DAVID SCHMIDTZ AND JASON BRENNAN

A BRIEF HISTORY OF
LIBERTY

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Brief Histories of Philosophy

Brief Histories of Philosophy provide both academic and general readers with short, engaging narratives for those concepts that have had a profound effect on philosophical development and human understanding. The word 'history' is thus meant in its broadest cultural and social sense. Moreover, although the books are meant to provide a rich sense of historical context, they are also grounded in contemporary issues, as contemporary concern with the subject at hand is what will draw most readers. These books are not merely a tour through the history of ideas, but essays of real intellectual range by scholars of vision and distinction.

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JASON BRENNAN

Acknowledgments

In 1630, a troublemaker from London named Roger Williams fled to Boston, made more trouble there, preaching a radical separation between church and state, then fled again, to the colony that would become the state of Rhode Island. Williams made Rhode Island the first state in the world to be founded upon, and successfully to establish, a principle of freedom of religion. His efforts would inspire the First Amendment of the US Constitution. Some years after Williams settled in Providence, he learned that Joshua Winsor, an indentured servant of Massachusetts Governor John Winthrop, was having the same problems with religious orthodoxy that had driven Williams away. Williams wrote to Winthrop (I have seen a copy of the letter) and offered to pay the governor whatever the governor thought reasonable to take the troublesome Winsor off the governor's hands. Thus Williams purchased Winsor's servitude contract. Joshua Winsor moved to Providence. Within a year, he was no longer in debt: he had paid it off, or Williams had forgiven it. Winsor had a son, Samuel, who would one day marry Roger's daughter, Mercy Williams. I am grateful to Williams and Winsor, partly for their towering measure of devotion in the battle for religious freedom, but mainly for being great, great (11 times great) grandfathers of my wife, Cathleen Johnson. I also thank Cathleen and my mother in law, Sara Winsor, for their suggestions and encouragement.

  Thanks to the Earhart Foundation for supporting each of us. Thanks to my colleagues at the University of Arizona for their unfailing trust and support over the years. I will single out my Department Head, Chris Maloney, and my former Dean, Ed Donnerstein, for being the two best administrators I've known; but I could name two dozen others who have been pivotal in making life and work in Tucson the joy it is.

Introduction: Conceptions of Freedom

> THESIS: *There are several forms of liberty. Whether they are conflicting or complementary is a matter of historical circumstance.*

"History, it has been said, is the field of study in which one cannot begin at the beginning."[1] Telling a story requires decisions that could have been made differently – in particular, where to start the story. For philosophers, the story often begins with the task of clarifying the topic. For many of them this is where the story ends, too, but this is not that kind of book. This is a history of liberty, not a history of *theorizing* about liberty. Still, the topic calls for a clarifying philosophical introduction.

Histories of Liberties

What, then, does it mean to be free? Like many core philosophical concepts, the concept of liberty is not easy to pin down. Ludwig Wittgenstein observed that we talk about games with ease, even though it is not easy to say what a game is. Solitaire, football, Dungeons and Dragons, chess, and hopscotch are games. But is there anything important that they all have in common? Do the things we call games share a common essence in virtue of which the term 'game' properly applies? Wittgenstein thought not. We could say that all games involve forms of play, but that is only to say that we use the word 'play' as we use the word 'game,' to refer to a range of activities whose differences are obvious but whose similarities are obscure. Part of Wittgenstein's point is that we often know *how* to use words like 'game' or

'liberty' well enough to communicate with no apparent difficulty, even when we lack a precise recipe for how to use these words. Languages evolve over centuries as tools we use to convey information and ideas about issues that actually arise in our living together. Moreover, we are constantly running into cases that are in some way novel or ambiguous, and our linguistic practices do not resolve them in advance. The historical fact about language in general is that we revise our categories as we go, as needed. The edges (if not the cores) of our categories are fluid, which is part of what makes our categories as adaptable, and thus as useful, as they are.

Part of our job as philosophers is to make our language, concepts, and questions more precise. This job is never easy. As Nietzsche once noted, only that which has no history is definable.[2] Liberty, however we define it, has a history. Partly because of that, defining it is indeed a serious problem. In ordinary discourse, we use the terms 'freedom' or 'liberty' to refer to various ideas; these are related in important ways, but there may not be any essence that the ideas all share. Or, if there is a shared essence, we may not be able to say exactly what it is. Perhaps the things we call freedom bear a 'family resemblance' to each other. That is, in a large family we may observe that two siblings have the same nose, while two others have the same chin or hair color. Even if no characteristic is shared by every sibling, overlapping patterns of family resemblance still mark the siblings as members of the same family.

