

Enjoy

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## I. Introduction

Our group topic for this presentation project was to understand the relationship between the right or rights and the term “enjoy” as Max Weber described in his definition of rights. We will also take a look from the economic perspective and take a brief look at why it is necessary for us to understand the maximization of utilities to further improve our understanding of right or rights in the real societies.

## II. Definition of a right or rights

-What is a right or rights? Before we begin, we want to give you the definition of rights by Max Weber to understand the link between the term “enjoy” and the right or rights. Max Weber defined right or rights as “the state of mutual social relationships in which the possibility of the members of a social group enjoying exclusive spiritual and material interests under its internal order in a continuous way is guaranteed.”

-If we can simplify the definition, a right or rights are “a moral or legal entitlement to have or do something”, as the English dictionary suggests.

## III. Various Types of Rights.

Let’s get to a more common subject. Historically there is something called the basic human rights. Then there is the Korean constitution that is the basis for the rights that we enjoy in Korea. The basic human rights and the constitution acknowledge certain rights. Sometimes they are the same and sometimes they are different. For example, Right to work maybe in the Korean constitution but it may not be protected by the basic human rights. (Jot down right to work on the board)

Now, let’s go through the rights protected under the Korean constitution. (Ask them to come up with it) There is the right to equality, right to freedom of expression, right to the freedom of press, right to travel, right to freedom of religion, right to privacy, right to property, right to vote, right to a fair trial, right to a speedy trial, right to education, right to work, and so forth.

## IV. Main principle for those rights protected under the constitution

However these rights that we have mentioned above have one common factor, or the governing principle in the Korean constitution. It is stated in the Article 10 of the Korean constitution. The governing principle in the Korean constitution is the right to be treated with respect and dignity, and the right to pursue happiness. However, keep in mind that the pursuit of happiness is a very broad and vague term. Because it is broad and a vague term, it can be the guiding principle of the constitution and become the basis for the other rights protected by the constitution. However, because the term is very broad and vague, it doesn't specifically grant you a certain right then to say that you can make yourself be happy. You have a right to become happy but it doesn't tell you exactly how what why when where or why to become happy.

V. Close familiarity between terms, "happiness" and "enjoy" and the reasoning behind Weber's definition of rights.

There is at least one thing that we can learn from the pursuit of happiness. By taking a look at the close link between the term "enjoy" and the right to pursue happiness. Maybe you are slapping your forehead right now and going aha~! But this is the reason why Max Weber used the word enjoy when he described the rights. The term "right" is closely associated with the main principle of right. Which is the right to pursue happiness. Therefore, there is a close link between "enjoying" and the right. If we analyze this further, the definition of happiness is "state of enjoying, showing, or marked by pleasure, satisfaction, or joy" according to the English dictionary. Therefore, it seems as if there is a no surprise as to why Weber used the term "enjoying" in his definition of right or rights.

VI. Need to limit certain rights in order for them to exercise their rights completely and to make them happy. (Article 37 para 2 in the Korean constitution)

Let's go back to the definition of the rights for a bit. When we were defining the rights we gave you a more simplified definition of the rights. We said a right is "a moral or legal entitlement to have or do something" So, keeping that in mind let's go with a more common approach. When we talk about the responsibilities we often mention rights. We also mention responsibilities when we talk about the rights. There could be a right without a responsibility or a responsibility without a right.

However, that is an exception because these two terms doesn't necessarily go together. For most of the time, you will hear these two terms go together because of the characteristics of these two terms. When you have a responsibility and a right, it involves many people in the society. Sometimes you have a right to one person, and sometimes you have a right to many people. Sometime you can have a right to the government or private companies. There won't be any problems if there were just a one person with all the rights and the rest of the world with a responsibility only. However, the society isn't that simple. Therefore, there is something that we call the conflict of the rights. Where it means that there is a conflict of interest between various types of rights. For example, Daiki was making a speech over at the law college building last night. He was exercising his freedom of speech. However, Min Hyuk also wanted to speak. But as some people know Daiki has a really loud voice. So Min Hyuk screamed and screamed but no one could hear what Min Hyuk was saying. For this case, Daiki was simply exercising his right, but he was also interfering with Min Hyuk's freedom of speech. And by interfering with Min Hyuk's freedom of speech, Min Hyuk could not pursue his happiness.

Let's try to summarize up to this point.

- Everyone has a right.
- Every one has a right to pursue happiness.
- Every one has a right be enjoy themselves
- However, not everyone can be happy all the time because if each individual exercised their right completely then it would interfere other people's happiness (conflict of interest)
- There is a necessity to limit certain rights.

Let's go back to the example. For Min Hyuk to be able to exercise his right to the freedom of speech, he has to find a way to keep Daiki quiet. Therefore, we need to find a way to limit Daiki right to the freedom of speech to stop him from interfering Min Hyuk's freedom of speech. In Korean constitution, Article 37 paragraph 2, there is a way to limit Daiki from screaming. The Korean constitution article 37 paragraph 2 states that it could limit those rights granted by the constitution by a legislation if there is a need for a national emergency, place order in the society, or if there is a need to benefit the public. Therefore, if there is law that stops Daiki from making speeches at night, or if there are limitations to make speeches inside

the building, then under those circumstances Min Hyuk's right to the freedom of speech would be protected.

VII. Conflict of rights and the need for maximizing utilities to keep maximum number of people satisfied.

There is one thing to note from that example. What is the key deciding factor when you make up these legislations that limits rights? Or what should be the key deciding factor when you make up these legislations that limits rights?

