

Theories of State: Liberal, Neo-liberal, Marxist, Pluralist, Post-colonial, and Feminist

The **state** has long occupied a foundational position in political theory, serving both as a **central object of philosophical inquiry** and as a **practical instrument of governance and authority**. From the early social contract theorists to modern critical perspectives, political thinkers have debated its origin, purpose, and legitimacy. Over time, various **theoretical traditions** have emerged, each offering a **distinct lens** through which to understand the state's nature, functions, and limits.

These theories are deeply shaped by their **historical and socio-economic contexts**—from the rise of capitalism and industrialization to colonialism, globalization, and identity-based movements. They reflect broader **conflicts over power, justice, equality, and representation**, and continue to influence the way we interpret **institutions, law, policy-making, and political behavior**.

The **liberal** and **neo-liberal** theories emphasize individual rights and market efficiency, rooted in Enlightenment rationality and economic liberalism. In contrast, **Marxist** theory critiques the state as a tool of class domination within capitalist societies. **Pluralist** thinkers highlight the competitive and negotiated nature of state authority among diverse interest groups, while **post-colonial** theorists question the applicability of Western state models to societies shaped by imperialism. Finally, **feminist theory** uncovers the gendered dimensions of state power, often hidden behind claims of neutrality and objectivity.

Understanding these perspectives is not merely an academic exercise—it equips us to engage critically with contemporary political realities such as **economic inequality, identity politics, gender justice, state violence, and citizen-state relations**. This essay explores six major theories of the state—**Liberal, Neo-liberal, Marxist, Pluralist, Post-colonial, and Feminist**—to offer a comprehensive view of how scholars have understood and contested the role of the state in shaping society.

Liberal Theory of the State

Historical Context: From Divine Rule to Rational Authority

The liberal theory of the state arose in Europe during the Enlightenment (17th–18th centuries), a transformative period that challenged the twin pillars of **monarchical absolutism** and **religious orthodoxy**. Liberalism emerged as an ideological response to centuries of feudalism, tyranny, and clerical domination. Thinkers like **John Locke**, **Thomas Hobbes**, and **Jean-Jacques Rousseau** redefined political authority—not as a divine right but as a **contractual arrangement** grounded in human reason, dignity, and consent.

This was a profound shift from the medieval worldview, where rulers were seen as God’s representatives and subjects as mere dependents. Liberalism, inspired by the scientific revolution and secular humanism, placed the **individual at the centre of political theory**, thus marking the **birth of modern political thought**.

In India, similar ideas were introduced during colonial rule and became central to the anti-colonial struggle. Leaders like **Dadabhai Naoroji**, **Gopal Krishna Gokhale**, and **Jawaharlal Nehru** adopted liberal principles to frame demands for self-governance, civil liberties, and constitutionalism. The **Indian Constitution**, shaped in this milieu, stands as one of the most comprehensive liberal charters in the Global South.

Core Assumptions of the Liberal State

1. Individual Rights as Natural and Inviolable

At the core of liberal theory is a profound **belief in the inherent dignity, autonomy, and rationality of the individual**. Unlike systems of governance where rights are granted by the state or ruler, liberalism holds that certain **rights are pre-political, natural, and inalienable**. These rights exist independently of the state and must be protected by any legitimate government. **John Locke**, the seminal liberal thinker, encapsulated this in his *Two Treatises of Government* (1689), where he argued that rights to **life, liberty, and property** are natural rights—fundamental to human existence and must be safeguarded by the state, not bestowed by it.

For **Locke**, the purpose of government was not to grant these rights but to ensure their protection. The government, according to Locke, is a **trustee of the people**, established to create a system that secures these fundamental rights and freedoms. These ideas formed the philosophical backbone of **liberal constitutionalism**, influencing the development of modern liberal democracies, particularly in the United States and Western Europe.

Natural Rights and the State

The core idea here is that individuals possess **intrinsic rights**—rights that are not contingent upon legal systems or governments, but are inherent to their human nature. According to liberalism, the state has the **responsibility to protect these rights**, not the authority to grant or restrict them. This is a radical departure from pre-liberal political philosophy, where rights were often seen as privileges granted by monarchs or divine authority.

