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31 December 2007  
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## On a basic concept of freedom

*“Freedom properly understood” is the title of a paper written and presented by Dr. Tom G. Palmer, Cato Institute, at the Liberal Thinkers’ Conference on the occasion of the 60<sup>th</sup> anniversary of the Liberal International, Hamburg, 17 November 2007.  
My note (revised after the conference) was a basis for my comments on Dr Palmer’s presentation.*

### Introduction

Tom G. Palmer in his paper with the title “Freedom properly understood” (Palmer 2007) traces the concept of freedom from Plato until our times, identifying different interpretations and definitions. Not an easy job if you agree with Isaiah Berlin: “the meaning of this term is so porous that there is little interpretation that it seems able to resist” (Berlin 1992(1969) p 121). Palmer’s purpose is to identify and analyse efforts to load “freedom” with different connotations which create confusion and diversion from fundamentals of the concept. Examples are “real”, “true”, “higher” freedom. It is not very fruitful to let freedom be used for a lot of good things for which other concepts are more clarifying. As Berlin expresses it: “liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience” (ibid. p 125).

The concept freedom is used in different contexts and perspectives, usually then in connection with other concepts. Even if there could be agreement on what a definition of a basic freedom concept should include there will be enrichments of different kinds in different usages. Here I will adopt a perspective emphasising the individual and his (for short instead of his/her in the following) dignity and the individual is not seen as an isolated island in society. The individual is thus not seen as a means for something else, for example, for some kind of collective. These conditions, of course, have implications for definitions of freedom.

When Palmer 2007 focuses upon abuses of freedom concepts I will more bring forward some enrichments and liberal and liberal policy usages of freedom, well in line with basic definitions of freedom.

### John Locke and John Stuart Mill

Both Locke and Mill have written classic texts on liberty or freedom (regarded as synonyms here, as also in much of scholarly work). See for example Locke 1690 and Mill 1859. These texts have been studied and interpreted in philosophical and political science literature and, as I see it, there is no “final” agreement on how to interpret their concepts of freedom and implications of thereof. Locke writes “...equal right, that every man hath, to his natural freedom, without being subjected to the will or authority of any other man” (Locke 1690, Ch. VI par 54). And “a liberty to dispose, and order as he lists, his person, actions, possessions, and his whole property, within the allowance of those laws under which he is, and therein not to be subjected to the arbitrary will of another, but freely follow his own”. (ibid. par 57). And later: “To turn him loose to an unrestrained liberty, before he has reason to guide him, is not the allowing him the privilege of his nature to be free” (ibid. par 63). Keywords are “the arbitrary will of another”. It can also be noted that Locke assumes a rational individual, capable of understanding which laws govern him.

Mill writes about liberty: “That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise or even right”. (Mill 1859 p 10). And “The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others from theirs, or impede their efforts to obtain it” (ibid. p 12). One of the problems with Mill is the implication that the individual must be able to identify actions which only affect himself in contrast to actions that can affect others in order to be able to abstain from actions that would harm others.

### **Friedrich A. Hayek and Isaiah Berlin**

Influenced by Locke, Mill and other writers Friedrich Hayek writes “the time-honoured phrase by which this freedom has often been described is therefore “independence of the arbitrary will of another” (Hayek 1960 p 12) It is not a freedom without restrictions Hayek finds: “confusion has been created by the common supposition that it is possible to have this kind of freedom without restraints. ---The question then is how to secure the greatest possible freedom for all. This can be secured by uniformly restricting the freedom of all by abstract rules that preclude arbitrary or discriminatory coercion by or of other people (Hayek 1988 p 63). Hayek makes a distinction between *abstract* restrictions or circumstances in the form of law and *concrete* restrictions by coercion from other people in the community or elsewhere. Abstract restrictions take the form of law and rules applicable to everyone (cf. equal treatment) while concrete restrictions can take the form of “arbitrary will of another”. The former is necessary for guaranteeing freedom, the latter is restricting freedom and an expression of the arbitrary will of others.

