

Define and discuss liberty and its safeguards. Enlist the causes of its decline in modern times also.
(2013)

①

I. Introduction

The word "liberty" is defined derived from Latin word "liber" which means free or unrestrained.

A. Definitions

According to John Locke, "Liberty is freedom to do what one desires without infringing upon the rights or liberties of others".

According to John Stuart Mill, "The freedom to do anything that doesn't harm others".

This definition is also referred as

"The Harm Principle".

B. Political Schools of Thought

Western

Rousseau believed in idea of 'general will' where true liberty is achieved when individuals participate in collective decision making for the common good.

While Karl Marx viewed liberty in socio-economic context arguing that true freedom can only be achieved in a classless society.

Islamic

Al-Farabi emphasized the concept of 'huriya' which translates to 'freedom' or 'liberty'. He believed that true freedom or liberty can only be achieved in a well-ordered society guided by principle of justice and the common good.

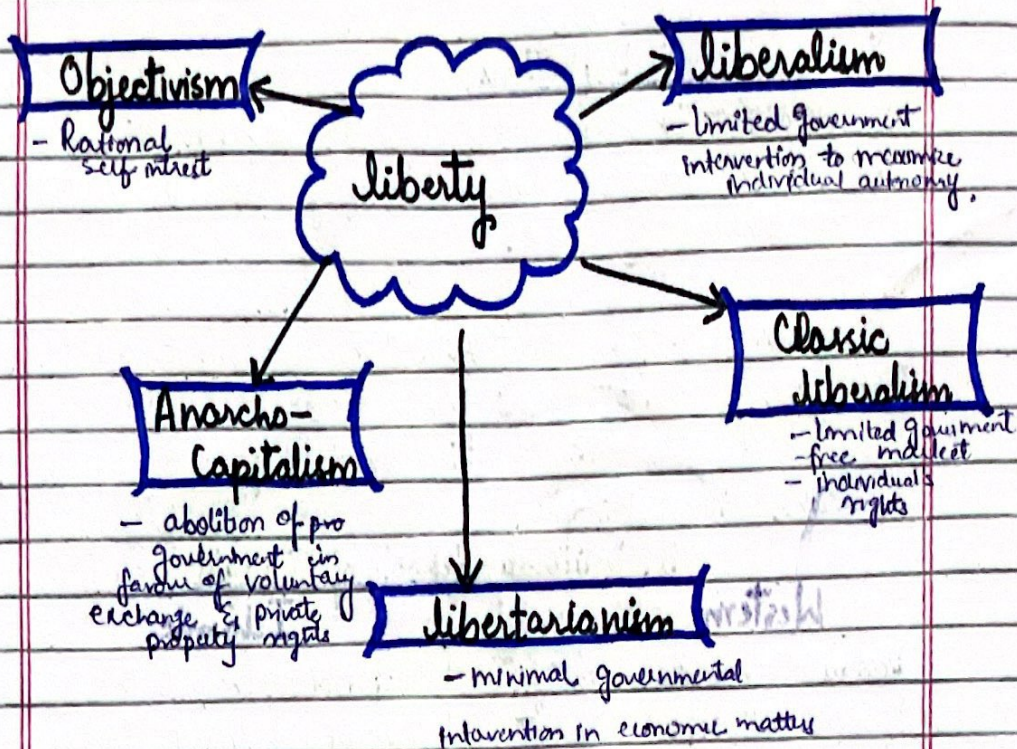
C. Central Role in Political thought

Liberty plays central role in political thought due to key reasons like,

- Individual autonomy
- Protection of rights
- Limitation of powers.

- foundation of democracy
- Promotion of pluralism
- Encouragement of civil engagement.

II. Liberty: Foundational element across political Ideologies



III. Dichotomy of Liberty: Positive and Negative Conceptions

A. Distinction between both perception

Isaiah Berlin distinguished between "negative liberty" i.e. freedom from interference and or coercion by others and "positive liberty" i.e. freedom to fulfill one's potential and achieve self-realization (Two Concepts of Liberty, Four essays on liberty, Oxford university Press.)