In India, this **Lockean legacy** is manifest in **Part III of the Constitution**, which guarantees **Fundamental Rights**—a direct extension of the liberal belief that the individual must be safeguarded from state overreach. These rights, including the right to **equality, freedom of speech and expression, religion, and constitutional remedies**, form the **ethical foundation of Indian democracy**. The **right to life and personal liberty** (Article 21) is especially significant, ensuring that no person shall be deprived of these rights except according to **procedure established by law**. This ensures a legal framework where individual rights cannot be arbitrarily infringed by the state.

Landmark Legal Cases: Puttaswamy Judgment (2017)

In recent years, the Indian judiciary has reinforced these **liberal ideals**, especially with landmark judgments that emphasize the individual's **autonomy and dignity** against state intervention. A key example is the **Justice K.S. Puttaswamy v. Union of India** (2017) case, where the **Supreme Court declared privacy as a fundamental right** under the Indian Constitution. This ruling directly echoed liberal principles from thinkers like **John Stuart Mill**, who in *On Liberty* (1859) argued that individuals should be free to **do as they choose** unless their actions cause harm to others. In this case, the court upheld the individual's **right to privacy** as essential to maintaining their **autonomy and dignity**, even in the face of state surveillance and intervention.

The Puttaswamy judgment was significant because it framed privacy as not merely an individual choice, but a right necessary for the **preservation of freedom**. This reinforced the liberal concept that the state must limit its power and respect the **personal sphere of its citizens**.

Liberalism and the Individual's Autonomy

The liberal theory posits that **individual freedom** is a fundamental right, and its protection is paramount in a democratic system. In this context, **John Stuart Mill's** contributions in *On Liberty* (1859) are critical. Mill argued for the importance of protecting individual liberty against both state interference and the tyranny of the majority. His famous **“harm principle”**—that individuals should be free to act as

they choose unless their actions harm others—has been instrumental in framing modern liberal thought.

Mill's idea aligns closely with the Indian **Fundamental Rights**—particularly the **right to freedom of expression** and **freedom of conscience**—which provide individuals with the freedom to express their beliefs, opinions, and personal identities without unwarranted state intrusion. Thus, liberal theory, as it evolved in the modern context, supports **individual autonomy**, defining it not just as freedom from interference but also as the **capacity to act freely and responsibly** within the legal framework.

The "Trump Card" of Rights

The theoretical strength of liberalism lies in the priority given to individual rights over collective interests or majority will. The **American philosopher Ronald Dworkin** has offered a nuanced interpretation of this in his book *Taking Rights Seriously* (1977). Dworkin argued that individual rights are like "trumps"—fundamental legal principles that cannot be overridden by ordinary legislative decisions or public majority opinion. According to him, rights serve as **moral limits** to the exercise of governmental power, ensuring that personal freedoms are not sacrificed for the sake of political expediency or public majority decisions.

Dworkin's approach to rights provides an important safeguard in liberal democracies, ensuring that the individual's dignity and autonomy are not subjected to the whims of populism or majority rule. The **Indian Constitution** enshrines this principle by giving **Fundamental Rights** precedence over ordinary laws. The judicial review process, whereby courts can strike down unconstitutional laws, further ensures that rights cannot be easily dismissed by political actors.

Comparative Example: Roe v. Wade (USA)

A noteworthy example of the "trump" principle in practice was the **Roe v. Wade** (1973) decision by the **U.S. Supreme Court**, where the right to **abortion** was upheld as part of an individual's **right to privacy**. The Court ruled that even if a majority of citizens opposed abortion, the government could not restrict this fundamental right. This decision showcased how rights could be protected from majoritarian tyranny, a fundamental concern in liberal thought.

In India, a similar commitment to individual rights has been shown in cases such as **Navtej Singh Johar v. Union of India (2018)**, where the Supreme Court decriminalized same-sex relations, reaffirming the liberal idea that the

individual's sexual orientation falls under the domain of personal freedom and dignity, irrespective of public opinion.

2. Limited Government and Rule of Law

The core of **liberal thought** in political philosophy is the idea of a **limited government**. This reaction against centuries of **absolutism** and **unchecked monarchies**—where rulers held absolute power over their subjects—led to the development of liberal ideas that sought to **restrict governmental power**. Liberals, reacting to the excesses of tyranny and despotism, insisted that the state must be restrained and should not dominate or control the lives of its citizens. Instead, it should serve them, safeguarding their rights and freedoms.

