CHAPTER I

Introduction: freedom from Berlin onwards

This book aims to expound and defend a certain view of social freedom which I shall call *the responsibility view*. Arguably, for reasons of methodology if not human psychology, a study of this kind is best begun by laying down some provisional theories or hypotheses which are then put to the test: substantiated, amended, or discarded as the work progresses. But, as this book presents a conceptual analysis and not an autobiography, I see no reason to preface it by describing the basic ideas with which I started and the story of my struggle with them,[1] nor does the plan of this work reflect the order in which I reached my conclusions. Rather, I shall present and develop my account in what appears to me, on afterthought, to be the most logical order. For example, while it was plain from the start that a multitude of methodological questions would have to be addressed, discussion of them is postponed until chapter 7.

My line of argument may appear to follow a somewhat circuitous route, at least to those not versed in the regular twists and turns of contemporary accounts of freedom, touching on many issues whose interrelations need not always be immediately clear. Thus, while chapter 2 focuses on a host of different versions of so-called negative liberty, chapter 3 introduces the problem of the necessary 'weight' of potential freedom-restricting obstacles and brings the discussion to bear on a long-standing controversy regarding the nature of threats and offers. Chapter 4 then canvasses the notion of moral responsibility for obstacles. In chapter 5, we move on to the realm of so-called positive-liberty

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[1] The preceding Acknowledgements indicate some of the 'chapters' in that story.

accounts, highlighting the way in which 'internal bars' can or cannot curb our freedom. Chapter 6 looks at the relationship between freedom and power, and chapter 7 is, as already mentioned, devoted to questions of method. By the end of the book, however, all these apparently different strands – none of which can, I believe, be neglected with impunity in a comprehensive analysis of social freedom – will have been drawn together, with chapter 8 containing a summary of the main results of the study.

Introductory chapters, which reveal so much of what the author is about to do, how he does it, and what his conclusions are that reading the rest of the book does little more than fill in a few missing details, are a diet I have grown increasingly weary of. Let it, therefore, suffice to say at the beginning that the *responsibility view* I aim to defend is that variety of a conceptual negative-liberty theory according to which an obstacle counts as a constraint on the freedom of an agent B if and only if another agent A can be held morally responsible for the creation or non-removal of the obstacle, i.e., if and only if the onus of justification can be placed on A, whether or not A imposed the obstacle intentionally, and whether or not he can ultimately be held culpable for its existence.

I hope my responsibility view will be found to contain some novel and original features. There is no use, however, in trying to make light of my debt to numerous predecessors in the field. For example, some sort of a responsibility view has already been suggested by other authors, from whom I take my cue.[2] Still, I am led to dissent from, and hopefully improve upon, certain elements inherent in all these previously presented views. Of necessity this work will contain much polemical matter. But then, stating and arguing for a position on the issue of freedom without any relevant interaction with the ongoing debate would

[2] A 'responsibility view' of freedom was first suggested by S. I. Benn and W. L. Weinstein, 'Being Free to Act, and Being a Free Man', *Mind*, 80 (1971) and later worked out in more detail by Benn and various other authors; see, e.g., W. E. Connolly, *The Terms of Political Discourse*, 2nd edn (Oxford: Martin Robertson & Co., 1983), D. Miller, 'Constraints on Freedom', *Ethics*, 94 (1983), S. I. Benn, *A Theory of Freedom* (Cambridge University Press, 1988), and D. Miller, *Market, State, and Community* (Oxford University Press, 1989).

be less than stimulating. At the risk of bestowing on some sections of the book the cursory character of a survey article, I deliberately try to comment upon the views of as many participants in that debate as space allows me to. I hope this will be of particular use to readers who have not yet been initiated into the intricacies of the freedom-debate.

