# A contrast of lockean liberty and utilitarian liberty

Literature, Books

One of the central principles that bind together the ideas in Locke’s Second Treatise is the concept of an original contract. Ironically, the form of the idea of such contract is narrative. That is, the contract depicts events sequentially occurring although they may appear essentially tautological. Locke attempts at establishing a straightforward historical substantiation of his claims in the opening parts of the Second Treatise.

Among these include the role of man’s consent in the account for the origins of government, the inevitable conclusion that it is the idea of consent that gave rise to most states and not the very notion of conquest, and the tension that exists between historical and logical evidences in giving a descriptive account to the further realization of prerogative in the monarchy of England. Locke’s portrayal of the state of nature, slavery, and war produce the general concept of individual transgression that changes form after a while into the foundation of the injustice and tyranny in and of the government.

These elements further provide the substance for the creation of a form a “ political” and secondary state of nature wherein “ historical” people bring into actuality the ideas of the theory of consensus in their respective actual location and timeframe. This situation is generated through the methods of resistance and revolution (Cahn 2001). Further, Locke asserts that there is justice in his concept of the state of nature only that human beings in this setting need help in order for them to perform the things they know of as the things they ought to do.

Using the premise that men are selfish creatures inasmuch as they do not always perform the things they know as right, what human beings need is a

sovereign entity whose power includes the enforcement of justice quite apart from the belief that this authority has the power to “ create” justice. The problem of not having a “ common judge with authority” eventually takes men into a state of nature and that, consequently, men enter into a contract with the sovereign in order for the latter to be able to enforce justice.

The failure of the sovereign to provide what is duly expected from him grants the citizens the right to rebel against the authority and to eject the sovereign out of his position in the society. Hence, it is clear that Locke maintains that rebellion is and can be justified indeed, most especially when the sovereign fails to do his responsibilities to the constituents and when the sovereign violates the contract that he has engaged himself into with the citizens.

Lastly, it should be noted that Locke appears to defend the view concerning the power of the citizens in the state of nature to control their own individual lives. In this situation, men are better off to have control over their lives in the state of nature than to be ruled, controlled, or unjustly treated by the monarchy. Thus, even in the state of nature, human beings must look after their own interests inasmuch as they are free to do whatever they want. Likewise, these people also have roughly equal power.

This is the point of transition wherein we are to place attention to Locke’s notion regarding slavery. It must be made clear beforehand that Locke rejects slavery although at some point he qualifies this rejection. For Locke, no legislative authority other than the one established through the consent of men is to place man’s liberty in the society under its manipulation. Consequently, no other will or power other than what the legislative body

enacts according to the trust relegated to it is to subordinate the liberty of human beings.

As slavery is taken to mean as being under arbitrary, absolute and despotic power, and is seen as the most miserable condition of man. Nevertheless, Locke asserts that there are cases wherein slavery is deemed to be justified such as the case wherein man aggresses another man which eventually leads him to lose all his rights in the just war battled against his state of aggression (Ibid. ). This brings one to rightfully enslave such man.

A part of the declaration states that " all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness" (Ibid. ). Apparently, this section of the declaration maintains a synonymous strand of idea to that of Locke, especially the latter's assertion on the equality of men and their inherent possession of rights that are inalienable.

As Locke clearly points out in his Second Treatise, specifically in his discussion on the state of nature, that the state of nature is also a state of equality where men are treated of the same kind in terms of their liberties in consonance to the set of rights of other people. In the same light with the precepts put forward by the Declaration of Independence, men are also deemed to be on equal footing with one another and that they have equal liberties. Moreover, another similarity can be observed on the installation of a government which will guarantee the protection and the maintenance of these rights as equal among the rest of mankind.

As far as the Declaration of Independence is concerned, it firmly asserts that "...to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. " In the same manner, the parallelism to Locke's idea of a sovereign that will ensure the protection of these rights and of the welfare of man in general. In both the Declaration and Locke's ideas, the consent of the governed or of the individuals who are to partake in the determination of the authority both have a central merit in the situation.