Montesquieu and the Separation of Powers

One of the foundational concepts of liberalism regarding limited government is **Montesquieu's doctrine of the separation of powers**, as outlined in his seminal work *The Spirit of the Laws* (1748). Montesquieu argued that to prevent the concentration of power and the rise of tyranny, the government should be divided into three branches—the executive, legislature, and judiciary—each with distinct functions and powers.

- The **legislature** makes laws.
- The **executive** implements and enforces laws.
- The **judiciary** interprets laws and resolves disputes.

According to Montesquieu, these branches must function independently, with checks and balances in place to prevent any single branch from becoming too powerful. This idea strongly influenced modern liberal constitutional systems, where no branch of government can act beyond its designated powers without facing checks from the other branches.

In the **Indian context, the separation of powers** is entrenched in the Constitution. The **Indian judiciary** is independent, with its **power of judicial review**, allowing it to invalidate laws that violate the Constitution. The **executive** (the Prime Minister and Council of Ministers) is accountable to the **legislature** (the Parliament) through mechanisms like **question time** and **votes of no confidence**. These institutional arrangements ensure that no one branch of government can dominate or misuse its power.

A.V. Dicey and the Rule of Law

The concept of the **rule of law**, another central tenet of liberalism, was articulated by **A.V. Dicey** in his work *Introduction to the Study of the Law of the Constitution* (1885). Dicey argued that the rule of law means that:

- **No one is above the law**, including government officials.
- Everyone, including the government, is subject to the **ordinary law of the land**.
- The **law must be certain**, and citizens must know their rights and obligations under the law.

Dicey's principle of the **rule of law** implies that the state's actions should be **regulated by law**, and it should not act arbitrarily. In a **liberal democracy**, the government is not above the law and must be accountable to it, ensuring that its power is **checked and limited**. This aligns with the liberal notion that **individual rights and freedom** cannot be sacrificed for political expediency or governmental whim.

In **India**, the **rule of law** is embedded in the **Constitution**. The **judiciary's independence** acts as a safeguard, ensuring that the **state's actions** remain within the framework of the law. The **basic structure doctrine** (discussed below) also underscores the importance of **constitutional supremacy**, ensuring that no law or governmental action can violate fundamental rights or the Constitution's core principles.

Madison and the American Model of Checks and Balances

In the **American Constitution**, the idea of **checks and balances** was championed by **James Madison** and other framers to ensure that no single branch of government could become too powerful. Madison, in *The Federalist Papers*, stressed that each branch should have sufficient **powers to counterbalance the others**, thereby preventing any form of **tyranny**. For example:

- The **President** can veto legislation passed by Congress, but Congress can override this veto with a two-thirds majority.
- The **judiciary** can declare laws passed by Congress or actions taken by the President as **unconstitutional**, thus ensuring that no branch exceeds its authority.

This **American model** emphasizes the **distribution of power** and is one of the clearest examples of **how liberals sought to prevent the abuse of government power**.

In **India**, while the concept of checks and balances is present, the **Indian Constitution** reflects a **more social-democratic vision**—balancing individual

liberties with the **need for social justice and welfare**. This is especially visible in India's **Directive Principles of State Policy** (Part IV), which guides the state in ensuring economic and social rights, in contrast to the more individualistic framework in the U.S.

India's Kesavananda Bharati Case: The Basic Structure Doctrine

In 1973, the **Kesavananda Bharati v. State of Kerala** case institutionalized the **liberal ethos of limited government** in India through the **Basic Structure Doctrine**. In this landmark judgment, the **Supreme Court of India** ruled that **Parliament** cannot amend the **basic structure of the Constitution**, including provisions that protect **fundamental rights**.

The court held that while Parliament has the power to amend the Constitution, **this power is not absolute** and cannot be used to **violate or dilute the Constitution's basic framework**, which includes respect for individual rights and democratic principles. This ruling reinforced the idea that the **Constitution** is the supreme law of the land, and even the **government and Parliament** must abide by it.

This **doctrine** is a direct reflection of the **liberal fear of concentrated power**—it ensures that **constitutional morality** and **fundamental rights** are protected from **excessive governmental interference**. The **Basic Structure Doctrine** serves as a safeguard against potential **authoritarianism** and ensures that **liberal values** are preserved even when the majority or the state may seek to change or erode them.