Perhaps free speech and free trade are usefully viewed as members of the same family.[3] They may turn out to have a history of going hand in hand, even though they are logically separable. Here we categorize forms of liberty as much as our present purpose requires. We don't assume there is any essence awaiting our discovery; neither do we assume otherwise.

Freedom from and freedom to

Isaiah Berlin describes two kinds of 'freedom' or 'liberty.' (Berlin uses the terms interchangeably, and so do we.) We often equate being free with an absence of constraints, impediments, or interference. For instance, the American Constitution protects freedom of speech by prohibiting Congress from passing laws that constrain speech. Berlin called this a *negative liberty*. Negative liberty connotes freedom *from* – that is, from constraints or interference. The 'great contrast' between it and positive liberty is that the latter has to do with self-government. The positive sense of liberty, Berlin says, is in play when the question is not "How far does government interfere with me?" but rather "Who governs me?".[4]

Berlin is often interpreted as trying to draw the following contrast. Someone is free – free *to* as opposed to free *from* – when she has a relevant capacity. So, for a bird to be free *to* fly, it must have wings and energy to take off. It is not enough that no one stops the bird. For me to be in this sense free to fly implies that I have a working aircraft at my disposal, and not merely that flight control has cleared me for takeoff. Positive freedom in this sense – freedom *to* – connotes possession of a relevant resource or capability. But, however illuminating this contrast may be (and we will come back to it), Berlin's original aim seems to have been to draw a related but different contrast between being free from constraints, especially constraints imposed by others, and positive freedom, conceived of as exercising whatever capabilities one has in an autonomous way.[5] In different words, the distinction between positive and negative freedom is a distinction between being free to choose goals of one's own and being unimpeded in pursuing those goals.

Berlin sees negative (political) liberty as an absence of obstacles imposed by others.[6] Thus he says:

> If I say that I am unable to jump more than ten feet in the air, or cannot read because I am blind, or cannot understand the darker pages of Hegel, it would be eccentric to say that I am to that degree enslaved or coerced. … You lack political liberty or freedom only if you are prevented from attaining a goal by human beings. Mere incapacity to attain a goal is not lack of political freedom.[7]

Berlin's negative/positive metaphor naturally suggests that the two categories are supposed, jointly, to exhaust the possibilities. Not so. Berlin says that historians have documented two hundred ways of using the term, and he is writing only about two central ones.[8]

According to human rights activist Natan Sharansky, the simple and ultimate test of whether you live in a free society boils down to the following question: can you speak your mind without fear?[9] The locutions 'free from' and 'free to' are merely handy figures of speech, and here is a case where they can mislead.[10] We would naturally speak of being free *to* speak one's mind; but what Sharansky means is being free from laws or tyrants who suppress opinions, rather than having the technological or rhetorical capabilities necessary for effectively expressing one's opinions to any given audience. Nothing stops us from being concerned about the latter, but as a matter of fact Sharansky's concern, and the concern of the framers of the US Constitution, was about freedom of speech as a negative freedom.

Benjamin Constant, writing in the wake of the French Revolution, distinguished the 'liberty of the ancients' from the 'liberty of the moderns.' Constant's idea is that the liberty of the ancients involves active participation in government, whereas the liberty of the moderns is more a

matter of having control over one's own life within the rule of law.

According to Constant, a citizen of modern England, France, or America conceives of liberty as a

> right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals. It is the right of everyone to express their opinion, choose a profession and practice it, to dispose of property, and even to abuse it; to come and go without permission, and without having to account for their motives or undertakings. It is everyone's right to associate with other individuals, either to discuss their interests, or to profess the religion which they and their associates prefer, or even simply to occupy their days or hours in a way which is most compatible with their inclinations or whims.[11]

Constant continues:

> Now compare this liberty with that of the ancients. The latter consisted in exercising collectively, but directly, several parts of the complete sovereignty; in deliberating, in the public square, over war and peace … But if this was what the ancients called liberty, they admitted as compatible with this collective freedom the complete subjection of the individual to the authority of the community.[12]

As we interpret Berlin and Constant, what Constant calls 'liberty of the ancients' is one example of what Berlin calls 'positive freedom.' Specifically, the liberty of the ancients is a collective form of freedom: people being free to deliberate and to choose their own goals. What Constant calls 'liberty of the moderns' is, by contrast, an example of what Berlin calls 'negative freedom'; it is, specifically, an individual form of freedom from external impediments.