3

B. Analyzing Positive Liberty constructs in Political Discourse.

In its positive sense, liberty goes beyond just the absence of restraint, it involves having the opportunity to achieve or pursue something.

According to Jaski, it is the eager maintenance of an atmosphere where individuals have the chance to be their best selves.

Positive liberty is closely tied to rights; it implies the opportunities necessary for development of individual's ability, abilities, personality, interest and ideals.

(Jaski, H.J. (1952). A Grammar of Politics)

C. Analyzing Negative liberty constructs in Political Discourse.

Montesquieu noted that 'liberty' has various meanings and has different impacts on human mind.

In its absolute sense, liberty is defined as ability to will and act upon that will without external influence or restraints.

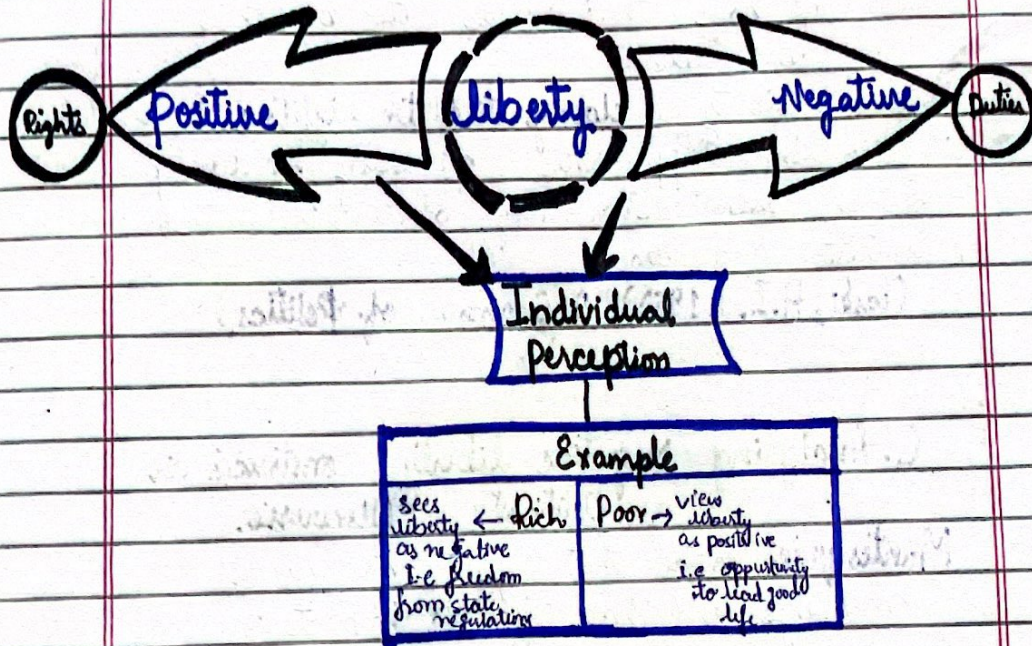
Absolute liberty is not desirable as it would infringe on freedom of others.

Liberty needs to be defined based on balance between individual desires for self-expression and the necessity to control actions through common social rules.

Herbert Spencer, a 19th century individualist thinker, defines liberty as every person being free.

to do as they will, provided it doesn't infringe on equal freedom of others. This defines liberty in its negative aspect (Spencer, H. C. 1851). Social Statics)

D. Diagrammatic Representation



III. Safeguards of Liberty

Liberty is vital element for personal development, effective governance and national progress. It is imperative to ensure that individuals can enjoy the rights that grant them freedom. Key safeguards of liberty are:

5

1. Constitutional Framework

A well-crafted constitution with explicit protections for individual rights is crucial safeguard of liberty. It establishes legal framework within which government powers are defined and constrained.

(The Federalist Papers, James Madison and John Jay)

2. Independent Judiciary

Judges play pivotal role in safeguarding liberty, defending citizens rights against both fellow citizens and the government.