Engaging Insight: The Fear of Concentrated Power

The **liberal fear of concentrated governmental power** is not just theoretical but has a very practical dimension in constitutional design. For example, the **U.S. Constitution**, which consists of over 5,000 words and numerous amendments, was meticulously crafted to limit government overreach. The **American Bill of Rights**—which protects fundamental freedoms such as **freedom of speech, religion, and assembly**—was designed to prevent the government from infringing on individual rights.

In contrast, **India's Constitution** absorbed liberal principles of limited government but adapted them to a **social-democratic context**. While the **U.S. system** focuses on individual **liberties**, the **Indian Constitution** places **equal emphasis on justice, welfare, and social equality**. For instance, **India's Directive Principles of State Policy** (Part IV) guide the government in fulfilling the **economic and social rights** of citizens, such as providing adequate living conditions and education. This creates a more **comprehensive framework**, where **liberty** and **justice** are seen as complementary.

3. Consent and the Social Contract

The idea that the **legitimacy of the state** is derived from the **consent of the governed** lies at the heart of liberal political philosophy. This concept is foundational in **social contract theories**, which argue that individuals come together to form a state to protect their natural rights and promote social order. Liberalism, by emphasizing consent, rejects the notion that authority derives from **divine right** or **hereditary monarchy**, and instead asserts that it must emerge from the collective will of the people.

Locke's Social Contract: Consent to Protect Rights

John Locke, a central figure in the development of liberal theory, articulated his **social contract theory** in *Two Treatises of Government* (1689). Locke's central argument was that individuals in the **state of nature** have certain **natural rights**, namely **life, liberty, and property**. These rights, however, can be insecure in the absence of a governing authority.

For Locke, the **social contract** is a means by which individuals come together to form a state—not to surrender their rights, but to protect them more effectively. In Locke's view, the **state** is a **voluntary association** created by individuals who consent to be governed. This consent is **continuous** and conditional: if the government fails to protect the people's rights, they have the right to withdraw their consent and form a new government. This idea of **government by consent** is foundational to liberal political theory and has profound implications for democracy and political legitimacy.

Locke's conception of consent and the social contract is directly reflected in the **Indian Constitution**, which is premised on the sovereignty of the people. The **Preamble** to the Indian Constitution begins with the phrase "We, the people of India," symbolizing that the authority of the state derives from the consent of its citizens. The idea of **popular sovereignty** means that the **people** are the ultimate source of political authority, and the state's legitimacy rests on its ability to reflect their will.

Hobbes and the Leviathan: A Powerful Sovereign

While Locke's social contract theory emphasizes **limited government**, **Thomas Hobbes** presented a different view in his work *Leviathan* (1651). Hobbes argues that in the **state of nature**, individuals live in constant fear and insecurity due to the absence of a higher authority. In contrast to Locke, Hobbes does not believe that the social contract merely exists to protect pre-existing rights. Instead, Hobbes suggests

that individuals give up a significant portion of their freedom in exchange for **security**.

For Hobbes, the **sovereign**, once established, must have **absolute power** to maintain order and ensure peace. The **legitimacy of the state**, according to Hobbes, comes from the **consent of the governed to give up their autonomy for the protection and security of the state**. Though Hobbes advocated for a strong, centralized authority, his theory still grounded legitimacy in the social contract rather than divine right or hereditary monarchy.

While Hobbes' vision of a **powerful sovereign** contrasts with Locke's more **limited government**, both thinkers contributed to the liberal tradition by grounding political authority in **mutual consent** rather than divine or traditional claims.

Manifestation of Consent: Democratic Elections and Popular Participation

In practice, the idea of **consent** manifests most clearly in **democratic elections**, where citizens express their will through **voting**. The liberal democratic state relies on **popular participation**, wherein individuals actively consent to be governed by choosing their leaders and influencing public policy. This **voluntary consent** forms the bedrock of liberal legitimacy, ensuring that the government remains accountable to the people.

In **India**, this concept of consent is vividly demonstrated in the **vibrant electoral culture**. India's **democratic elections**, conducted at regular intervals, allow citizens to **participate directly in the political process**. The **Universal Adult Franchise** enshrined in the Indian Constitution guarantees that every adult citizen has the right to vote, ensuring that the state derives its legitimacy from the consent of all its citizens, regardless of caste, creed, or gender.