As noted above, discussion of methodological issues will, for the most part, be shelved until chapter 7. On the one hand, this is done for the sake of convenience of exposition: the reader will presumably want me to get on with an analysis of the book's main topic, social freedom, as quickly as possible. On the other hand, I firmly believe that a tree is best known by its fruit, namely, that it is more convincing to 'deliver the goods' first before explaining the method by which – to quote Pindar – the tree was 'fed by the green dew' and 'raised up . . . to the liquid sky'. Nevertheless, I think it is necessary at this point to make a few comments about the method implicit in the ensuing argument, if only to forestall certain objections that might be pressed against it.

After reading a plethora of conceptual studies, I would venture to claim that the most fruitful ones, namely, those which move the discussion of a given concept in the right direction, tend either *explicitly* or *implicitly* to presuppose a plausible methodology. What does such a methodology involve? Arguably, it satisfies four main conditions: it (*1*) respects *common usage* as much as possible; (*2*) yields *coherent* definitions, both internally and with respect to other related concepts, by honouring morally important distinctions; (*3*) yields *serviceable* and *non-relative* definitions in the sense that they commend themselves to any rational thinker irrespective of their community or philosophical persuasion; and (*4*) accounts for *conceptual contestedness* – that is, it explains why people have hitherto disagreed about the extension of the given concept, and why they may still continue to differ about particular cases.

The invocation of these four conditions, especially the highly controversial (*1*) and (*3*), may seem blatantly question-begging. However, my claim is not merely that good conceptual studies have tended to pass these four hurdles, but, more importantly,

that plausible reasons can be given which suggest *why* and *how* such studies could, at least in principle, be expected to do so. Those reasons will not be discussed explicitly until chapter 7, but hopefully by that time the reader will have found the arguments given for my proposed specifications of 'freedom', 'power', and various other terms persuasive in themselves.

This book purports to argue for a definition of social freedom, satisfying the four conditions laid down above, a definition employable in political theory as well as in ordinary discourse. I realise that the mere mention of a *definition* may raise an eyebrow or two in our post-Wittgensteinian, post-Quinean age, which does not speak easily of the quest for definitions. However, rather than rushing my fences at this early point, I hope such worries about the ultimate viability of my quest will gradually disappear once the reader comes to understand the kind of *open-textured*, *naturalistic* 'definition' at which I am aiming (secs. 7.2–7.3).

To anticipate another, if related, objection: it might be urged that all too often in the course of my argument competing accounts and even whole moral theories are over-hastily disqualified on the basis of a counter-example or two. To alleviate in advance the force of this objection, let me make it quite clear that, although *one* of the touchstones by which a sound conceptual inquiry is to be judged is its respecting common intuitions, all satisfactory inquiries into the nature of social concepts will be *critical* ones. What we should be aiming at in such an inquiry is conceptual *revision* rather than mere *analysis*. It must be shown why the point of the given concept *is* or *should be* of interest to people; how the term designating the concept must be defined so as to correspond to this point; and how its meaning is to be distinguished from different concepts, with other (but perhaps related) points. We need to investigate both what people say and what they had better say to capture this point. Thus, although alternative accounts may, at an early stage in my book, seem to be dismissed on the basis of a 'thin' intuition, more substantial reasons will in most cases, I hope, manifest themselves in the course of the discussion why the rejected account is inferior to the one I have proposed (not as serviceable, not supported by as sound a metaphysics or

psychology, etc.). This way of arguing is indeed the fulcrum around which the method of *naturalistic revision*, employed in the sequel, revolves.

Now, there is an element of truth in the discouraging, if somewhat sardonic, remark at the outset of Felix Oppenheim's *Dimensions of Freedom* that when one speaks of freedom, La Bruyére's words come to mind: everything has been said and we come too late to add anything.[3] Yet, philosophers evidently do not see discussions of social freedom as the flogging of a dead horse, for in recent years articles and books on the subject have appeared with almost dreary regularity. If there ever was a feeling in philosophical circles that 'everything has been said' on the issue of freedom, the publication in 1958 of Isaiah Berlin's Inaugural Address to Oxford University, 'Two Concepts of Liberty', created enough stir to dispel any such illusion.[4] Berlin placed the notion of social freedom firmly on the agenda of current debate and paved the way for the spate of publications that was to follow.

