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POLITICAL LIBERTY: A PRAGMATIC DISCOURSE

By

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Covenant University Ota, Ogun State

Abstracts

The concept of liberty is one of the most controversial dimensions of the human person. It has been subjected to rigorous discourses among great intelligentsia. Its importance spans across every field of human endeavor. Thus, this paper engages this concept in a pragmatic form, assessing its viable operationalization in the human society. Several scholastic propositions on the subject-matter were exhumed in order to present a veridical perception of the concept.

This paper attempts to question the practical utility or possibility of the idea of liberty in a human society that is full of inhibitions. At the end of the day, one thing may likely become obvious: Liberty is nothing but an illusory concept with no pragmatic essence in the human society. However, this paper has a bias for Political Liberty as against mere metaphysical pontifwation.

Keywords: Politics, Liberty (Freedom), Representative Government

INTRODUCTION

TRADITIONAL CONCEPTION OF FREEDOM (LIBERTY)

In traditional Western Philosophy dated back to antiquity, the concept of Freedom (liberty) is often contrasted with determinism. It was against this background Sartre (1969:441) argues that *'Man cannot be sometimes slave and sometimes free; he is wholly and forever free or he is not free at all*

Socrates and Plato's view that it is ignorance that makes people do evil shows their position on Freedom. The ignorance here implies the ignorance of the harmfulness of evil. These two great Philosophers have posited that nobody does evil knowingly-that is, knowing that on the long-run the evil will eventually bring harm. Whoever does evil does it for the perceived good in it. In other word, man is determined to always want to do good so long as it is perceived to be good.

Thomas Aquinas pushes this view further by arguing that just as the intellect is made for the truth and cannot but accept the truth when confronted with it, so is the will made for the good and is not free to reject it when confronted with it. A rejection of anything good will be due to a perceived evil in it.

This view held by this great Philosophers fall under ethical determinism.

Thomas Hobbes' materialistic conception of the world overrules the possibility of human freedom (liberty). Hobbes who had an undeniable impact from physics conceives man as a complete matter and thus argues that man's actions are totally controlled (determined) by the physical laws of nature. All movements and actions in the universe are products of matter in motions.

For Hobbes, appetites and aversions are the natural forces behind all human actions.

Also following this materialistic conception of the universe is Baron Paul Von Bolbach (1723-1789) who argues in his book, *The System of Nature*, that the only reality that exists is matter. Thus, he concludes that man is purely matter, a product of matter and part of nature. Man being part of nature then is completely subject, and controlled by the laws of nature. He denies free will or human freedom. For him, man's thoughts, aspirations, projections, decisions and actions are caused/determined by the natural forces external to man. Man's ignorance of the external forces that control him makes him claim to be free.

This is the main theme of physical determinism that tries to override human freedom.

But contrary to the official position of physical determinism, we seem to be convinced that man cannot be reduced to just a material apparatus/impetus in the world. The human experiences such as Levitation, Clairvoyance, Telepathy, Extra Sensory Perception (ESP) and etc. seem to point to the fact that beyond the materialistic system building, man is also a metaphysical or spiritual being.

However, the central point is that man is denied of freedom.

Hegel argues that history is moving toward a purposive end namely Freedom (Stumpf, 1983: 340). Hegel maintains a very unique idea of freedom that is somewhat different from those explained above. He demonstrates what he considers the three moments in the development of freedom.

The East knew and to the present day knew that One is free; The Greek and Roman world, that some are free; and German world knows that ALL are free (Ibid.)

One will think Hegel's idea of Freedom is close to Sartre until he begins to posit that *'the highest*

Freedom, we have seen, occurs, when the individual acts according to the universal, rational will of the whole society (Ibid.)

This is nothing but one of the Hegelian superstructural Philosophical speculations.

Moritz Schlick (1882-1936) was a founding member of the Vienna Circle, a small group of Philosophers that came together in the early 1920s which later came to be known as the school of Logical Positivism. According to this school, many problems posed by traditional Metaphysics turned out, on careful analysis, to be meaningless, hence Pseudo problem. It is on the basis of this, Schlick holds that the problem of Freedom or Free will is a pseudo problem.

The problem with this conception also is that it sees freedom or free will as a possession of the human person.

POLITICAL LIBERTY (FREEDOM)

John Locke's bold description of the human person and the concept of freedom (liberty) forms a strand of the beginning of the inquiry into what liberty really entails. He posits thus:

Every man being, as has been shewed, naturally free, and nothing being able to put him into subjection to any earthly power, but only his own consent; it is to be considered, what shall be understood to be a sufficient declaration of a man's consent. (Locke, 2006:716)

The human person is a uniquely free human being who through his consent determines the direction of his life. He is a product of himself.

