

Are liberty and equality compatible?

Law



"Two Concepts of Liberty" defined the distinction between positive liberty and negative liberty. He defined positive liberty as the ability to fulfill one's own potential. This is typified by the phrase "I am my own master". For example, if I really want to become an economist, then I would be positively free if not discouraged. Negative liberty is defined as "freedom from external constraint". The Implications of Positive and Negative Liberty A sketch by Eddie Izzard entitled "Cake or death" 4 offers to people exactly that. We might think that be fully free but even the most ardent of fitness fanatics would of course pick cake. Alternatively, a feared, violent and ruthless highwayman offering you "your money or your life" 5 may illustrate the point.

Assuming that we know the highwayman not to be bluffing, not even Scrooge himself would keep his money. Whilst the above two examples are possible to envisage, it is clear that they are not part of your average society and a more realistic example may be prudent. Many prostitutes can and do hate their jobs, however, they often have no alternative to it, even when not forced to do so. There are several reasons why a prostitute would continue to remain in the trade. A study by London South Bank University identified 9 barriers to exist including drug addiction, lack of education and social stigma.

The implications are that we are sometimes faced with decisions where there is only one legalistic possible option. Indeed, a determinist would go as far to argue that we are faced all the time with decisions where there is only one possible outcome and we do not have free will at all and everything is - in principle - predictable. It is clear that we cannot mean free to mean

negatively free. However, the argument that freedom is possible becomes much less tenuous when one considers being positively free.

It is defined as the ability to maximize one's potential, given the current state of resources available to people. " 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 teacher, then he would be positively free if he is able to realize his aims. In short, he is able to maximize his potential. A misconception of Equality Some of the more pedantic among us could argue that equality is possible. Certainly in areas such as mathematics this is true. A simple example such as $8 + 7 = 15$ shows that equality can exist.

However, it is very clear that this is not what one means by equality in this sense. Many would assume that perhaps equality should be defined then as the equal allocation of resources. However, in the context of animal ethics, Peter Singer argued that this kind of equality is impossible and should not be defined as such; it seems impractical and perhaps immoral for this to be the case. " Humans have interests in mountain-climbing and skiing, in seeing the world and sampling different cultures. Cows like lush pasture and shelter from harsh weather.

Hence to deny humans the right to travel from outside Devon would be to restrict their rights significantly; it would not be a significant restriction for the rights of cows. " 8 However, to avoid complications, we shall not concern ourselves with the epic of equality between animals and humans. Despite this, it can still be applied in the context of between just humans. For example, it is impractical or pointless to grant women the right to prostate

examinations or to equally allocate cricket bats among footballers and cricketers alike. A critique of Singer's claim above could be done by using the following simple example.

Imagine two people, Sam and Simon. Sam inherited a large estate, and is very wealthy, despite a lack of talent, determination or ambition.

Alternatively, Simon despite being talented and ambitious received a poor quality of education and comes from a low income family. Although Singer has debunked the argument that equality means the equal allocation of resources, to many this would still seem unfair. However, Singer offers a counter proposal where the impetus of his argument is equal consideration. This is a broadly abstract term but can be applied to many contemporary and relevant examples.

For example, laws regarding maternity and paternity leave or resolving conflict between settlers to an area and to indigenous people. Most significantly, Singer's example could be applied in the context of macroeconomics, in that whilst equality is not honeymoon with social mobility and meritocracy, it can work in close conjunction with the two. State of Nature Before examining the compatibility of the two in a society, it seems prudent to examine whether the two can be compatible without a society, in a State of Nature and synonymous to many as a dyspepsia.

A state of nature is a hypothetical thought experiment designed to investigate what a pre-societal life would be like for people. In his Leviathan, Thomas Hobbes posited the claim that, " 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 e hath the will to do" 9, alluding to liberty in its negative sense. He argued, that in the state of nature, liberty did not exist, because actions were hindered by fear of death and fear of the power of others. Despite saying that freedom can only truly exist under a sovereign, Hobbes alludes to liberty in the negative sense.

Indeed, others have interpreted his works for people. However, people are free in that they interpretation of his own work seems desperately counter intuitive. However, Hobbes has only discussed how we are not free in the negative sense. However, this may not be the case for positive freedom. We are free to maximize our potential. There is no State or Government to restrict us in any way possible. Hobbes also comments that men are by nature equal in their powers, as even " the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger as himself. 10 One can therefore conclude that humans are free and equal in a State of Nature, an abstract thought experiment. However, this is neither desirable nor permanent. It is a poor quality of freedom and equality in that the standard. In a State of Nature being free and equal means that we are free and equal to be violent against each other and live the " solitary, poor, nasty, brutish, and short life" 11 that Hobbes so described.