The aim of this introductory chapter is to set the stage for the ensuing discussion by laying a part of its conceptual foundation. To do so, let me next make some basic observations about the different kinds of freedom and rehearse briefly a number of the fundamental problems characterising the discourse about social freedom from Berlin onwards.

I.I. KINDS OF FREEDOM

At the outset of his essay *On Liberty*, John Stuart Mill announces that the problems he means to tackle are those of political or social freedom, not those concerning the 'so-called Liberty of the Will'.[5] Mill was quite right in making this distinction: *freedom of the will* and *social freedom* are logically distinct in the sense that people who hold the same view of the former may hold different

[3] F. Oppenheim, *Dimensions of Freedom: An Analysis* (New York: St. Martin's Press, 1961), p. 3.
[4] Reprinted with Introduction in I. Berlin, *Four Essays on Liberty* (Oxford University Press, 1969).
[5] J. S. Mill, *Utilitarianism, Liberty, Representative Government* (London: J. M. Dent & Sons, 1931), p. 65.

views of the latter. Moreover, few would deny that social
unfreedom[6] is compatible with freedom of the will. On the other
hand, there is a strong case for saying that determinism, whether
'hard' or 'soft', excludes the possibility of social freedom and that
such freedom presupposes an underlying metaphysical view of
human beings as free and responsible agents. This is, for
example, Berlin's opinion in his *Four Essays on Liberty*. Now, it is
tempting, when writing about social freedom, to deal as
succinctly with free will as B. Crick does: 'I take "freedom of the
will" for granted – what else can one do?'[7] Indeed, the free-will
problem will scarcely be of more concern for my book than it is
for Crick, although it will be briefly touched upon again in
connection with an analysis of the notions of *autarchy* and
autonomy (sec. 5.5).[8]

There are discordant opinions as to how many concepts of
freedom are abroad in everyday and/or philosophical discussion
apart from the two already mentioned: freedom of the will and
social freedom. Oppenheim locates and defines a number of
these;[9] but he may be too generous in his enumeration, for some
of the concepts he distinguishes seem to be nothing but variations
or metaphorical extensions of others. Thus, what Oppenheim
calls 'feeling free' may be little more than a metaphorical
counterpart of social freedom: when I take off my heavy,
woollen sweater, I feel as if I had been let out of jail, but there is
hardly a reason to exalt this feeling to the status of a special
concept of freedom. Still, as Oppenheim rightly shows, there are
various *kinds* of freedom and many freedom-concepts which
have nothing to do with social freedom.[10] However, searching

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[6] Notably, the word 'unfree' (and 'unfreedom') is rarely used in everyday English. That
    might be little more than a linguistic coincidence since the equivalents 'unfrei' and
    'ófrjáls' are, e.g., current words in German and Icelandic. For reasons of style, I shall
    sometimes be tempted to use 'unfree' in the sequel, but then merely as a short for 'not
    free', and 'unfreedom' as a short for 'the state of not being free', i.e., 'the state of being
    constrained'.
[7] B. Crick, 'Freedom as Politics', in P. Laslett and W. G. Runciman (eds.), *Philosophy,
    Politics and Society*, III (Oxford: Basil Blackwell, 1967), p. 202.
[8] All references in parentheses in the main text refer to pages, sections, or chapters in this
    book.
[9] Oppenheim, *Dimensions of Freedom: An Analysis*, pp. 139–78.
[10] There are also freedom-concepts abroad which *do* relate to social freedom, but which
    are more restrictive than the general concept of social freedom under discussion in this

for the exact number of these does not seem to be a very fruitful endeavour and will not be pursued further here. Let it therefore be clear that, unless otherwise stated, the words 'freedom' and 'liberty' will be used interchangeably in the sequel to refer to *social freedom* and nothing else.