In social and political philosophy, liberty is construed as the absence of any form of constraint either imposed by the government or by the fellow citizens of the state. The concept of liberty entails the fact that one is free to the point that there are no limitations to what one can do. In other words, A has the liberty to do B in so far as the exercise of the liberty does not conflict with C's. Locke continues:

Men being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent. (Ibid., 710)

Awojowo (1968: 75), "Liberty is defined as a state of freedom; a state in which one thinks and acts and speaks as one pleases, at such times and places as one chooses. This implies that liberty is another word for freedom. Freedom to think, act, talk, respond etc. to whatever situation at whatever time and in whatever way without any harassment from anybody.

Liberty in political philosophy emphasizes the absence of force or coercion from an external source, especially another human being. For Appadorai (1975:3), "every man desires to have his own way to think and act as he likes which is unrestrained freedom. Laski (1967:44) views

liberty hedonistically i.e. that action, thought, desire that produces the greatest good for the greatest number of people. He says liberty is in place when it enables men, at least potentially to realize the best that is in themselves.

This is in line with Aristotle's definition of liberty or natural freedom, making the recipient happy. This happiness being a culmination of the touch of liberty on all facets of man's life extending from the private and domestic to the public and secular. Liberty consequently involves a harmonious development of all human powers - the intellectual, moral and physical. For Benjamin Gibbs that life that makes man happy, with a sense of fulfillment is that life characterized by variety of occupation and achievement (Gibbs, 1976:130). This must be a life with the ability and power to satisfy one's urge to be involved in intellectually discourse, physical activities like games, managing the household as one desires etc.

Liberty is having a desire and having the ability to actualize such, the attainment of one's imaginations.

Gibbs (1976:7) holds that freedom is a civil status, i.e. the power to form and execute intentions, or to satisfy desire, whether or not the intended object be worthy of pursuit. This means that freedom gives you room to be yourself without facing inhibition from any other person; thereby satisfying the urge to act. Liberty in the ideal sense of the word circumvents obstacles and executes intentions for man, making him fulfilled.

For J.S Mill, this desired goal is termed "good". In his book, On Liberty, he posits that one's liberty stops where another person's liberty begins. Liberty, for him, also means a protection against the tyranny of political rulers. He formulated what has been known as "Harm Principle".

...the principle requires liberty of tastes and pursuits; of framing the plan of our life to suit our own character of doing as we like, subject to such consequences as may follow: without impediment from our fellow-creatures, so long as what we do does not harm them, even though they should think our conduct foolish, perverse, or wrong. Thirdly, from this liberty of each individual, follows the liberty, within the same limits, of combination among individuals; freedom to unite, for any purpose not involving harm to others: (Mills, 2006:742)

The most viable argument against the Harm Principle of Mill is the impossibility of determining when one's action is harmful to another person. Perhaps, we reason this way because the concept of harm or pain is relative and subjective. One may be harming you through one's actions without knowing. Also, who

determines when one is harmed- the actor or the recipient of the action? Also, a person's claim to have been harmed may be a clever pretense. Another objection is the fact that harms could be psychological, physical, social, intellectual, emotional and etc.

D.D Raphael (1990) introduces another important term in his definition of liberty. For him, a man is deemed free not only in the absence of restraint, but he should be free to choose with the availability of options. Hence, a state where one party system of government is in operation does not satisfy this definition of liberty. For there exists only one manifesto i.e. aims and objectives of such a party for the given state. And given that candidates are permitted to contest for each office under that same one party, the candidates would have the same goal - maintaining, and upholding the available manifesto. Liberty in the ideal sense of the word can be tagged the fundamental human rights which: include freedom of speech, association, worship, press, to vote and be voted for, life, etc. For man to exercise his freedom without restraint would result into anarchy, barbarism, the violation of the freedom of some other persons; and he cannot have the liberty to deprive others of their liberty. Our previous definition of liberty thus becomes a speculative abstraction.

