

Q) What do you mean by positive concept of liberty? Discuss its features.

Ans: Positive liberty is the real form of liberty. The concept of positive liberty developed during the later half of the nineteenth century. Slowly an opinion began to emerge that real freedom does not mean absence of restraints. The social control of freedom is essential for attaining social welfare. On the basis of historical experience, man has to accept some common restraints for the general interest of society. That is why positive liberty does not mean absence of all restraints, but absence of all restraints which are unjust and unreasonable. It also means prevalence of such conditions in which an individual may develop himself fully. It implies freedom to do. It is the exercise of freedom and availing of opportunities.

The supporters of positive liberty do not consider man as an autonomous unit which has any separate existence outside society. Man is a social being and his actions affect others too.

Main Supporters of Positive Liberty:

Among the supporters of Positive Liberty the name of Kant, Fichte, T.H. Green, MacIver, Laski, Barker and Macpherson are worth mentioning.

Views of Laski :

Laski says: "By liberty I mean the eager maintenance of that atmosphere in which men have the opportunity to be their best selves. Liberty, therefore, is a product of rights Liberty therefore, is a positive thing. It does not merely mean absence of restraint"

Laski mentions positive conditions required for the realization of liberty. They are as follows:-

- i) **The absence of Special Privileges:** Freedom cannot exist in the presence of special privileges. The special privileges leads to frustration, the habit of creativeness is lost due to this and people lose the ability to realize their own good.
- ii) **The Presence of Rights:** Liberty can only be enjoyed in the presence of rights. There cannot "...be liberty where the right of some depends upon the pleasure of others". It is the duty of the state to maintain equal rights.

- iii) **Responsible Government:** The government must be responsible. Only a responsible government can create the socio-economic and political conditions required for the realization of rights and liberty.

Barker has also supported positive liberty. He thinks that there is a close relationship between liberty, equality and justice. In his own words, "Liberty is always responsibility."

Macpherson call positive liberty as 'developmental liberty'. He says, "...the division will be better marked if we change the name of positive liberty to developmental liberty". **He defines** "positive liberty to act as a full human being. A man's positive liberty is virtually the same as what I have called a man's power in the developmental sense". According to him liberty means availability of life and labour to each member of society. For this he suggests that the capitalist mode of production, based on private property, should be replaced by some other system. Liberty is not negative liberty because in such a case the liberty of one individual can destroy the liberty of another individual. However, he does not accept the division between negative and positive liberty and maintains that negative liberty is absence of any extractive power.

Important features of Positive Liberty:

- i) Liberty is not the absence of restraints, rather it is the presence of those socio-economic and political conditions without which it cannot be realized.
- ii) The object of liberty is the development of man as a social being.
- iii) Without proper opportunities and social conditions liberty cannot be realized.

- iv) Rights are necessary for liberty and it is related to justice, morality and equality.
- v) The liberties of an individual must correspond with social welfare.
- vi) The duty of the State is to create positive conditions for the realization of liberty and for this the State can limit the liberties of some individuals. However, the government must be a responsible government. The State is not viewed as an enemy of personal liberty.
- vii) Liberty is social requirement of social man and it is not given to an asocial or anti-social beings.
- viii) Only in a welfare State can positive liberty exist.

Conclusion:

Positive liberty is the real liberty in modern organized State. It is the condition of a civilized society. In a civilized society, no man can be given the freedom to act at will. Every individual has to bear up with certain restraints and has to work within those limits.