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"Freedom as a right and duty"

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INTRODUCTION

In modern reality, freedom is considered the greatest value of culture. The concept of “freedom” is one of the most widely interpreted, contradictory and uncertain phenomena.

The **relevance** of the chosen topic is determined by the versatility of approaches to revealing the concept of “freedom”, its versatile interpretation and, as a consequence, the different content of its semantic content.

Freedom is a philosophical concept, a state of mind that reflects the inalienable right of a person to realize his human will. Without freedom, a person cannot realize the wealth and potential of his inner world and his capabilities.

The attitude towards freedom, or rather its recognition as a universal human value, was not unchanged. As a result of the change of centuries, power, economic structures, social formations, scientific discoveries, the development of scientific thought, especially social sciences, in the modern world freedom has come to be understood as an absolute good. At earlier stages of the development of society and the state, freedom was the privilege of only a certain social class; first of all, it was enjoyed by a circle of people close to power, the “powers that be,” while the freedom of the common people was very limited.

Some researchers consider freedom as a certain structure, an integral system of elements. A.I. Kazamirov distinguishes between internal and external aspects of freedom. The internal aspect (the internal sphere of the individual’s consciousness) includes freedom of conscience as freedom of personal conviction achieved through independent thinking, freedom of thought and feeling, freedom of expression and dissemination of ideas and opinions. The external aspect (the sphere of external relations with other people) implies freedom of occupation, lifestyle, choice of profession and freedom of action.

But meanwhile, the concept of freedom is not unambiguous. It is multifaceted, complex and contradictory; everyone has it, but with certain limitations.

So, the **purpose** of this work is to conduct a comprehensive analysis of the concept of “freedom” as a right and obligation.

In accordance with the goal, it is necessary to solve the following **tasks**:

- analyze the concept of freedom as a right;
- explore the phenomenon of freedom as a duty.

The **object** of study is human freedom in the context of his rights and responsibilities.

The **subject** of research in this work is scientific articles and special literature that touch on the formation and development of the term “freedom” and approaches to its understanding.

This work consists of an introduction, two chapters, a conclusion and a list of sources used. The total volume of work is 19 pages.

CHAPTER 1. FREEDOM AS A RIGHT

The only justification for interfering with any person's freedom of action is to prevent harm that might be caused to others.

Vladimir Dahl's explanatory dictionary interprets the term “freedom” as one’s will, space, the ability to act in one’s own way, in one’s own space and in one’s own way; absence of constraint, bondage, slavery, subordination to someone else’s will [12].

The New Philosophical Encyclopedia (the first philosophical encyclopedia published in post-Soviet Russia and containing more than five thousand articles authored by more than four hundred experts about personalities, philosophical movements, schools and teachings, concepts and terms, doctrines and concepts, philosophical works) defines “freedom” as one of the fundamental social concepts that reflect the attitude of the subject to his actions, in which he himself is the determining cause and which is directly determined by natural, social, interpersonal and individual factors. The culturally and historically established idea of the degree of independence of a subject from external influences depends on the specific socio-political experience of the people, state, society in which a person lives, grows and comprehends not only his own needs, but also the needs of other people. Simply put, in the most general sense, freedom means the absence of restrictions and coercion, and in relation to the idea of will - the ability and opportunity to do as one wants [7, p. 5-9].

Freedom can also be characterized as the absence of external violence and the ability to carry out one's own actions at one's own discretion.

Freedom is divided as follows:

- natural, which can belong to both humans and animals (however, it is quite difficult to compare the aspect of understanding the freedom of animals with human freedom, since one of the main differences between humans and animals is the high level of development processes of thinking, complex processes of processing incoming information and subsequent concentration on various social problems and the inner world of a person);

□ human freedom, which presupposes self-respect and is based on free will, that is, the ability to determine one's actions through personal choice between various motives and incentives.

Freedom of human will, in turn, appears in two forms: external freedom and moral freedom, which is the highest and most fundamental quality of the human personality and represents the ability to be determined to act on the basis of rational concepts of good and evil, rejecting all other impulses and motivations. Such moral freedom is freedom from external inclinations, and at the same time from external violence, since a person acts morally only when he performs certain actions based on his own internal motivation, and not out of fear of responsibility. External freedom also comes from this provision, meaning the ability to determine one's actions at one's own discretion, regardless of external coercion. In its essence, this kind of freedom is similar to natural freedom, however, in the case under consideration, freedom is presented as the realization by a person of certain actions as a rational being. It is inseparable from moral freedom, which without external freedom cannot manifest itself in the outside world.

External freedom is also a source of law and in this form it develops only in civil society, subject to developed and accepted rules of law, and not to arbitrariness and lack of legal order, since law is a necessary restriction of freedom within the framework of common law. External human freedom is represented by civil freedom. A person becomes free precisely because the law protects his freedom. Freedom is not a gift of power, but an integral property of man as a spiritual and rational being.