If everyone in a family or community did and said what he liked at such times and places as he chose, the chaos that would result would be unimaginably frightful and life would be unbearable for all the members of such a family or community (A wolowo, 1968:75)

Consequently, restrictions to the rights, liberty, freedom of man came to be and Awolowo argues that the fundamental human rights of man must have limitations that are "neither harsh nor discriminatory nor arbitrary" (Ibid, 77). For only then will man exercise his freedom "in such a manner as not to hurt or injure others" (Ibid, 76). But the word limitation has made no sense the definition of liberty being without restraint. And when we say only with such a limitation, that is neither harsh nor discriminatory nor arbitrary, what is the yardstick for measuring these situations? If the concept of liberty was reducible to a mathematical scale and these other negative words of harsh, arbitrary and discriminatory could be weighed to measure, the introduction of limitation would have been plausible. These are relative terms; for what is harsh to me may be acceptable as normal to you. What behavior one would tag discriminatory, to another may be equality and justice etc. So where is man's liberty? Man's focus in society is justice to all, the fulfillment, satisfaction of man's desires without restraints from an external source. And the some state and her rules and; regulations are placing

limitations on man, his actions, thoughts, desires, the foundation is already destroyed then. The state is founded on something different from liberty, freedom and her goal is not justice.

The exponent of the state says these limitations are set in place for the best interest of the whole. For Awolowo (1968), these limitations result in law and order. Appadorai (1975:3) says these limitations are necessary because "one man's desire conflict with those of another". And so men came together under these limitations, the state having the focus of the liberty of her subjects in mind. Aristotle says the state came to existence for the sake of life and it continues to exist for the sake of good life. Hence, the state must recognize the rights of the individuals and "promote these social goods on a largest possible scale" (Ibid., 23). The state is to provide for all the needs of her citizens.

We see that every city-state is a community of some sort, and that every community is established for the sake of some good (for everyone performs every action for the sake of what he takes to be good). Clearly then, while every community aims at some good, the community that has the most authority of all and encompasses all the others aims highest, that is to say, at the good that has the most authority of all. This community is the one called a city-state, the community that is political (Aristotle, 2006:361)

He posits further that the State comes to be for the sake of living, but that it remains in existence for the sake of promoting the well-being of its members.

Locke's state exists for the convenience of her citizens and Adam Smith's state is to protect as much as possible every member of society from the injustice of every other member.

Herbert Spencer defines the State as

Nothing but a natural institution for preventing one man from infringing the rights of another (quoted in Appadorai, 1975:40)

The state is to serve as a means to an end, but is this end actualized? Is the state not a monster, mocking man and his desires dared to be expressed? This question reflects Marx's conception of the state as the means of production in the hands of nefarious political leaders. Gibbs, in advocating for the existence of the state, says because man is not a natural saint, nor innately altruistic and generous, he needs a political order that recognizes his liberty and distributes a moderate share to all to avoid excesses.

It remains true that human well-being is unattainable without political organization. Felicity is the product of good government (Gibbs, 1976:130),

The state, hence, must recognize the rights of her citizens and "promote these social good on the largest possible scale" (Appadorai, 1975:10). Locke posits that the best form of government that would promote these social good is democracy. He argues that the consequent social contract is to avert a state of war and preserve man's liberty (Ibid.,:25). He makes democracy to appear as if the power is given to the citizens and not the government. To our minds, this is nothing but a theoretical postulation. For no matter how representative a government may claim to be, there comes a time when she acts on behalf of her subjects, assuming to know their choices or sometime better than them. This is by the way of casting their choices aside and acting at variance to their choices. Locke posits further:

It is the natural right of enforcing the law of reason that is given up (by man) the natural rights of life, liberty and property reserved to the Individual limit the just power of the community (Ibid.,:25).

Locke's government is constitutional and the consent of the governed takes preeminence. This is merely a theory as it has been said earlier on. If the natural rights of life are reserved for the governed why was Ken Saro Wiwa and his colleagues executed by the government? Why did the freedom of speech exercised by Chief M.K.O Abiola by announcing himself as the President of the Federal Republic of Nigeria, at a venue that was not even the Government House, result in arrest and detention from 1994 till 1998 when he died? Why were the residents of Maroko driven out of their previous location and the right to property is reserved for the governed? Why was the indigenes of Odi massacre by the Obasanjo regime in the fourth republic? Why the assassinations of Chief Bola Ige (the then Minister of Justice); Funsho Williams (Lagos State Gubernatorial aspirant); Dipo Fasina (Ogun State Gubernatorial aspirant); and etc.

Rousseau says since the surrender of liberties is made by the citizens to the sovereign in the interest of the community, liberty is still unrestrained for all the individuals (Ibid.,:26-27) This is not so in practice, for though the sovereign (for Rousseau) and democratic government (Locke) are creations of the citizens; man is naturally selfish and ego centric. A political leader might perform well at the beginning of his tenure, but later he would impose himself on the citizens for undue recognition and introduce oppressive measures to satisfy his selfish ends and cravings. This then

cancels out justice which was sought for and the reason for submission of liberty.