The **post-Emergency elections of 1977** provide a powerful example of the **active force of popular consent** in Indian democracy. After the **imposition of Emergency rule** by Prime Minister **Indira Gandhi** (1975-1977), which curtailed civil liberties and suspended democratic processes, the Indian electorate decisively rejected her government in the **1977 elections**. This event showcased that in a liberal democracy, **popular consent is not merely a theoretical idea but a dynamic, active force** capable of **challenging entrenched power** and demanding accountability from elected leaders.

The **1977 elections** symbolized the ultimate power of the electorate to restore democratic norms and reaffirm the **legitimacy of government** based on consent. It demonstrated that the **Indian state** is grounded in the **will of the people**, with

regular elections acting as the mechanism through which citizens reaffirm their consent to be governed.

Robert Dahl and "Polyarchy"

In his influential work *Polyarchy: Participation and Opposition* (1971), **Robert Dahl** expanded upon the concept of democratic legitimacy by focusing on the **procedural aspects of democracy**. Dahl introduced the term **polyarchy**, referring to a system of government in which power is **distributed** among various groups and political competition exists within an open political system. For Dahl, **polyarchy is the ideal form of democracy that ensures popular consent through key features such as:**

1. **Free and fair elections**,
2. **Civil liberties** such as freedom of speech and assembly,
3. **Pluralism**, where diverse groups and interests can participate in the political process.

Dahl's concept of **polyarchy** refines the idea of liberal legitimacy by emphasizing the **procedures** through which consent is expressed, not just the **formal mechanisms** of consent. His view acknowledges that democracy is not just about **majority rule** but also about ensuring **individual rights, political equality, and openness** in the political system.

In the **Indian context**, these elements of **polyarchy** are reflected in the **free and fair elections** held at various levels of government, the **protection of civil liberties**, and the **pluralistic** nature of Indian society, where diverse groups—ranging from linguistic, religious, and ethnic minorities to caste-based groups—have access to political participation.

Consent as "Trumps" Over Majority Will

The liberal theory of consent does not only demand the participation of the people in the form of voting but also argues that **individual rights** act as "**trumps**" over **majority will**. Scholars like **Ronald Dworkin** have developed this concept further, emphasizing that **individual rights, such as freedom of expression or right to privacy, cannot be overridden** by majority decisions or political expediency.

Dworkin's view implies that while democracy relies on the **consent of the governed**, the government must also respect fundamental rights, even if they conflict with **majority preferences**. This becomes particularly important in **liberal democracies** where **minorities** must be protected against the **tyranny of the majority**. In India, this principle is upheld through **constitutional safeguards** like the **Fundamental Rights** (Part III of the Constitution), which protect citizens

against unjust laws or government action, even if such laws have the support of a majority in Parliament.

Evolution of Liberalism: From Classical to Modern

Liberalism, as a political and philosophical doctrine, has evolved significantly over the centuries, with its ideas and values reshaped in response to changing social, economic, and political contexts. The evolution of liberalism can broadly be divided into **Classical Liberalism** and **Modern Liberalism**, with each phase offering distinct perspectives on liberty, government, and the role of the state.

Classical Liberalism (17th–19th centuries)

Classical liberalism emerged during the Enlightenment period, primarily in Europe, at a time when absolute monarchies and feudal systems dominated political life. Thinkers such as John Locke, Thomas Hobbes, and Adam Smith laid the intellectual foundations for this early form of liberalism.

Key Features of Classical Liberalism:

1. Negative Liberty: Freedom from State Interference

- The central idea of **Classical Liberalism** is **negative liberty**—the belief that true freedom is the absence of interference by the state or any external force. This form of liberty is freedom from coercion, where individuals should be free to make their own choices, as long as they do not infringe upon the rights of others.
- For thinkers like **John Locke**, liberty was closely tied to the protection of **private property**. Locke argued that individuals have the right to life, liberty, and property and that the state's primary function is to protect these rights. He viewed government as a **social contract** entered into by free individuals to ensure the safeguarding of their natural rights.