That is, if the consent of the governed are not sought after or are not taken into consideration in the establishment of the authority that will seek to protect and ensure the furtherance of the basic rights and liberties of man, then the governed individuals have all the rights and means to abolish such an established authority. The reason behind the right of the governed to abolish such a government rests on the fact that the individuals have not consented in the establishment of such an authority as both Locke himself and the Declaration will tell us.

Since this government has been formed without the consent of the individuals, it is the case that such a form of authority is not legitimate. The basis, then, for the legitimacy of a government, based on the precepts of Locke and of the provisions in the Declaration, rests on the consent given by the governed individuals. Given an authority whose rule is illegitimate, it can be seen that such an authority, in the strictest sense, is not actually an authority whom people will address as the sovereign in the society.

The political undertakings of such a pseudo-authority will not prompt the pseudo-governed to follow the prescriptions being given by such an authority. In essence, the Declaration of Independence and Locke’s Second Treatise both have similar strands of ideas, quite apart from the possibility of one influencing the other, that center on the legitimacy of authority and the inherent equality among men. On Utilitarianism The right action is that which gives the most benefits to the most number of people is Utilitarianism’s greatest happiness principle.

Jeremy Bentham offers a way in which to calculate the pleasure or the greatest happiness to be derived from actions through the felicific calculus or utility calculus. Seven aspects with regards to this calculation can be seen: duration or the length of time of the pleasure; certainty or sureness of the occurrence of the pleasure; proximity or how soon will the pleasure come about; fecundity or creation of other pleasures other than the one intended; intensity or the intensity of the pleasure; extent or how many others will come across this pleasure, and purity or how devoid of pain is the pleasure.

Utilitarianism is criticized primarily because it does not put concern over the minority. The individuals in the least-advantaged position are not taken care of in the task of acquiring the greatest pleasurable accounts for the greatest number of people. It basically weakens individual value. Since utilitarianism is after the actions which can provide the greatest pleasure for the most number, the value of every single person is not accounted for. Utilitarianism, in its effort to seek the happiness of the majority, relocates the worth of the few into even more degrading status.

It is indeed quite doubtful if the greatest pleasure for the most number can ever be met. There is no apparent guarantee. This is another criticism pinned against utilitarianism. Even with the use of the felicific calculus or any of its counterparts, we can never actually bring an exact measure of pleasure; much more the most accurate details which can assure at the very least that the goals can ever be realized consequently. In line with the second criticism, it can further be claimed that what we can only have are mere estimations, the closest we can get to by using the felicific calculus and never at the precise measure of pleasure.

And more often than not, the details are usually the critical factors which directly affect the outcome of decisions and actions. Rule utilitarianism is the doctrine which asserts that one should first consider the rules existing in determining which actions must be done in certain situations rather than which action will bring about the most of pleasure. On the other hand, act utilitarianism argues that the most basic thing that must be considered is the act which results to the most pleasure. And this action is intrinsically the morally right action.

As with the case of new drugs, a rule utilitarian will not hesitate to go with the implemented rules regarding the testing of new drugs. This the rule utilitarian will do so as to arrive at the most pleasurable result and not solely on the consequential worth of the action per se. An act utilitarian, on the other hand, will obviously go for the testing of new drugs if it generates the most pleasure. To discuss in a vacuum what might or might not count as a

recognizable form of utilitarianism would be a purely verbal and pointless exercise.

The question can only be approached by asking what the point of the utilitarian outlook on morality is; and that can be discovered not merely, nor principally, by consulting what Bentham and J. S. Mill and other classical exponents of the system had in mind, but by considering what the attractions of the utilitarian outlook are for moral thought. I think that there are four major ones: this is not to deny that these are, in ways worth exploring, related to one another. First, it is non-transcendental, and makes no appeal outside human life, in particular not to religious considerations.

It thus helps, in particular, with the entirely reasonable demand that morality now should be obviously free from Christianity. It can even seem to help — because of a certain conservatism which I shall consider later — with a demand far less reasonable, indeed rightly perceived by Nietzsche to be idiotic, that the morality thus freed from Christianity should be very much the same as the one previously attached to Christianity. In more radical hands, however, utilitarianism promises more radical change.