Gibbs holds on to democracy as that form of government that acknowledges that: The desires and purposes of different individuals must be regarded as equally legitimate, ultimate and uncriticizable; and the sole function of political organization is to minimize conflict between individuals and enable as many of them as possible to satisfy as many of their desires as possible (Gibbs, 1976:8)

This is the dilemma faced by D.D Raphael (1990). He holds that men's desires and behaviours are not spontaneous. He desires a thing, and wants it executed. But because of the representative government he elected, power of execution is outside the control of its possessor. The government executes it on your behalf, determining how best to execute it and concluding that it is to the best of your advantage. Gibbs (1976:8) concludes that this either "diminishes or abrogates" men's liberty. Man becomes a robot, manipulated by the government at will.

Freedom at the beginning of this paper was defined as ability to think, act, etc. without coercion or force. But think of it, you do not have absolute control in the distribution and use of your hard earned salary. Why? The government deducts the tax before the salary is handed over to you. You may argue that the tax is used for social and welfare benefits — but how much of these have we enjoyed in our towns and cities? Many towns and cities still do not enjoy pipe borne water nor electricity, yet many of us pay tax every month. If you were to deduct that amount from your earnings, you may have used it differently. But the state thinks for you, presupposing to know better than you, understand your innate desires more than you.

So, in this contract between the individual and the Representative government, when is the individual over exercising his liberty and when is the government to step in? Where is the freedom of hearing and to be heard when the Police charges you to court for a cock and bull story, one different from what made you to encounter them initially? Yet the Police Force is an offshoot of the democratic government liberties were surrendered to.

This is the point of emphasis made by D.D Raphael (1990) in his definition of liberty as choice among options.

We hold that democracy is the best government so far that it can realize justice for men, but this has not been so despite the inbuilt checks and balances on the three arms of government. And remembering that the Political Philosopher is in

the business of analyzing, criticizing and formulating of synthesis from the thesis and antithesis of government for the actualization of government; one would suggest to the governing body to rub minds with the Political Philosopher from time to time. But even this has been practiced and the outcome has been dismal. For either the practitioners of these policies see the theorists as antagonistic or the theorists are bought over with one political appointment or another and thus deviate from their original goal. For there is no government

Who will be so rigorously educated, impersonal, unselfish, and public-spirited as to be absolutely free from any trait of partial affections, and love all his subjects equally (Awolowo, 1968; 109)

Man cannot realize justice through his freedom or his membership of a state. Man is everywhere in chains and so he will remain till his existence is terminated and he is no more. He must be part of nature, and all that he evolves - be it democracy, leviathan, etc. is part of nature and will be manipulated for the realization of nature.

The concept of absolute liberty is a myth, a farce; and derivative of man to console himself.

CONCLUSION

The reality of the fact stares us in the face that what we call liberty-complete and absolute liberty- (either political or metaphysical) is nothing but a mere ontological-linguistic description of the being of man with no practical utility especially within the African context. For instance, the Nigerian democratic experience since independence has been the story of emergence of political leaders at both the Federal and State levels who need to be tutored on the importance of promoting citizens' welfare.

The elite group has been able to emerge as a distinct political hegemony with whom the State is used as a tool or apparatus of self-aggrandizement. Where is the liberty of the masses in a political system where those not voted for emerged as political leaders? Where is the liberty of the masses in a situation where policies that will affect the wellbeing of the people negatively is formulated and implemented without a conscious consultation with the people? Where is the liberty of the people where there is a large disparity between the wealth of a nation and the wealth of its people? Where is liberty in a situation where the people are alienated from the State, governments, their political representatives and the wealth of the nation? Where is the liberty of the people where the government can dispose the people of their properties without compensation?

However, we can considerably make sense of mitigated liberty for all and not an absolute liberty.

Therefore, in the sense of accommodating 'mitigated liberty', it is important to note that as discussed above, no man should use his own liberty to the detriment of another person's liberty. Thus, no political leader should take advantage of the power of governance at his disposal to formulate and implement policies, either consciously or unconsciously, that may be under any situation, disadvantageous to the wellbeing of the people. And also the people should not abuse their electorate power to compel their representatives to act against their consciences. Liberty is a necessary device in the organization of a harmonious, prosperous and peaceful socio-political construct.

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