Isaiah Berlin has presented two concepts of freedom – the negative and the positive. Negative freedom refers to: “What am I free to do or be?” Positive freedom refers to “By whom am I ruled?” or “Who is to say what I am, and I am not, to be or do?” (Berlin 1992 (1969) p 130). Negative freedom is further described in the following way. “By being free in this sense I mean not being interfered with by others. The wider the area of non-interference the wider my freedom” (ibid. p 123).

Of course it remains to define “arbitrary”, “will”, “another”, “interfere” and in other expressions “coercion”. In a review of Hayek 1960 Jacob Viner makes a skillfull analysis of such concepts (Viner 1961 pp 231-236). Viner further asks if it would not be fruitful to use different terms for “freedom from” and “power to”, thus opening up a discussion similar to Berlin’s. In contrast to Berlin who claimed that the two concepts of liberty were independent of each other in different respects Viner saw his two concepts as related to each other.

Berlin writes “The “positive” sense of the word liberty derives from the wish on the part of the individual to be his own master” (Berlin 1992(1969) p 131). The distinction between the two concepts of liberty and their connections have been questioned and it is not clear what insight can be achieved by making the distinction. “Berlin employs the term “positive liberty” in an ambivalent sense. He uses it to mean both the romantic realization of the real self and the democratic organization of government. ....Another major problem with Berlin’s position is his claim that negative and positive liberty are themselves logically, institutionally and historically unrelated.” (Holmes 1995 p 28). Holmes shows convincingly that Berlin’s claims are unjustified. So the interpretations by Berlin and Hayek of freedom bring with them a number of unresolved issues, like the definitions of the terms just mentioned (arbitrary etc.)

and the relations between negative and positive freedom in the case of Berlin. One important question is the interpretation of “arbitrary will”. Either it can be interpreted as factual coercion, acts based on this will, or as a possibility of coercion. That is, the “potential” power of another to exert coercion even if it for the time being is not exerted. I am in favour of the latter interpretation even if the distinction is not quite clear. Holmes 1995 shows convincingly how individual freedom implies a need for constraints on individual passions, taking the form of arbitrary will of others.

I will in the following try to show that some aspects of what Berlin wanted positive liberty to refer to and what Viner wanted “power to” to express are fruitfully dealt with in different ways by Amartya Sen and by Ralph Dahrendorf, not diluting a basic freedom concept..

### **Amartya Sen - a focus on the individual and his identity**

Palmer quotes Sen when Sen focuses on the freedom of the individual in development: “..the expansion of the ‘capabilities’ of persons to lead the kind of lives they value – and have reasons to value” (Sen 1999, p 18). Palmer comments: “Have reason to value means can offer reasons for being allowed to pursue them”, that is justification to others. The individual has to ask others to judge if the life he wants to live should be allowed – this is Palmer’s interpretation. I read Sen differently. According to Sen an agent is “someone who acts and brings about change, and whose achievements can be judged in terms of her own values and objectives” It is thus the individual himself who makes the judgement, not somebody else. Sen uses the concept of freedom in a development context. It is then fruitful to focus on the capability concept which in a way is similar to Viner’s “power to” or Berlin’s positive liberty. My interpretation of Sen’s view of freedom is supported in Sen’s later writings. When writing about identity Sen (2006) stresses the freedom of the individual to choose his or her identity and not be subjected to categorization by others (which would be a kind of coercion). He is critical of communitarian thinking: “Many communitarian thinkers tend to argue that a dominant communal identity is only a matter of self-realization, not of choice” (Sen 2006 p 5).and he continues: “The freedom to determine our loyalties and priorities between the different groups to all of which we may belong is a peculiar important liberty.” (ibid. p 5). He expands on the unfortunate tendency today to use one-dimensional categorizations of individuals, for example “you are a Muslim”, when in fact the individual referred to might choose to see himself as citizen in a country, as a professional, as a liberal etc. Again it shows that Sen stresses freedom as something belonging to the individual herself and thus independence of the arbitrary will of another. What can be problematic in Sen’s writings is the optimistic view of humans as being able to reason and make reasoned choices. But that human beings make choices without explicit reasoning does not mean that they do not see connections between their choices and their objectives. Sen does not require an elitist, intellectual type of reasoning.