Students ploughing through some of the current elementary literature in social and political philosophy may get the impression that there are two contending accounts of social freedom. On the first account (the one embraced by 'right-wingers') freedom can be restricted only by legal rules and occurrences of force and fraud, while the second account (the 'left-wing' one) claims that, since freedom is not only freedom *from*, but also freedom *to*, it does not merely depend upon the absence of such restrictions, but also upon the presence of effective alternatives for action. However oversimplified and misleading this distinction is, it draws to some degree on Berlin's influential analysis of *negative* and *positive liberty* in his previously mentioned paper.

It is common knowledge that there Berlin distinguishes between two 'political senses of freedom' as answering two logically distinct questions. In the *negative* sense, the question concerns the extent of 'the area within which the subject . . . is or should be left to do what he is able to do or be, without interference', and the answers to that give rise to a concept of liberty as the absence of external constraints: as 'the area within which a man can act unobstructed by others'. In the *positive* sense, the question is 'what, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?'[11] There, we are no longer concerned with the conception of a vacuum in which nothing obstructs us, but rather with the notion of self-direction or self-control, which relates to our deeply rooted desire to be masters of our own destiny. But, as Berlin is quick to point out, although the desire to be governed by oneself may be as deep a wish as that of a free

book and in most other studies of liberty. An example is the notion of being a 'free person' in the sense of not being a slave or a prisoner of the state (irrespective of other dimensions of social freedom). This concept is discussed, *inter alia*, by I. Hunt, 'Freedom and its Conditions', *Australasian Journal of Philosophy*, 69 (1991), 290.

[11] I. Berlin, *Four Essays on Liberty*, pp. 121–2.

area of action, and even historically older, 'it is not a desire for the same thing'.[12]

Although Berlin's terminology is now, by and large, accepted as common ground, there is still ample room for dispute. Three of the most vexing questions are: (*a*) whether positive and negative liberty constitute different concepts or only variants of the same concept, (*b*) what kind of a nature or history an obstacle must have to be a possible candidate for a constraint on liberty in the negative model, and (*c*) how weighty or efficacious such an obstacle must be to count as a constraint.

Unfortunately, Berlin himself is not particularly clear on any of these issues; indeed, he never directly addresses (*c*). As for (*a*), he sometimes speaks as if positive and negative liberty have a common root or source and that they 'start at no great logical distance from each other'.[13] This has led John Gray to conclude that 'when Berlin speaks of two *concepts* of liberty, he intends us to understand this as a reference to what Rawls would call two *conceptions* of liberty'.[14] But elsewhere Berlin clearly states that these are 'not two different interpretations of a single concept, but two profoundly divergent and irreconcilable attitudes to the ends of life'.[15] I find this latter contention more in line with Berlin's general view, according to which the notion of positive liberty has suffered a historical transformation, to the detriment of its original nature. In the light of his detailed description of its abuse in political discourse, it is difficult to see it simply as a variant of the same concept as negative liberty.

Concerning (*b*), Berlin's own view is even more equivocal. He seems to vacillate between (*i*) the narrow view that coercion 'implies the deliberate interference of other human beings',[16] (*ii*) the more inclusive idea that coercion refers to the part 'played by other human beings, directly or indirectly, with or without the intention of doing so, in frustrating my wishes',[17] and (*iii*) the broad definition in his 'Introduction' (written later) that the criterion of coercion is its resulting from alterable

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[12] Ibid., p. 131.   [13] Ibid., p. xliii.
[14] J. Gray, 'On Negative and Positive Liberty', *Political Studies*, 28 (1980), 510.
[15] Berlin, *Four Essays on Liberty*, p. 166.
[16] Ibid., p. 122.   [17] Ibid., p. 123.

or remediable human practices.[18] Nevertheless, (*i*) is the view commonly attributed to Berlin. As can be seen from these interpretive questions, the value of Berlin's contribution, influential as it has been, lies more in raising questions and stimulating discussion than in supplying decisive answers.

