. 2022, 15
3. Affirmative Action Policies draw as much strong criticism as strong support. Analyze this statement in the context of equality. 2023, 15



4. The nature of relationship between equality of democratic citizenship and liberty of citizens is influenced by economic equality. Comment. 2024, 15
5. Equality means fair treatment rather than equal treatment. Comment. 2018, 15
6. Comment on: Affirmative Action. 2016, 10
7. How is liberty a precondition for equality? Explicate the relationship between equality and liberty 2014, 15
8. Why is 'affirmative action' important in provision of equal opportunity? 2012, 15
9. Critically examine John Rawl's argument for democratic equality. 2016, 15



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