Bringing abstract theory into reality We can establish that these two arguments so that liberty and equality are theoretically possible, however, the question is now is whether these arguments have practical implications. However, what does it mean to be human? Humans are naturally social beings with our own societal friendships, families and relationships. As <https://assignbuster.com/are-liberty-and-equality-compatible/>

Hummed pointed out, social contract theory is an unhelpful fiction, because social organization is natural for us is natural. Indeed, a very clear example would be that we all grow up, learn values, language and develop knowledge through parenting, and through social interaction and as a result through discipline, leadership and rules. Therefore, a state of nature must be fiction. Furthermore, equality is referred to as equal consideration, however in a State of Nature, there is no government present to "equally consider". Therefore, one has to revert to the equal allocation of resources, and Hobbes argues that resources are shared equally, in that people have roughly the same amount of intelligence, muscle and weaponry.

However, the equal allocation of resources is something this thesis is trying to revert from. A Utopia? There are three branches of ethics, utilitarianism, deontological and virtue. And in all three of them liberty and equality are highly desirable. For example, given that Utilitarianism has its definition coined as "the maximum amount of happiness for the maximum amount of people" 13, and one does not need to justify for the purposes of this essay that liberty and equality are most often highly desirable in society.

It would therefore seem prudent to examine a utilitarianism society, and examine whether liberty and equality may be possible. In Aldous Huxley "Brave New World", a caste system is depicted with the inhabitants ranked from alpha through to epsilon. 14 Despite height, appearance and jobs available being dependent on what class one is, each person is conditioned before birth (though that is an inappropriate word to use) and each class is perfectly content to remain in their class and does not aspire to be of any other class.

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Many would be repulsed by this state - and whilst it seems desperately counter-intuitive, both freedom and equality can be obtained. Indeed, some would consider the caste system to be not far short of slavery, omitting clearly not very equal. However, equality as equal consideration is allowed for, each individual conditioned with their happiness being viewed in the same equal extent that they are positively free and are able to maximize their potential in their designated class. ¹⁵ It seems then that in this example, liberty and equality are compatible.

Whilst this fictitious society leaves a lot to be desired, it may be useful to have a look at how this society was reached and see if this can be paralleled in reality. The logical conclusion of capitalism There may be faults with the feasibility of a utopia as well. Huxley assumes that Brave New World is the logical end of capitalism. All activity is aimed at continued consumption, for example the slogan of "ending is better than mending" ¹⁶. All obstacles to consumption are removed. Mass production, God and individualism are institutionalized. In order to maintain this freedom, the means of production must be controlled.

Utopia translates from Greek meaning "no place". ¹⁷ Essentially, it means that it does not exist. While there are certainly parallels with society, this is not how capitalism will end, and this is for four interlinked reasons. Firstly, the notion of illogical mass production of humans is deeply concerning and a vital premise to the Huxley argument. One can quite reasonably assert the claim that this will never happen. Secondly, there is a lack of relationships, in the book the notion of family and parenthood is treated with shock and disdain, and as a result society is equal for the reasons given above.

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However, the notion of family and parenthood does exist, and this can have drastic consequences for the logical conclusion of capitalism. With nepotism and the accumulation of capital there is a case that there is a shift to patrimonial capitalism. However, this will be discussed in more detail later. But most importantly, the logical conclusion to capitalism does not take into consideration how human beings are not always rational. Long before the term behavioral economics was coined, Huxley assumed that "Homo Economics" ¹⁸ would prevail. However, people do not always make decisions that maximize their welfare.

A very simple argument will show this point to be correct; this is known as the Gambler's Fallacy. ¹⁹ When at a roulette table, people will often assume that if at a table, the roulette wheel has shown to be the color red the previous six times, then it is more likely to be on the seventh spin. However, a simple math experiment with a roulette wheel or a computer will show this to be incorrect, and statistical theory on independence provides the reasoning behind this. Even it were rational to join this kind of society, the likelihood of this happening is not secure.