A brief history of liberty cannot cover everything. We concentrate on liberty in its individual forms. However, we do not neglect the topic of collective freedom altogether. Our "Prehistory" chapter discusses a collective form of negative freedom, namely being free from subjugation by neighboring nations, while our "Civil Rights" chapter discusses a collective positive freedom – the empowering of subjugated groups.

Working toward an analysis of the concept of freedom is a theoretical task, but many claim that the consequences of the exercise are not merely theoretical. Constant wrote that confusing the two (that is, the ancient and the modern) conceptions of liberty was "in the all too famous days of our revolution, the cause of many an evil. France was exhausted by useless experiments, the authors of which, irritated by their poor success, sought to force her to enjoy the good she did not want, and denied her the good which she did want."[13] Likewise, after distinguishing between negative and positive liberty, Isaiah Berlin went on to say that the two are not merely different conceptual categories, but rival political ideals, with conflicting implications about the proper role and scope of government.[14] Right or wrong, Constant and Berlin make the debate more interesting, for their assumption that different conceptions of liberty entail different political regimes recasts the semantic issue as a political one, where the debate is not merely about how to use the language but about how to use the police.

The remainder of this chapter identifies some of the many forms of liberty. Later chapters discuss the histories of some (but not all) of these forms.[15]

Negative liberty

(a) Hobbes describes liberty as an "absence of external impediments."[16]

By external impediments, Hobbes meant obstacles that "may oft take away part of a man's power to do what he would; but cannot hinder him from using the power left him, according as his judgment, and reason shall dictate to him."[17] On Hobbes's view, any obstacle whatever is an impediment to liberty.

(b) More specifically, we can define 'liberty' as an absence of impediments imposed *by other people*.

Suppose some obstacle leaves me unable to move my car. Perhaps a tree fell on it. Or perhaps you parked in a way that boxed me in. I am impeded either way, yet the latter is a different kind of impediment; because, if you imposed it, then we can ask whether the law should forbid your imposing such obstacles. This is what Berlin seems to have had in mind when he discussed political freedom.

(c) Even more specifically, we can define 'liberty' as an absence of obstacles *deliberately* imposed by other people.

Your unknowingly parking in my favorite parking spot is not the same as your deliberately parking there, in the knowledge that I always park there. Either act renders me unfree to park in my customary spot, yet they leave me in different situations. The accidental parking is a mere inconvenience. If I take this inconvenience personally, I am overreacting. To take my spot deliberately, though, is to send me some sort of signal – perhaps that I don't command as much respect as I thought. The accident may leave me feeling irritated in a way, but it does not leave me wondering what you are trying to tell me.

Consider another example. Your accidentally running over my bicycle is, morally, not the same as your deliberately running over it. Either act leaves me unable to ride my bicycle; but the *accident* requires you to apologize, me to accept your apology, and both of us to do the kinds of things neighbors do to make sure there are no hard feelings. (You should offer to fix the bike, at which point I should

consider whether I was at fault to leave the bike in harm's way.) The deliberate assault, though, requires me to defend myself rather than to be a good neighbor. This example marks the difference between an accidental and a deliberate imposition; and now the moral overtones of the difference are unmistakable.

   (d) Accordingly, we can define 'liberty' as an absence of obstacles *wrongfully* imposed by other people.

   Suppose you tow my car away because I was illegally and dangerously parked, and you are a duly appointed official hired to do such things. Compare this to a situation where you tow my car away because it is a lawless town and towing my car is your way of extorting money from me for the car's return. In the second case, I am furious and perhaps terrified. In the first case, by contrast, I am irritated and disappointed, but I cannot tell myself that the obstacle to my driving away was wrongfully imposed. I decided to park in a certain way, but I cannot tell myself that my decision to park in that dangerous and illegal way ought to have been respected. When you interfere with my deciding to park there, you are in the right, not me. So, the issue highlighted by this definition concerns obstacles that create *grounds for complaint.*

   Although Locke and Hobbes had negative conceptions, each of them seeing liberty as an absence of obstacles, Locke's characterization of it is slightly moralized:

   the *end of law* is not to abolish or restrain, but *to preserve and enlarge freedom … where there is no law, there is no freedom*: for *liberty* is, to be free from restraint and violence from others … freedom is not … a *liberty for everyman to do what he lists*: (for who could be free, when every other man's humour might domineer over him?) ….[18]