Civil freedom is represented by individual freedom in social relations. In this understanding, freedom is divided into civil freedom itself and political freedom, that is, human freedom in relations with other members of society. Actually, civil freedom is possessed by a person in private relations with other people, and political freedom defines a person as a citizen, that is, a subject under the protection of the state. Thus, civil freedom itself is a source of private rights, and political freedom is a source of civil (political) rights [8, p. 157].

The topic of freedom is so complex and voluminous that, according to the very witty remark of Hannah Arendt (German-American philosopher, theorist and historian), talking about freedom is “a lost cause.” The “hopelessness” of the topic of discussion under consideration is determined by the extensive experience of historical and philosophical work, which gives the subject of discussion the character of vastness. Freedom covers various aspects of human nature and society as a whole, culture, social values, problems of the world order and the role of man in the world. Therefore, the modern philosophy of freedom is rooted in the past and endlessly multiplies in the philosophical theories and teachings of various authors, becoming incomprehensible. The single thematic space of the ideological complex of freedom is lost in the diversity of interpretations and definitions, generalized in individual doctrines [3, p. 138].

First of all, freedom is a right. The semantic content of freedom lies in highlighting the sphere of human activity in which his will and autonomy are expressed (freedom of thought, speech, religion, movement, work, and so on), as well as measures of possible behavior, taking into account the quantitative characteristics of the fullness of freedom.

Meanwhile, there are many definitions of the term “freedom”. Thus, in ethics, the concept of freedom is associated with the implementation of human will.

In the philosophical understanding, freedom seems to be a universal of culture, which establishes the possibility of an individual’s activity and determining the nature of his behavior in the absence of external influence.

Personal freedom in law is the ability enshrined in the basic law of the state to realize one’s will in a certain way (for example, freedom of conscience and religion, freedom of speech, freedom to choose an occupation, and so on). The interpretation of freedom borders on the concept of law in the subjective sense as the possibility of appropriate human behavior guaranteed and provided by law, but, meanwhile, presupposing the presence of a permanent legal mechanism for the implementation of the powers of the subject and the corresponding obligation of the state to ensure such implementation by each member of society of their subjective rights.

Lacking a clear mechanism for implementation, legal freedom establishes only the obligation to refrain from performing actions established by law. The Declaration of the Rights of Man and the Citizen of 1789 defines human freedom as the ability to do whatever does not cause harm to another. Thus, every person has the right to realize their property natural rights granted to him only to the extent that the same rights are ensured for other members of society. These restrictions can only be regulated by law.

From a philosophical point of view, freedom can only be realized in a system of social connections. In this context, freedom is interpreted in two main senses: as internal freedom and as external freedom. Inner freedom appears as a psychological phenomenon. External freedom determines the system of social relations. In the latter case, it manifests itself in one or another human behavior and receives evaluation from other people.

In one of his most famous works, “On the Spirit of Laws,” Charles Louis de Montesquieu wrote: “There is no word that would receive so many different meanings and would make such a different impression on minds as the word “freedom.” Some call freedom the easy ability to overthrow someone whom they have invested with tyrannical power; others the right to choose whom they would like to obey; third - the right to bear arms and commit violence; still others see it as the privilege of being under the control of a person of their own nationality or being subject to their own laws. For a long time, some people accepted the custom of wearing a long beard as freedom” [6, p. 177-186].

Immanuel Kant, who stood at the origins of German classical philosophy, spoke about the indivisibility of freedom and law and order. In his opinion, a person is free if he is not subject to another person, but only to a law that is binding on everyone. And thus, freedom seems to be independence from the will of another person. As long as the freedom of one does not interfere with the freedom of another, it constitutes the natural right of every person, belonging to him by virtue of his human nature.

In turn, Thomas Hobbes defines the absence of physical restrictions and an inextricable connection with reason as essential features of freedom, defining

rationality as an integral feature of human freedom. Thus, Hobbes emphasizes the interdependence of freedom and necessity.

According to the point of view of Benedict Spinoza, knowledge and reason are the true power of society, which liberates and elevates man. The erasure of rational principles leads to the loss of human freedom.

In accordance with the ideology of Marxism, freedom appears to be a product of historical and cultural development. Despite the ambiguity and complexity of the process of social evolution, it is accompanied by the development of human freedom and ultimately takes humanity beyond the social restrictions established by society itself. The kingdom of true freedom in the understanding of Marxism will be communism as the society of the future due to the absence of private property in it, which is the basis of exploitation and coercion. Thus, Marxism views freedom as a conscious necessity [1, p. 157].