A Thought Experiment With the exception of a conclusion, the rest of this thesis, will analyse and evaluate reasons why freedom and equality may not be practical in society today. A fully free state shall be assumed, and the question will be posed asking if equality can be produced as a by-product alongside. Finally, the thesis will question the aforementioned assumption in two different ways. The Assumption of a Fully Free State To many this seems like capitalism. However, capitalism is far too broad and can name suggests implies that the state is involved and does not prohibit freedom.

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Laissez-fairer capitalism might be more prudent as a result. We shall now assume that a fully free state but be one determined by market forces, determined by supply and demand in order for me to be positively free and maximize citizen's potential. The First Reason - How Liberty Upsets Patterns This heading is not original, it is on page 160 of Robert Nicks book " Anarchy State ND Utopia", the heading alludes to an often quoted example of a successful basketball called player Wilt Chamberlain, which is pertinent. In this world, everyone earns exactly the same salary and money is distributed evenly.

At each home game, he receives 25 cents from every person playing the game. To the customers, this seems reasonable - he is very good at basketball. If one million watch him play during the season, Chamberlain has \$250, 000. He has more money than someone else. 20 Let us extend the analogy further so that everyone else earns a sum of \$25, 000 a year. It seems that although Chamberlain may have more money than everyone else it is not a problem, because this equality can include a meritocracy and equality is defined as equal consideration.

This might seem Justified because of marginal productivity theory; some would say that Chamberlain works harder and is more productive so he should receive more money than anyone else. However, there are two issues with this theory. The first is that the facts do not support it. As the recession went on bankers such as Fred Goodwin continued to receive bonuses, despite bringing banks to their knees. Even though they were worse than useless, hey were still receiving money despite having a negative marginal productivity theory.

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Despite The Royal Bank of Scotland (RUBS) going bankrupt, Fred Goodwin receives a IEEE, OHO pension from RUBS. 21 Secondly, despite Wilt Chamberlain earning ten times more than everyone else is it true that he works ten times harder in order to achieve his wealth? The answer is most likely no. In essence there is a sense of disproportion to the extent of the meritocracy. There is a clear opportunity cost; no one was forced to watch him play basketball. They could have spent their money on everything as mundane from tea bags to headphones.

This presents some issues, he now has far more money than anyone else does, and this to many seems unequal. In the I-J, the staggering sums of money that footballers earn is a proponent in an argument for inequality- how can it be fair that Wayne Rooney earns more in one week than the average person earns in 10 years? But this is unequal. The Second Reason - Rent Seeking Economies It is necessary to delineate between two different types of economy, wealth generating and rent seeking.

Wealth generating refers to ways of earning money whilst increasing the output of the economy at the same time. A quintessential example would be innovation such as Tyson vacuum cleaners. Rent seeking is defined as " when a company, organization or individual uses their resources to obtain an economic gain from others without reciprocating any of the benefits back into society through wealth creation. " 22 Here, a useful example would be through a usefully entitled " The Locust and the Bee". 23 Here, the locust is analogous to the rent seeking economy and the bee the wealth generating economy.

The economist Joseph Zeitgeist has argued that rent-seeking is a large contributor to income inequality in the United States through lobbying for government policies that let the wealthy and powerful get income, not as a reward for creating wealth, but by grabbing a larger share of the wealth that would otherwise have been produced without their effort. As Paul Grumman points out, most of the richest 1% in the world are generally not the innovators such as Bill Gates or Mark Zuckerberg, but generally those with a much lower marginal productivity, such as Fred Goodwin or C.

Douglas McMillan. Furthermore, despite these low marginal productivities, their income, (in America at least) has increased as seen in the graph below. The Third Reason - The Fall of The American Dream? As Josef Zeitgeist points out, Paul Ryan made a speech saying that despite the US Gini coefficient rising, what is really the most significant is equality of opportunity. ²⁴ The question, is can there be equality of opportunity. It is true that the "Rags to Riches" story as examples well documented across the world with everyone from Will. . Am to Opera Winfred, but as Zeitgeist asserts, the reason they are so well documented is because they are so rare. Given that, the question is do we always have to have an inequality of opportunity, and the answer to that is yes. The first premise that all else rests on is that equality of opportunity must rest on not only a good but equal education. Given that equal opportunity largely manifests itself in a meritocracy. The second premise of the argument is that having an equal education is unattainable.