So far, we have found little guidance as to which of the two proposed notions of social freedom is more appropriate. Berlin is inclined to emphasise negative liberty, if only because history has taught us that the positive notion lends itself more easily to political abuse. It is no secret that my sympathies are also with negative liberty, although it would take us too far afield to explain at this early point the reasons why. Let it suffice to say for the moment that, of the two, the negative notion seems to have more intuitive appeal, at least for non-philosophers. Perhaps the reason is etymological. In Icelandic, for example, 'frjáls', meaning 'free', is derived directly from the word 'frí-hals' which means literally 'having a free neck', i.e., not being chained like a slave. According to C. S. Lewis' *Studies in Words*, much the same applies to the English equivalent.[19] These etymological facts could be taken to indicate that 'freedom' is by nature what Austin calls a 'trouser word', taking its meaning from something that could have been present (here restrictions) but is not. Austin in fact claims that '"free" is only used to rule out the suggestion of some or all of its recognised antitheses'.[20] But if 'freedom' is categorised as a 'trouser word', whose meaning is negative by definition, it becomes almost too easy to reject out of hand the positive notion of freedom which has been held in high esteem by many distinguished philosophers.

In recent years, those of us who favour a 'negative' account of freedom have come under heavy attack from two directions. First, there are those who insist that the distinction between negative and positive liberty is merely verbal. Surely, they maintain, if you are free *from* certain restraints, then you are free *to* direct your own life; and conversely, you cannot be in control

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[18] Ibid., p. xxix.
[19] Cf. J. Feinberg, *Social Philosophy* (Englewood Cliffs: Prentice-Hall, 1973), p. 4.
[20] J. L. Austin, 'A Plea for Excuses', in V. C. Chappell, (ed.), *Ordinary Language* (Englewood Cliffs: Prentice-Hall, 1964), p. 45.

of your own destiny unless you have been relieved of various
restrictions. Hence, there can be no 'pure' negative account of
freedom – nor for that matter any 'pure' positive one. Let us call
this objection the thesis of *conceptual equivalence*. Second, positive
libertarians argue that the negative concept of freedom fails to
account for certain paradigmatic cases of constraint. Negative
accounts, we are told, concentrate on minimising restraint and
coercion while overlooking the numerous ways in which lack of
capacities and opportunities can curtail our liberty. Poverty
serves here as the standard example. The poor person may not
be the victim of direct restraint or coercion by an identifiable
individual, but if we deny that he is unfree to enjoy many of the
things life has to offer, we are employing a crude and impoverished
notion of freedom. This objection underlies the positive libertar-
ian's thesis of the *conceptual superiority* of his own notion.

Before proceeding further, let me make it quite clear that I
believe negative libertarians have at their disposal the critical
ammunition to counter both the above theses. For our present
purposes it suffices to indicate briefly what I take to be the
most cogent line of defence against the first one, while discussion
of the conceptual-superiority thesis will be shelved until
chapter 5.

Joel Feinberg proposes in his *Social Philosophy* a definition of
freedom which, while grounded in the negative notion, is also
supposed to include the essential elements of the positive one. A
constraint on freedom, he says, 'is something – anything – that
prevents one from doing something. Therefore, if nothing
prevents me *from* doing X, I am free *to* do X; conversely, if I am
free *to* do X, then nothing prevents me *from* doing X'. On this
account Feinberg claims that 'freedom to' and 'freedom from'
are logically linked, and that there can be 'no special "positive"
freedom to which is not also a freedom from'. But *what* prevents
me from doing X? Feinberg answers that question by invoking
four categories of constraints: internal positive constraints such
as headaches, obsessive thoughts, and compulsive desires; internal
negative constraints such as ignorance, weakness, and deficiencies
in talent and skill; external positive constraints such as barred
windows and locked doors; and finally external negative