2. Minimalist or “Night-Watchman” State

- Classical liberals envisioned a **minimal state**—often referred to as a **“night-watchman” state**. This state’s primary function was to ensure the security of its citizens by maintaining order, enforcing contracts, and defending the nation from external threats.
- The **state** was not supposed to interfere in the personal or economic lives of individuals. Classical liberalism emphasized that **individuals** should have the freedom to pursue their own interests and the market should operate without state intervention, as **Adam Smith** famously

argued in *The Wealth of Nations* (1776). Smith believed that the **invisible hand** of the market would ensure economic prosperity and individual well-being through competition and self-interest.

3. Belief in Free Markets, Private Property, and Individual Self-Reliance

- Classical liberals were **staunch advocates of free markets**. They believed that the **market was the most efficient mechanism for allocating resources**, ensuring that individual choices drove economic growth and prosperity.
- **Private property** was considered a natural extension of personal liberty. **John Locke** argued that property is a fundamental right, as individuals have a natural right to own the fruits of their labor.
- The belief in **individual self-reliance** was central to classical liberal thought. This philosophy maintained that individuals, by virtue of their rationality, should be responsible for their own success or failure, without relying on state welfare.

4. Relevance in Western Societies with Less Inequality

- Classical liberalism found its greatest relevance in **Western societies** during the 17th and 18th centuries, where inequalities were less pronounced compared to feudal or colonial systems. In these societies, the **bourgeoisie** (middle class) began to challenge the aristocratic elites and the monarchy, advocating for a system where wealth and power were distributed according to **individual merit** rather than hereditary privilege.
- This ideology provided the intellectual justification for **democratic revolutions**, such as the **American Revolution** (1776) and the **French Revolution** (1789), both of which sought to overthrow monarchic rule and establish political systems grounded in **individual rights and freedom**.

Modern Liberalism (20th Century Onwards)

In the 20th century, as industrialization, urbanization, and globalization rapidly transformed societies, **Classical Liberalism** came under scrutiny for its emphasis on **laissez-faire capitalism** and its inability to address issues of **economic inequality** and **social justice**. In response, **Modern Liberalism** emerged, adapting classical liberal principles to the complexities of a more interconnected, unequal world. Thinkers like **T.H. Green**, **L.T. Hobhouse**, **John Rawls**, and **Amartya Sen** helped redefine liberal thought.

Key Features of Modern Liberalism:

1. **Shift Toward Positive Liberty: The Capacity to Act Freely**

- **Modern Liberalism** shifts focus from **negative liberty** (freedom from interference) to **positive liberty**—the ability to **act freely** and to realize one's potential. The classical liberal notion that **freedom means freedom from interference** was extended in modern liberalism to include the idea that **true freedom** can only be achieved if individuals have the **capabilities** and resources necessary to pursue their goals.
- **T.H. Green** argued that **negative liberty** alone was insufficient, as people who are impoverished, ill-educated, or marginalized may lack the real opportunity to exercise their freedom. He believed that **state intervention** was essential to ensure that individuals had access to the **basic conditions** for **self-fulfillment**.

2. **State Intervention in Welfare, Education, and Health**

- Unlike classical liberals, who saw the state as a mere **protector of negative rights**, **modern liberals** argue that the state must actively intervene in social and economic affairs to promote **social justice** and **equality of opportunity**.
- Modern liberals advocate for **welfare programs**, **public education**, **universal healthcare**, and **labor rights**. These policies are designed to ensure that individuals are not merely **free from oppression** but also **empowered to lead fulfilling lives**.
- For instance, **John Rawls** in *A Theory of Justice* (1971) introduced the **difference principle**, which posits that **social and economic inequalities** are acceptable only if they benefit the least advantaged members of society. This principle provides a foundation for **social justice** policies and state interventions aimed at reducing **inequality**.

3. **T.H. Green's Idea of Welfare and Liberty**

- **T.H. Green**, a prominent figure in modern liberalism, argued that **freedom** should not merely mean **freedom from restraint** but also the **freedom to achieve one's potential**. He believed that individuals who were deprived of basic **welfare** (such as education, healthcare, and economic security) were not truly free, even if they were **not coerced** by the state.
- Green's ideas shaped much of the **social liberal** policies in **Western democracies**, particularly in the post-World War II era when governments began to adopt **welfare states** designed to provide a safety net for all citizens.