### **Ralph Dahrendorf – life chances**

Ralph Dahrendorf has introduced the concept of *life chances*, described as options, that is, choice between alternatives. and ligatures, that is bonds or linkages to others (Dahrendorf 1979). In his theory he assumes that it is the ligatures, the bonds that give meaning to choices. Traditionally home, family, church have provided meaning. They were often coercive and the individual could not get out of them. Individuals in modern society have more freedom to leave traditional ligatures and find new ones. Freedom has increased not only because there are more options available but also because ligatures are less coercive for most people. When Dahrendorf reads Hayek he finds a conservative view and quotes Hayek: “leaves it to us to decide what use we shall make of the circumstances in which we find

ourselves". (Dahrendorf 1979 p 91). But in other writings Hayek seems to be open for changes in "circumstances", at least circumstances like laws with negative effects in Hayek's view. Hayek stresses the importance of obeying circumstances in the form of law and order that are general and applicable equally to everyone. But at the same time Hayek opens up for efforts to change particular circumstances that are not general, not applicable to all because he there finds the arbitrary will of another. Freedom for Dahrendorf is absence of constraints both in options and ligatures. Maybe Hayek is more reluctant to individuals' efforts to change laws applicable to all than Dahrendorf who seems to welcome such efforts. Later Dahrendorf added the concept of entitlements to his life chance theory "options include entitlements, chances of access too." (Dahrendorf 1997 p 20). Entitlements – real possibilities to enter education, participate in public life etc. should not be inferred to imply a blurred concept of freedom but be seen as part of liberal policy.

Dahrendorf's theory of life chances emphasizes that the individual – to have freedom – must also be able to try to change the circumstances, to develop and find new ligatures, bonds etc that give meaning to the choices. As I see it this is not diluting the concept of freedom. Developing and finding new ligatures should not be prohibited by other persons. Coercion in these respects limits freedom.

### **Freedom and rights**

Freedom is a right for the individual. With Palmer I am critical to letting human rights declarations include different kinds of social goods that might well be part of good liberal policy but should not have place in a human rights declaration.

Freedom is in some perspectives given a role for collectivities as is the case with so called minority rights. Sometimes it is not made clear that - in a liberal perspective - group rights, like minority rights should always be second to individual rights that always should have superiority to group rights. This does not prevent liberal policy to be directed to groups but such policies should not be mixed up with "rights" which is often the case both in national and international politics. There is a deep conflict between communitarian and collectivist views on freedom on the one hand and liberal views on the other.

### **Conclusions**

I have in this article tried to show three things. First, a basic concept of freedom as being free from the arbitrary will of another can be interpreted in two ways. One more limited where the individual has to adapt to his circumstances and another where the individual's freedom also includes freedom to try to change his circumstances. Both so called social liberals and so called neo-liberals should be able to find arguments for the latter, broader definition.

Second, a basic concept of freedom is not as simple and clear as one would like it to be. Terms like arbitrary, will, coercion have to be interpreted. Implicit assumptions about capabilities to identify and interpret restrictions in the form of laws and to identify actions that might harm others have to be considered.

Third, I have shown that important contributions based on a basic concept of freedom as being free from the arbitrary will of another can be fruitfully utilized when it comes to important issues of individual identity in the modern world (Amartya Sen) and a life chance theory as a basis for liberal policy (Ralph Dahrendorf). Saying this I recognize that there can

be differences among liberals when it comes to defining what restrictions could be seen as legitimate in a political context in a liberal democracy, for example on which legal restrictions on the freedom of the individual could be regarded as legitimate.

My overall conclusion is that individual freedom defined as being free from the arbitrary will of another, which John Locke wrote about already 1690, is also today a good starting point for liberal reasoning and liberal policy.

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