The Judiciary functioning without interference of other branches of government is crucial for upholding individual rights.
(Commentaries on the Laws of England, Sir William Black Stone)

3. Rule of Law

The principle that all individuals and institutions, including the government are accountable under the law ensures no one is above legal scrutiny.

(On the Rule of Law, Brian Z. Tamanah)

4. Checks and Balance

This mechanism allows each branch of government to monitor and limit the actions of other branches which helps prevent one branch from becoming too powerful.

(Second Treaties of Government, John Locke)

6

5. Democracy

Democratic systems provide greater liberty as political power lies with the people, preventing rulers from arbitrarily restricting freedom.

(Political Science, Mazhar ul Haq)

6. Separation of Powers

The division of government into separate branches (executive, legislative, judicial) with distinct functions help prevent anyone branch from accumulating excessive power.

(Spirit of Law, Montesquie)

7. Fundamental Rights

A specific enumeration of fundamental rights and freedoms within a constitution provides citizens with clear legal protections against government intrusion.

(Universal Declaration of Human Rights)

8. Economic Equality

A fair degree of economic equality is conducive to enjoyment of liberty, preventing excessive wealth disparities that could undermine freedom.

(Political Science, Mazhar ul Haq)

9. Free and Fair elections

Democratic processes including free and fair elections provide citizens with means to hold their government accountable and influence policy decisions.

(Democracy in America, Alexis de Tocqueville
Tocqueville)

7

10. Eternal Vigilance

Ultimately, the enduring safeguard of liberty lies in spirit of people and their unwavering commitment to freedom. Citizens must remain vigilant and resist any attempt to curtail their liberty through active civic engagement. (Thomas Jefferson)

II. Causes of Decline in Modern State

In modern era, there has been notable decline in liberties that individuals once enjoyed. This stands in contrast to 17th and 18th century when people were actively striving for freedom and 19th century where people started to experience expansion of liberties. However, since World War I there has been a growing trend of curbing freedoms in various parts of world.

Following factors contributed to its decline.

A. Growth of Modern Science and Industry

While science and technology enhance efficiency and security, it also raises concerns about privacy and surveillance, potentially leading to reduction in personal freedom. (Georgel Orwell, 1984)

8

B. Decline in Social Values of Individual

Shifts in societal values and norms influence the interpretation of and enforcement of civil liberties, potentially leading to restrictions and re-interpretations of individuals.

(The Constitution of Liberty, David A. Strauss)

C. Growth of Mass Propaganda

Mass propaganda facilitated by radio, cinema, newspapers, television and other media empowers government to shape public opinion. This diminishes individual autonomy turning public into passive recipient of state-driven narratives.

(Political Science, Nazim ul Haq)

D. International Tensions

The interconnectedness of modern states lead to cooperation on security issues but also involves compromise on individual freedoms for sake of international stability.

(The Globalization Paradox, Dani Rodrik)

E. Growth of Centralization

Modern states' expanding roles and responsibilities have resulted in increased authority. However, this centralization of power tends to correspond with a decrease in individual liberty as greater state authority often means fewer freedoms for individual.

(Democracy in America, Alexis de Tocqueville)

V. SWOT Analysis

Strengths	Weakness
<ul style="list-style-type: none">- Enhances democracy- Promotes independent judiciary- Ensures rule of law- Provides fundamental rights- Keep checks and balance	<ul style="list-style-type: none">- Weakens institutional capability- Mean of crossing constitutional and legal boundaries, if kept unchecked.
Opportunities	Threats
<ul style="list-style-type: none">- Provides way for social, political and economic equality.- Expands the concept of pluralism- Provides more space for civil engagement in political sphere.	<ul style="list-style-type: none">- Has potential to fuel up civil and international tensions- Capable of small and large scale of chaos e.g. Fascism, Nazism.

VI. Conclusion

Liberty simply means freedom and has positive and negative aspects. In political sense it is base of every revolution and must be given as a fundamental right to every citizen. Political scholars like Locke, Berlin and Montesquiere have advocated it as essential element of every stable state. However in modern era it has faced decline due advancement in modernity, mass propagandas and enhanced centralisation.