Two centuries later, in 1881, T. H. Green would agree that freedom, rightly understood, is not a mere absence of

impediments. In particular, "We do not mean a freedom that can be enjoyed by one man at a cost of a loss of freedom to others."[19] Moreover,

> When we measure the progress of society by its growth in freedom, we measure it by the increasing development and exercise on the whole of those powers of contributing to social good with which we believe the members of the society to be endowed; in short by the greater power on the part of the citizens as a body to make the most and best of themselves. Thus, though of course there can be no freedom among men who act not willingly but under compulsion, the mere enabling a man to do as he likes, is in itself no contribution to true freedom.[20]

One way to understand Green is to see him as holding that real freedom has two parts: our having opportunities to perfect ourselves in cooperation with others, and our taking responsibility for pursuing such opportunities in a way that does not compromise the opportunities of others. On this reading, real freedom on Green's view is not freedom *from* responsibility but freedom *to* be responsible: responsible, namely, for pursuing our own perfection and for making sure we do no harm in the process. Note that Green's conception of freedom is not essentially individualistic. We can freely take responsibility for ourselves as individuals, to be sure, but we can also take responsibility for ourselves as a group (as members of a family, community, church, mutual aid society, or business). So long as we are not, as Green says, under compulsion, the form of responsibility we take will be a form of freedom.[21]

On any of these conceptions, we might want to say that potential as well as actual impediments could compromise our liberty. Suppose I am a slave, but my master never tells me what to do. If as a matter of fact I live as I choose, it makes sense to say I have more freedom than other slaves

have. But it also makes sense to say I am not as free as people who similarly live as they choose but have no master, because mine could at any moment start ordering me around.

On a negative conception of liberty, it will be a matter of historical contingency whether a given liberty makes for happier or healthier or wealthier lives. Negative liberties are not guaranteed to make us better off, but neither is vitamin C, or exercise – so guarantees can be beside the point. The point of negative liberty has less to do with what liberty guarantees and more to do with what liberty gives people the chance to do for themselves.

There is a difference between guaranteeing in the sense of rendering inevitable (as when government price controls render shortages inevitable) and guaranteeing in the sense of expressing a firm intention (as when government declares no child will be left behind). Clearly, *guaranteeing* something in the latter sense is no guarantee in the former sense. A legal guarantee expresses the government's commitment to produce some result, but this doesn't mean that the government will in fact produce that result. Imagine a world where, every time a government legally guarantees that people will achieve a given level of welfare, an evil demon makes sure that people do not. In that world, if you wanted people to be well off, you wouldn't want to be issuing legal guarantees. You'd *permit* people to be badly off, because that would be their only chance to prosper in that demonplagued world.

Of course, we don't live in a world of evil demons, so perhaps the example is irrelevant. Yet plenty of factors in this world can and do disrupt, corrupt, or pervert our best-laid plans and legal guarantees. Therefore imagining a world devoid of corruption and of unintended consequences is no more relevant than imagining a world of evil demons. We

have to *check* how legal guarantees actually work in our world.

Despite the lack of guarantees, history may well reveal that respecting negative liberties has a long, successful, non-accidental track record of making for better lives. In any case, we won't settle any debate about what negative liberty does for people by conceptual analysis alone.[22] We need to investigate what happens to people when negative liberties are reasonably secure, and what happens when they are not.

Positive liberty

(e) In a more positive vein, we can treat freedom as an ability to do what we want rather than as an absence of impediments. Berlin would reject this notion in an analysis of political freedom (whether positive or negative). Berlin, as has been noted, would not label the inability to jump ten feet in the air a lack of *political* freedom, unless the inability in question were caused by other people.[23] Still, even if such inabilities have no bearing on political freedom, they remain a part of the conceptual landscape of positive freedom.

Many Greeks of Plato's time conceived of freedom as a capacity for living a certain lifestyle. Having to work for a living was close to being a slave. Wage workers work under duress, or so it was thought. But if this is a contentious idea (one that Berlin and quite possibly Constant would have rejected), its undeniable grain of truth is that there is a difference between being independently wealthy and not being so. In ancient times being independently wealthy meant having *time* – being able to enjoy leisure. Nowadays even average workers are independently wealthy in this sense. They work eight hours a day, not fourteen. Typically they work five days a week, not seven.