In the 19th and 20th centuries, it was the philosophy of life and existential philosophy that made a significant contribution to the new interpretation of freedom, giving rise to all kinds of discussions and debates.

Friedrich Nietzsche became one of the founders of the philosophy of life at this time. According to his teaching, freedom becomes an unlimited manifestation of individual will. Nietzsche characterizes the will to power as arbitrariness because it stops at nothing and is accountable to no one. From this position the opposition between freedom and culture began.

Erich Fromm, in turn, defined freedom as the goal of human development, and for this reason, the purpose of human actions constitutes a constant process of self-liberation from the burden, obliging a person to constantly rethink the past and strive for the better.

M.S. Strogovich in his works pointed out the nature of the semantic orientation of freedom. Based on this, freedom forms a special type of human rights. In other words, freedom is also a right, namely the right to act in one way or another, the right to freely determine the direction and nature of one's actions [11, p. 59].

A.M. Sheriev considered freedom as a means of legal regulation of a permissible nature, which consists in providing each subject of society with the opportunity to freely act in a certain way in order to satisfy personal needs and interests. However, it is necessary to act within the boundaries established by the state, delineated by the legal obligations of participants in legal relations and the possibility of seeking protection from the competent authorities [13, p. 257].

According to the opinion of K.E. Ignatenkova, freedom is an independent type of permission, including both physical and spiritual-moral integrity of the individual, as well as providing each person with the opportunity to manage their own actions. These aspects are guaranteed by the state represented by government bodies and officials [2, p. 307].

The implementation of the natural law principle of freedom is put into practice by defining areas of human activity in which each individual has the right to exist as an independent subject of society, as well as by consolidating the boundaries of such independence. Consequently, the freedom of man as a social being is not absolute. The semantic content of the principle of individual freedom can be transformed depending on the nature of social relations, as well as the activities of law enforcers [5, p. 78].

Every person has the right to freedom, both internal and external, regardless of his gender, race, religion, political views and aspirations, social status, state of physical and mental health. And yet, we can come to the conclusion that freedom is born and limited only in society. Man is a social being, for this reason his formation and development, the determination of his own desires and needs, and dependence on certain social phenomena are determined by the society in which he exists. Raising the topic of freedom, first of all, a picture of the absence of oppression, violence against the individual, the opportunity to independently determine one's position in society, to realize one's spiritual, mental and physical potential in accordance with one's own aspirations appears in the mind. However, the border for realizing one's own capabilities always becomes the structure of a particular society, the customs and traditions that have developed in it, the built-up structure of relationships, which is sometimes presented as a certain scheme of necessary behavior in each specific

situation. And in order for a person to be able to independently act in the way he has chosen, one important condition is necessary: permission from society, since illegal actions that harm public interests must be suppressed in order to preserve general peace and security.

From the above provisions it becomes clear that the concept of “freedom” is one of the most complex social phenomena, interpreted differently by philosophy, ethics, law, politics, as well as in the works of many authors. The development of “freedom”, its increasing spread, becomes the result of the formation of society as a whole, the formation of human consciousness and understanding by each member of society of their desires and needs. These aspects led to the emergence of freedom of speech, freedom of thought, freedom of religion, freedom of movement, freedom of choice, freedom of labor, freedom of self-determination, which in themselves are at the same time the right of a person to establish his own version of behavior and existence in society.

CHAPTER 2. FREEDOM AS A RESPONSIBILITY

Freedom is one of the fundamental human rights, which is enshrined in the fundamental laws of states. This right gives every person the opportunity to make their own decisions and act in accordance with their own convictions. However, as in all other areas of life, freedom must come with certain responsibilities.

First of all, freedom should not violate the rights and freedoms of other people. Every person has the right to freedom of speech, expression of his beliefs, religion and other rights, but must not offend others or violate their rights. Violating the rights and freedoms of others is unacceptable and may result in varying levels of liability.

In addition, freedom should not be unlimited, it should have certain limits and restrictions in the interests of society. If a person, using his freedom, causes harm to other people or society as a whole, then his freedom should be limited.

Freedom also obliges a person to accept responsibility for his actions. If a person uses his rights and freedoms, then he must be prepared for the possible consequences of his actions. He should not expect society to be held responsible for his actions.

Article 23 of the Constitution of the Republic of Belarus established that restrictions on individual rights and freedoms are permitted only in cases provided for by law, in the interests of national security, public order, protection of morality, public health, and the rights and freedoms of other persons [4, p. 346].

The Universal Declaration of Human Rights also provides that in the exercise of his rights and freedoms, each person shall be subject only to such restrictions as are prescribed by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and satisfying the just requirements of morality, public order and the general welfare in a democratic society.