The legislation granted by the constitution article 37 paragraph 2 should be most beneficial to the most number of people in the society. Therefore we need to adopt the economic concept into the calculation and that economic concept is the maximization of the utilities.

VIII. Explanation of the concept of utility, total utility, marginal utility, and maximization of utilities.

Utility:

The word, "utility" was created to serve as a practical index to explain numerically about how happy people are from their consumptions. Therefore enjoy = happiness = utility. Early utility theorists like W. S. Jevons, C. Menger, M. E. L. Walras, and A. Marshall believed that they could measure the satisfaction rate of consumers just like temperature.

Keep in mind that every single member of a society has his own life background and experience. Therefore, each and every person receives different utilities even when they purchase the same product.

There is also are no certain units to measure utility since satisfaction or happiness is the term that describes emotion. But for our examples we will use alphabet U to indicate utility.

For example, let's say that Wooseung and Daiki went out for a beer after class. Wooseung likes Budweiser so much that he can't stand passing one day without a can of a cold Budweiser, and Daiki thinks it's silly for anyone to drink alcohol. When these 2 people drink Budweiser, Wooseung will get higher utility than Daiki because Wooseung wants the beer more than Daiki does. Furthermore, the utility of Wooseung will be much higher if he drinks Budweiser when he is thirsty.

## Total Utility:

Total utility is the sum of the satisfaction you feel after you purchase some numbers of the product. Economists define this term as the total amount of satisfaction or happiness, which a person obtains from certain level of consumption of services or goods. For example, let's say for Wooseung, drinking a bottle of ice cold Heineken will add 10 utilities. For each bottle, let's say his utility will depreciate by 2. Also let's say that since he is a student at the University of Korea he can really hold his drinks. So he drank 6 bottles of beer. So the first bottle he has 10 utilities. For the second bottle he has 8. For the third bottle he has 6. For the fourth bottle he has 4. For the fifth bottle he has 2. Finally his sixth bottle he has 0 utilities. In this case, to calculate the maximum utilities, you have to add all the utilities that you have gained thus far. Meaning  $10+8+6+4+2= 30$  Utilities.

## Marginal utility

Marginal utility is the term that describes utility that a person gets when he/she consumes one more service or good after he/she makes consumption at certain amount. Let me give you an example. Let's say that there is a bottle of Samuel Adams. The more bottle of Samuel Adams that you consume, the utility for each additional item will decrease. It is because commonly you feel less satisfied in your second consumption than the first. Therefore, we call the decreasing satisfaction for additional items marginal utility. So for the example that we demonstrated in the total utility, the marginal utility from 1<sup>st</sup> bottle of beer to the second bottle beer was 2.

## Maximization of utilities

The maximization of the utilities is when there is a balance between the utilities of a party and the other parties. When the maximization of utilities happens, there is a trade among the parties that allows maximum amount of total utilities.

For example, Wooseung loves Absolut Vodka so he has ten in his cellar. Daiki wants to buy the vodka from Wooseung. (There should be a chart)

Wooseung 10 10 10 09 07 04 01 00 00

Daiki 01 01 01 05 07 09 10 10 10

Therefore, looking at the chart, wooseung would be most willing to sell the 5 or 6 bottles of vodka. That's where he has the highest marginal utilities. Whereas, Daiki has highest marginal utility between 3<sup>rd</sup> and 4<sup>th</sup> bottles and would prefer to buy four bottles of vodka. However, In this case, the maximized utility could be found on the 5<sup>th</sup> or 4<sup>th</sup> bottles with the total utility of 14, but since we are looking for a high marginal utility than the highest total utility combined, there would be a trade between Wooseung and Daiki at the 4<sup>th</sup> bottle. Because, that is where you will find the highest marginal utility for both parties.

IX. Reasons why maximization of utilities might not work in real life.

One reason why the maximization of the utilities might not work in real life is because the people aren't really aware of how much utility that they will receive from the consumption of goods. For example, Wooseung bought a bottle of Cafri when it first came on the market. Wooseung does not know exactly how much happiness or utility that he will receive from the consumption of such goods.

The maximization of utilities also may not work if there is an error. For example, let's say Daiki works for Toshiba and he has to buy "Pokemon" dolls on his boss's orders or he might get fired. For this case, Daiki's utilities for the pokemon dolls would be really high. But, let's assume that Daiki does not know where the dolls would be used. So he assumes that the boss has one son and buys one pokemon doll. For this case Daiki's utility would be very high for one doll. But his utility would diminish to zero for the second doll unless he wants to keep one for himself. But what if the boss wanted 10 dolls to give to all his nephews and nieces? Daiki would have made an error. He should've had higher utilities for the next 8 dolls but he didn't count that into the equation.

Then there is the problem of scarcity. There are limit to how much goods you can consume because of the limited resources. If there is a limited resources for... let's say gas. Let's pretend that we ran out of gas completely. Then there might be a high utility for the gas, but we won't be able to maximize the utilities because it no longer exists.

Also there is the problem that there aren't substitutes for every single goods. For example, Wooseung would never trade a picture of his nude picture to another person no matter how much the adult magazine wants it. ^^

Unintentional consequences may also occur.

#### X. Conclusion

-Everyone has a right.

-Every one has a right to pursue happiness.

-Every one has a right be enjoy themselves

-However, not everyone can be happy all the time because if each individual exercised their right completely then it would interfere other people's happiness (conflict of interest)

-There is a necessity to limit certain rights.

-However, the limiting the rights needs certain guidelines. That's where we need maximization of the utilities

-Yet, maximization of utilities is just a hypothetical solution to the problem and may not work in real life. It provides us with the basic guidelines.