

Liberty

1. Liberty - concept

liberty is the state of being free within society from control or oppressive restrictions imposed by authority on one's way of life, behaviour, or political views.

- freedom is distinctive quality of man – having aim of life - complex of institutions, civilisation and culture
- Society was divided in to privileged & underprivileged, oppressor & oppressed, dominant and dependent
- Aristotle's defence of slavery-slaves were not full human beings but living tools
- privileged class stood in defence of status quo
- The oppressed classes rise in revolt against injustice and oppression done by the privileged class
- Liberty therefore a force behind social change
- It is the voice of the oppressed
- It is the voice to re-establish human values as against the rules of the animal kingdom

Liberty

2. Scope of liberty

- Adjustment of claims between individual and society
- State is an instrument and agency to regulate their relations
- It is essential to regulate freedom in order to regulate social order
- There is a chance of self-contradiction
- Liberty of strong would become a cause for weaker section's oppression
- Liberty should not become an obstruction in the enjoyment of liberty by others
- Liberty is meant to enable men to pursue *rational objects* or *ideal objects*
- Liberty within state is relative and regulated liberty
- Greatest common measure of liberty which is possible for all
- Recognition of the authority of state over individual liberty
- State make laws backed by sanctions/legitimacy
- State authority would be much more justified if it is backed by moral support and legitimacy instead of mere force

Liberty

3. Forms of liberty

I. Civil Liberty

- It is the liberty of man in the capacity of an individual person

- a) Physical freedom from injury or threat to the life, health and movement of the body
Public safety, law and order are essential conditions of freedom

- b) Intellectual freedom for the expression of thought and belief
 - J S Mill (1806-73) – *On Liberty (1859) - Permanent interest of man as a progressive being depend upon the advancement of knowledge well flourishes best in an atmosphere of free discussion.*

- c) Practical freedom of the play of will and the exercise of choice in the general field of contractual action and relations with other persons
 - *Freedom of contract is for mutual advantage*
 - *Substantial equality between parties*

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II. Political Liberty

- Political liberty in the capacity of a citizen
- Constituting it by general act of choice/election
- Controlling by general and continues process of discussion
- Positive right of the people to be represented in the decision making bodies
- To influence their decisions by freely articulating their views and opinions on issue of public policy

III. Economic Liberty

- Man in his capacity as a worker
- It is capable of conflicting interpretations by conflicting parties, employer-worker, landlord – tenant etc.
- Social policy should be taken in order to safeguard the interest of the vulnerable.

Liberty

- Demand for multi dimensional liberty was made during renaissance
- Religious liberty was demanded against church and Papacy
- Economic liberty for free market and against feudal social order
- Political liberty demanded against monarchy
- John Milton, Utilitarians, Kant, T H Green, J S Mill, Ernest Baker, Harold Laski were exponents

4. Positive and Negative liberty

- **Negative Liberty**
 - Negative liberalism
 - Freedom of speech, freedom of worship –state should not restrict individual in pursuing his life goals
 - State was not allowed to impose its concept of good on the individual
 - Doctrine of *Laissez-faire* – freedom from the government in the economic activities
 - Adam Smith, Jeremy Bentham, Herbert Spencer favoured minimal state
- **Positive Liberty**
 - J S Mill(1806-73) introduced the concept
 - Transition from negative liberalism to Positive Liberalism
 - State intervention could be justified
 - Mill's classification of Self - regarding action – right of the society and state is limited
 - other - regarding action – individual's behaviour could be regulated for the common interest of the society
 - Positive role of the state – concept of welfare state.
 - Mill's sound theory of taxation
 - T H Green (1836 – 82), Harold Laski (1893- 1950)