Even if private schools were completely abolished, if money was spent on students exactly proportional to their needs and the best teachers were distributed around the country exactly proportional to where they should be

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then equality of opportunity may not work for one key reason - chaos theory. The tiniest of changes in an education can lead to drastic consequences, for example, a certain book could be pivotal in attending a place at a prestigious university. Moreover, despite a standardized education, differences in education at home are beyond the state's control.

The First Critique Of The Assumption However, Zeitgeist says, " Markets don't exist in a vacuum" 25. Indeed, they must be shaped, mainly through the laws of that country. In the USA in the government gave holders of derivatives priority over bankruptcy. This was seen in its bail out of insurer AIG to the tune of \$1 bn. This creates a " heads I win, tails you lose" situation. The first reason why laissez-faire capitalism does not work is because the way that the market exists is through legislature which undermines what laissez-faire capitalism sets out to achieve.

The Second Critique of the Assumption- The Growth of Capital in the 21st Century The idea that inherited wealth will always grow faster than earned wealth is the main impetus of Thomas Pickett's book " Capital in the 21st Century". Pickett argues that as captured in the expression $r > g$, where r is the rate of return to wealth and g is the economic growth rate. Other things being equal, faster economic growth will diminish the importance of wealth in a society, whereas slower growth will increase it. However, there are no natural forces pushing against the steady concentration of wealth.

Only a burst of rapid growth (from technological progress or rising population) or government intervention can be counted on to keep economies from returning to the " patrimonial capitalism". Furthermore, demographics can

influence this point. Writes Pickett, " Consider a world in which each couple has ten children, it is better as a general rule to not count on too much on inherited wealth, because the Emily wealth will divide by ten with each new generation. In such a society the people will have wealth diminished by 10 each generation. ²⁶ Therefore, given that fertility rates are falling all over the world, this means that wealth will be more concentrated in the future. Regardless of the graph below, some people having more money than others can still be equal, and feel that Pickett makes a generalization as a result. However, he argues that people having more money often leads to a fall in social mobility and as a result, increased inequality of opportunity. There is now a event to patrimonial capitalism which is known more informally as crony capitalism.

Given how equality is defined as equal consideration and social mobility is key, he argues that not only do some people have more money than others but social mobility is at an all time low. ²⁷ Conclusion It seems that practically, in some form of Utopia akin to " A Brave New World" or in a State of Nature, the two may both be possible. However, in feasible ideologies, there are impossible. This is because how in a free society, issues. However, the link between equality being defined as equal consideration and equality as the equal allocation of resources is tenuous.

The argument of chaos theory may be weak, as people may still be free in that they can maximize their positive liberty in that they can still maximize their potential. Chaos theory only affects the extent to which potential can be reached - not the other way around. In order for this thesis to be stronger, the link between the two warrants further exploration. Perhaps an <https://assignbuster.com/are-liberty-and-equality-compatible/>

exploration of Aristotle opinion on equality might be useful to unpick what equality means, as it depends how we look at equality. " Justice is equality, but only for equals, ND Justice is inequality, but only for those who are unequal" 28.

This needs further exploration. It seems that practically, in some form of Utopia akin to " A Brave New World" or in a State of Nature, the two may both be possible. However, in feasible ideologies, these are unlikely. This is because how in a free society, issues. However, the arguments mainly take the form of an inductive argument as shown below. 1. This example (from Nonionic) shows that under a certain societal ideology the two are incompatible, 2. This example (from Pickett) shows the same 3. Therefore, the two are incompatible This is akin to " Black Swan Theory', identified by Massif Tale.

If one sees a series of the case. Critically, its implications are that no one argument, shows the two to be inversely proportional to each other - for example, as you have more freedom, you get less equality. Whilst the arguments themselves do not prove that as the two are incompatible, they very much support the arguments. Perhaps further discourse is needed to prove - through a deductive argument - that the two are incompatible.

Although the simple fact that social mobility is falling, especially as countries become ore and more privatized, implies that the two cannot work together.

However, there is a dim ray of hope, as many of the arguments offer suggestions to solutions to solve these problems. Pickett himself proposes a progressive income tax of up to 80% and a global wealth tax of 2%.

Furthermore, a 100% inheritance tax is something that others have suggested. 29 On the other hand, these suggestions are highly controversial and are unlikely to be enforced. Whilst, the two are compatible theoretically, on the current trajectory of society, it seems hugely unlikely that liberty will occur in society in the future.