Even on this positive (in particular, capacity-oriented) view of freedom, though, it will be a contingent matter whether increasing freedom makes for better lives. Parents want better lives for their children, but does this mean that they want their child to be free to drive the family car? Not necessarily. Even when we are adults, some of our wants are self-destructive, and having the power to satisfy them won't necessarily be good for us: it will depend on the nature of these wants, or on our level of maturity. Maturity is partly a matter of being free to satisfy self-destructive wants without actually giving in to them. Maturity is, likewise, a matter of acknowledging that actions have consequences, and that the consequences of one's actions are something for which one should take responsibility.

For these sorts of reasons, Plato rejected conceiving of positive freedom as an effective license to do what we want. He worried that people could be slaves to their desires. He viewed freedom more as a capacity for effective self-governance than as a capacity to satisfy one's appetites.[24] Plato would have been more sympathetic to something like the following:

(f) Moralizing the previous definition, we can think of freedom as a power to do what is right.

(g) Kant distinguished between the grounds of dignity and the grounds of full moral worth.[25] A person's dignity consists of being at liberty to choose to respect the moral law, as per (f). By contrast, a person's full moral worth, and the fullest realization of freedom, involve not only possessing liberty in the sense of (f) but going ahead and exercising it, out of reverence for moral law. Rousseau in France, like his contemporary Kant in Prussia, spoke of freedom as "obedience to a law one prescribes for oneself."[26] Chapter 6 discusses what it takes to achieve

something like (g) when one already has achieved freedom in the sense of (f).

(h) We can define 'freedom' as a power to do what is right, free from all temptation to do otherwise.

Conception (h) leaves room for stressing that there are internal as well as external impediments to freedom. Moreover, it explicitly incorporates both positive (freedom *to*) and negative (freedom *from*) elements.[27] Where Hobbes's conception often is interpreted as being more like (a), Kant's conception of what it is like to be truly, fully free (to be a *holy* will) was more like (h). This Kantian conception (which has roots in Aristotle's discussion of weakness of will and in Plato's discussion of the tyrannical soul) is moralized; it is a power to do what is right, unimpeded by contrary desire.

These last two conceptions of freedom raise a question: Is living by morality a form of servitude or of freedom? Morality demands that I do some things and refrain from doing others. Does this make me unfree? We can answer this question in more than one way; but, here too, in order to answer the question clearly, we need to be clear about how we are using the terms. In this case, the question is not empirical. We settle the question by analyzing ordinary language together with some stipulation, not by gathering social scientific observations.

For example, we may choose to place weight on ideas like the following: A person of integrity (as we understand this notion) may be unwilling to act against her principles, yet the constraints under which she lives were not arbitrarily imposed by her parents or some other authority figure. Instead, they are self-imposed. She may not dictate the content of moral law. (She cannot simply *decide* whether telling the truth is moral law.) However, she does freely choose to respect it. In a way, she seems freest of all. You may have heard the legend of Martin Luther saying before a

court, "Here I stand, I can do no other." If Luther really could not have brought himself to act against his principles, does this make him unfree, or free?

Consider a poetic remark of Viktor Frankl's. "It did not really matter what we expected from life, but rather what life expected from us."[28] Frankl's remark implicitly suggests that we are here on this earth for a reason. We have a mission. A typical reader finds remarks like Frankl's to be inspiring rather than stifling. Why?

(i) We note the possibility of a whole family of related conceptions according to which liberty is a power to do what we want, without self-imposed baggage (in other words being free of commitments or, more generally, free of plans, promises, hang-ups, and selfconceptions that no longer fit the person one has become).

This conception of freedom (i), unlike (h), is not moralized. John Stuart Mill's idea of a free person is that of "a person whose desires and impulses are his own – are the expression of his own nature, as it has been developed and modified by his own culture …"[29] This conception of fully rational self-direction comes closer to what Berlin seems to have meant by positive freedom.[30] Persons who are free in this sense are autonomous: legally, politically, and psychologically in a position to decide for themselves what their lives are for.

This sort of psychological freedom, and the way it relates to other forms of freedom, is the subject of our final chapter. Here we leave the discussion with a question: Insofar as freedom involves being able to do what one wants, does this mean that we can be more free simply by not wanting very much? If we are not at liberty to emigrate, can we avoid this being a limitation on our freedom simply by talking ourselves into not wanting to emigrate?[31] The connection

between being free and getting what we want is subtle, and only partly a matter of linguistic convention.