The degree of freedom a person has or the restrictions to which he is obliged to submit depends on the social structure of the society in which he finds himself. It should also be remembered that restrictions imposed by society are not always a violation of human freedom. In the absence of boundaries, humanity would not be able to exist: there would be no minimum level of security for the favorable existence of

people. Therefore, general prohibitions play an important role in ensuring the freedom of society.

Delving deeper into the historical formation of the concept of freedom, it is necessary to note the following approaches to its understanding.

For Plato, free action means being guided by the ideal of the good, which is knowledge of the order and prudence of the world. According to Plato, freedom can be dangerous if it goes beyond the good, and the good is the space for the realization of freedom. Therefore, the state must limit freedom by law.

Subsequently, with the definition of freedom as a way of human existence in the religious sphere, especially in Christianity, the problem of freedom of choice began to be rethought, namely, the emphasis was placed on a free line of behavior, which does not always correspond to the interests of society. The position according to which human free will is responsible for the evil that exists in the world, and free will itself is realized through free choice, is becoming very popular. It was assumed that a person, who always exists within a certain community of people, has a specific social role and, thus, is bound by certain norms of behavior that assign appropriate responsibilities to him. The desire to free oneself from these responsibilities, to always act in accordance with one's desires, without caring about the needs of other members of society, brings universal evil.

The study of the concept of freedom in the future was closely connected with the development of this religious approach. It was in this direction that the teaching of Thomas Aquinas and Aurelius Augustine was formed. These thinkers pointed to the inviolable connection of human freedom and responsibility to society as a moral choice, thereby connecting the problem of the formation of freedom with the personality of the people themselves.

Another direction in the development of philosophical thought in the context of determining the nature and content of freedom was existentialism, the prominent representatives of which were Søren Kierkegaard, Martin Heidegger, Karl Jaspers, Jean-Paul Sartre, Albert Camus.

Freedom, from the point of view of existentialism, is not mercy, not benefit and not good for a person and society, but an unbearable burden and burden arising from the significant responsibility that his free choice imposes on a person. In borderline and controversial situations that require not only a responsible global choice, but also a choice at the simplest everyday level, a person appears to society as a conscious being capable of being responsible to society for his actions, and secondly, as a free person, endowed with the right to independently choose your own line of behavior. In the understanding of existentialism, freedom is necessary for a person precisely in order to be or become a person [1, p. 157].

Albert Camus, a French writer and philosopher, argued that freedom is not a privilege, but on the contrary, he equated freedom with duty. Camus reveals this position in his works, noting that freedom does not at all imply permissiveness. Freedom entails responsibility for each member of society for his actions. Freedom always has limitations, and, therefore, the freer a person is, the more responsibility he bears and the more rules he must follow.

In this regard, it is worth noting the famous expression of Mikhail Aleksandrovich Bakunin, a Russian thinker and philosopher of the 19th century: “The freedom of one person ends where the freedom of another begins.” This phrase was subsequently adopted by law-makers in many countries around the world, and today is reflected in the texts of regulatory legal acts as the possibility of performing certain actions to the extent “not to violate the rights and legitimate interests of third parties.”

Very similar expressions can be found in other authors, in particular, Immanuel Kant noted: “Freedom to wave your arms ends at the tip of another person’s nose.”

Thus, freedom is an important human right, but it should not be unlimited and unconstrained. A person has certain responsibilities to society and must take responsibility for his actions. By following this principle, it is possible to ensure harmonious coexistence and respect for the rights and freedoms of every person in society.

CONCLUSION

Freedom is one of the most valuable concepts in the life of every person. Freedom is a right that every person should have, but it is also a responsibility. First of all, freedom requires responsibility for oneself and one's actions. Freedom also requires self-discipline and self-control. Each person, as a social being, must be able to limit his desires and actions if they can harm others, and must remember how his decisions affect others.

Considering all the diversity and complexity of concepts and approaches to understanding freedom, modern teaching about this phenomenon can be briefly expressed in the following basic postulates:

1) all people are free from birth, and no one has the right to alienate their natural rights;

2) freedom consists in the ability to do everything that does not harm another. The freedom of one person is limited by the limits of the realization of freedom by other people;

3) the boundaries of freedom can only be determined by law, which determines the measure of freedom. Freedom and law and order must be one;

4) part of what is permitted is determined through human rights. Securing rights necessary to regulate the conditions for the exercise of people's freedom and the framework of their possible behavior;

5) the only purpose of limiting human rights is to promote general welfare and world order [5, p. 77].

From the research conducted, it becomes obvious that the concept of freedom can be interpreted in quite a variety of ways. In some understanding, freedom becomes synonymous with independence, personal autonomy and unlimited action. But meanwhile, absolute freedom in society does not exist and cannot exist for the reason that in this case it turns into anarchy and arbitrariness. The unlimited freedom of one person creates a lack of freedom for other people.

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