Second, its basic good, happiness, seems minimally problematical: however much people differ, surely they at least all want to be happy, and aiming at as much happiness as possible must surely, whatever else gives way, be a reasonable aim. Now there is a notorious problem at this point about the transition from a supposedly indisputable aim of seeking one's own happiness, to a more disputable aim of seeking other people's happiness,

and the unfortunate Mill has been repeatedly beaten over the head by critics for (it is said) trying to make this transition by deductive argument.

I doubt whether that was what he was trying to do, but in any case the problem is of no special force against utilitarianism — there is no reason why it, any more than anyone else, should possess a magic formula for arguing the amoralist out of his amoralism. The point is rather that utilitarianism is a minimum commitment morality, in this as in other respects: given merely the minimum requirements for being in the moral world, a willingness to consider other people's wants as well as one's own, utilitarianism can get going on this spot.

A much more interesting question is whether the 'indisputable' aim of happiness can in fact be made to serve utilitarian purposes. We have already seen some reason, in the previous section, for doubting whether happiness must be seen as the aim of human life at all; but even waiving those questions, it is far from clear that any sense in which it is (more or less) indisputably such an end, is also a sense in which utilitarianism can be made to work on it ((Ibid. ). This is a central issue: we shall be in a better position to consider it when we have looked at the third and fourth attractions of utilitarianism.

Its third attraction is that moral issues can, in principle, be determined by empirical calculation of consequences. Moral thought becomes empirical, and on questions of public policy, a matter of social science. This has always been found by many one of the most gratifying features of utilitarianism. It is not that the calculations are thought to be easy, or even practically possible

in many cases; the charm lies rather in this, that the nature of the difficulty is at least quite unmysterious.

All moral obscurity becomes a matter of technical limitations. Fourth, utilitarianism provides a common currency of moral thought: the different concerns of different parties, and the different sorts of claims acting on one party, can all be cashed (in principle) in terms of happiness. This provision, importantly, has the consequence that a certain kind of conflict, well-known to some other moral outlooks, is impossible — the conflict, that is to say, of two claims which are both valid and irreconcilable.

Under some other systems, a man may come to be in a situation in which (as it seems to him) whatever he does involves doing something wrong. For utilitarianism, this is impossible. The various claims he may feel on him can be brought to the common measure of the Greatest Happiness Principle, and there can be no coherent idea of a right or wrong thing to do, other than what is, or is not, the best thing to do on the whole: and if two courses come out equal, then it really cannot matter which he does.

As against this, many people can recognize the thought that a certain course of action is, indeed, the best thing to do on the whole in the circumstances, but that doing it involves doing something wrong. This is a thought which for utilitarianism must, I think, ultimately be incoherent. This is one reason for saying (what is certainly true) that for utilitarianism, tragedy is impossible; but it has wider, if not deeper, consequences than that.

The utilitarian may be able to move back a little towards this type of thought, by invoking such things as the desirable social consequences of people being

a bit squeamish about certain actions, even when those are, in the circumstances, the best available: we shall come back to that type of argument later on. But what he is bound to do as a utilitarian is to regard as an indisputable general aim of moral thought, the reduction of conflict, and the elimination wherever possible of value conflicts without remainder.

Here, as elsewhere, he is concerned with efficiency: the generation of conflicts is a sign of inefficiency in a value system, and utilitarianism has a general device for eliminating or solving them. But some might wonder whether such efficiency was an indisputable aim. One can certainly reduce conflict, and make life simpler, by cutting down the range of claims one is prepared to consider; but in certain cases, that might seem not so much a triumph for rationality, as a cowardly evasion, a refusal to see what is there to be seen (we may ask here, once more, whether defused subjectivism really leaves everything where it was).

In toto, Lockean view of liberty is more plausible than Utilitarian perspective because the former gives emphasis on the universal liberty of all men, since such liberty is governed by all individuals, thus liberty in Lockean stance is secured and protected. In contrast, Utilitarianism fails to do this because one’s liberty is dispensable, validating the act of sacrificing one’s own liberty for the sake of the majority, since this will result to the greatest happiness of the greatest number of people.