4. **John Rawls and the Theory of Justice**

- **John Rawls** (1921-2002), a key thinker in modern liberalism, redefined the concept of justice in his groundbreaking work *A Theory of Justice* (1971). Rawls proposed the idea of the **veil of ignorance** as a tool to

design a just society. In this thought experiment, individuals are asked to create a society without knowing their own social, economic, or racial status. Rawls argued that rational individuals would design institutions that ensure justice by focusing on fairness and equality.

- Rawls' **difference principle** asserts that inequalities are permissible only if they benefit the least advantaged members of society. This principle aligns with the **modern liberal** emphasis on social welfare and redistribution.

5. Amartya Sen's Capability Approach

- **Amartya Sen**, a Nobel Prize-winning economist, expanded on Rawls' ideas and further developed the concept of **positive liberty** with his **capability approach**. Sen argued that true freedom is not just about having formal rights but about having the real ability to exercise those rights. He emphasized the importance of providing people with the **capabilities** necessary to achieve their goals, such as **education, healthcare,** and the freedom to **participate** in political life.
- Sen's approach has had a profound influence on development policy, advocating for a shift from measuring **economic growth** to assessing human **capabilities** and **well-being**.

6. India's Welfare Programs: Reflecting Modern Liberalism

- Modern liberal ideas are reflected in India's welfare policies, such as the **Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA)**, **Right to Education (RTE)**, and **Ayushman Bharat (National Health Protection Scheme)**. These programs aim not just to alleviate poverty but to enable individuals to live with dignity and autonomy—key elements of modern liberal thought.
- For instance, **MNREGA** guarantees 100 days of wage employment to rural households, ensuring that people have the **economic freedom** to sustain their livelihoods. Similarly, the **Right to Education** ensures that all children have the opportunity to develop their potential, reflecting the idea that **education** is central to **freedom** in a modern society.

Critiques and Challenges of Liberalism

1. Formal Equality vs Substantive Inequality

While liberalism guarantees **formal rights**, it often neglects structural disadvantages. In deeply unequal societies like India, mere legal equality does not empower the historically oppressed.

B.R. Ambedkar emphasized this in the Constituent Assembly: political democracy must rest on **social and economic democracy**. The persistence of caste, patriarchy, and class domination shows that liberalism, by itself, cannot dismantle **systemic injustice**.

2. Atomism and Neglect of Community

Liberalism assumes a **detached, autonomous individual**, but this assumption fails in cultures where **identity is embedded in community**. Thinkers like **Michael Sandel** and **Charles Taylor** (Communitarianism) argue that liberalism undervalues the role of tradition, culture, and collective belonging.

In India, the **Uniform Civil Code** debate highlights this tension. Should individual rights override religious practices? Or should communities have the freedom to self-regulate?

3. Market Fundamentalism and Economic Inequality

The neoliberal phase of liberalism (post-1980s), inspired by **Friedrich Hayek** and **Milton Friedman**, emphasized deregulation and privatization. But this has led to **widening economic inequality**, elite capture of institutions, and erosion of social cohesion.

Latest report Oxfam 2025, Takers not Makers, top 1% hold more wealth than bottom 95%

In India, **Oxfam's 2023 report** noted that the top 1% own over 40% of the country's wealth. This threatens the **equal political voice** promised by liberal democracy.

4. Liberalism in Times of Crisis

Liberalism, premised on **limited government**, often struggles during crises. The **COVID-19 pandemic** revealed the indispensability of a **proactive state** in managing health, welfare, and logistics.

Countries with strong liberal traditions but weak welfare states (like the U.S.) fared worse than nations with **robust public systems** (like Germany or New Zealand). India, despite challenges, mobilized its **state machinery** for mass vaccinations, food relief, and emergency transfers, underscoring the need for **liberal flexibility**.

Conclusion: The Liberal State Today

The liberal theory of the state has **revolutionized modern politics**—from constitutionalism and human rights to democratic accountability. Yet, it is not without limitations. In postcolonial and deeply unequal societies like India, **liberalism must evolve**—integrating concerns of justice, community, and capability.

Rather than discarding liberalism, the way forward lies in **radicalizing its core promise**: that all individuals, regardless of identity or background, should live lives marked by **freedom, dignity, and opportunity**.

As Rawls reminds us: "Justice is the first virtue of social institutions." But as Ambedkar cautions: "Without social democracy, political democracy is a mere shell."