

Liberty

INTRODUCTION

Liberty is where one can enjoy the freedom to live their life in the way that they want, without interference from other people or the authorities. The word 'liberty' is derived from the Latin word 'liber' or 'librates' which means freedom or free will. The synonyms of liberty are— to be free, independence, sovereignty, liberation, free will. Sometimes liberty is differentiated from freedom by using the word "freedom" primarily, if not exclusively, to mean the ability to do as one wills and what one has the power to do; and using the word "liberty" to mean the absence of arbitrary restraints, taking into account the rights of all involved. In this sense, the exercise of liberty is subject to capability and is limited by the rights of others. Thus, liberty entails the responsible use of freedom under the rule of law without depriving anyone else of their freedom.

There are many philosophers who have defined the idea called liberty in different ways. For instance, Roman Emperor Marcus Aurelius (121-180 AD) wrote: "a polity in which there is the same law for all, a polity administered with regard to equal rights and equal freedom of speech, and the idea of a kingly government which respects most of all the freedom of the governed" (Meditation Part I). In the Leviathan, Thomas Hobbes (1588–1679) also says, "a free man is he that in those things which by his strength and wit he is able to do is not hindered to do what he hath the will to do" (Leviathan, Part II, Ch. XXI).

On the other hand, has opposed such definitions of liberty. Particularly, Hobbes and Sir Robert Filmer's definition of liberty. As Filmer says, 'A liberty for everyone to do what he likes, to live as he pleases, and not to be tied by any laws'. Disagreeing with some of these ideas, John Locke (1632-1704) responded by writing,

In the state of nature, liberty consists of being free from any superior power on Earth. People are not under

the will or lawmaking authority of others but have only the law of nature for their rule. In political society,

liberty consists of being under no other lawmaking power except that established by consent in the

commonwealth. People are free from the dominion of any will or legal restraint apart from that enacted by

their own constituted lawmaking power according to the trust put in it. Thus, freedom is not as Sir Robert

Filmer defines it: 'A liberty for everyone to do what he likes, to live as he pleases, and not to be tied by any

laws.' Freedom is constrained by laws in both the state of nature and political society. Freedom of nature is

to be under no other restraint but the law of nature. Freedom of people under government is to be under no

restraint apart from standing rules to live by that are common to everyone in the society and made by the

lawmaking power established in it. Persons have a right or liberty to (1) follow their own will in all things

that the law has not prohibited and (2) not be subject to the inconstant, uncertain, unknown, and arbitrary

wills of others. (Two Treatise of Government, Part II).

Another conceptual framework for understanding the idea of liberty has been given by John Stuart Mill (1806-1873) in his book On Liberty. He differentiates between liberty as the freedom to act and liberty as the absence of coercion. He emphasizes on two aspects of liberty namely, positive and negative. Positive liberty is the possibility of acting — or the fact of acting — in such a way as to take control of one's life and realize one's fundamental purposes, while Negative liberty is the absence of obstacles, barriers or constraints. One has the negative liberty to the extent that actions are available to one in this negative sense.

Although, the concept of liberty comes from the Greek tradition, but there is a slight difference between ancient Greek and the Modern concept of liberty. As we have discussed the modern conception of liberty, we also need to see how ancient philosophers have defined liberty. In ancient Greek, to be free was not to have a master, to be independent from a master (to live as one likes). That was the original conception of Greek freedom and liberty which Aristotle(384-322 BC) discusses in his book Politics. His conception of liberty is based on democratic

principles and the idea of equality. He wrote:

This, then, is one note of liberty which all democrats affirm to be the principle of their state.

Another is that a

man should live as he likes. This, they say, is the privilege of a freeman, since, on the other hand, not to live

as a man likes is the mark of a slave. This is the second characteristic of democracy, whence has arisen the

claim of men to be ruled by none, if possible, or, if this is impossible, to rule and be ruled in turns; and so it

contributes to the freedom based upon equality. (Politics, book.VI).

But this definition of Aristotle only applied to free men or citizens of Athens. In ancient Athens women and slaves were not counted as a citizens. So, they have no freedom to cast vote, and they had to depend on a male relative to hold office for the legal and social right.