Republican freedom

Philip Pettit says: "The negative conception of freedom as noninterference and the positive conception of freedom as self-mastery are not the only available ideals of liberty; a third alternative is the conception of freedom as non-domination which requires that no one is able to interfere on an arbitrary basis – at their pleasure . . ."[32] Pettit adds that this republican ideal of freedom as non-domination "regarded all those who are subject to another's arbitrary will as unfree, even if the other does not actually interfere with them; there is no interference in such a case but there is a loss of liberty. The non-interfering master remains still a master and a source of domination."[33]

  We have discussed some elements of this republican conception already. The negative conception of liberty as absence of impediments wrongfully imposed by others is a related notion. Another related notion is the positive conception of liberty as self-mastery – that is, as the power to do as we will. As Pettit draws the distinction, republican freedom shares with negative freedom the idea that freedom is an absence, and with positive freedom the idea that freedom is about mastery.[34] Republican freedom does not, however, entail self-mastery, but merely its most crucial political prerequisite: the absence of mastery by others.

  We will continue to speak of positive and negative liberty in the pages to come, but we remain aware that, as Berlin and as his critics stressed, positive versus negative liberty is a false dichotomy. As noted, negative and positive liberty can themselves be viewed as clusters of related concepts.

Moreover, there are other fruitful ways of carving up the conceptual landscape, and Pettit's is one of them.

Responsibility

Any freedom worth defending has responsibility as a corollary. (There is an existentialist conception of freedom, associated with Jean-Paul Sartre, according to which a person is responsible for literally everything, including events that occurred before the person was born.)[35] Societies that allow their citizens latitude for selfgovernance also need to trust citizens with some level of responsibility for their own conduct.

Having a lot of liberty starts to sound like having a lot of responsibility. Liberal societies give people a chance to choose a conception of the life worth living; but such opportunity to invent ourselves is at the same time a responsibility. What makes liberty good, then? Perhaps having a lot of liberty and a lot of responsibility simply goes with being fully human. Or perhaps it is the prerequisite of living a dignified, *adult* human life – accepting, and not cowering from, the fact that a lot can go wrong when we have a lot of freedom.

In sum, making the best of one's prospects for living a good life – the kind of life one considers happy, or inspiring, or whatever – is inevitably a personal responsibility to a great extent. We operate in a framework of largely self-imposed constraints. We embrace some goals as realistic yet inspiring, and we reject others. We narrow down our options so that what we have left is a manageable set.[36]

Picking a conception

Time-honored conceptions of liberty tend to be time-honored for a reason. They play different, often complementary roles in commonsense thinking. So we see a

point in trying to narrow down the list. If the word 'liberty' is used in so many ways, this might reveal a confusion in common language. Alternatively, the differing uses might reveal something important, such as the fact that context matters. Particular historical contexts will make some aspects of freedom (social, political, economic, religious) more salient than others. Victorian-era social pressure is one context. Slavery is another. The Protestant Reformation is another. Freedom from the risk of polio is another. President Roosevelt's call for moving toward a society that achieves "freedom from want" is another. Seeking freedom from the stress of overcommitment is yet another. There is value in trying to identify the essence that these various freedoms all share, but there is also much to gain from acknowledging the differences. Each of these freedoms is something people have for good reason struggled to secure. One is concerned with liberty in all such contexts, but the concerns one aims to mark by using the word are only related, not identical.

Although these various conceptions of liberty are sometimes treated as competitors, we often see them as being complementary. Some theorists see a minimal set of protected negative liberties as being all we need in order to launch a society that, over generations, produces explosive gains in positive liberty. Other theorists seek guarantees and do not find them in a system of mere negative liberty. I might be free from interference by government, free from oppression by a rigid caste system, and so on, yet I might remain unable to do much because of lack of wealth. Negative freedom, some would say, is the freedom to be poor, to sleep on a public sidewalk, and the like.

We would not want to let debate about negative freedom's real effects degenerate into a terminological dispute. Perhaps, as a matter of fact, negative freedom often leads to poverty. How would we know? Manipulating definitions would not tell us much. The point of defining terms is not to

cut off debate about whether negative freedom leads to poverty – but to facilitate debate: not to *stipulate* that negative liberty leads by definition to prosperity, but to be precise enough to make a question answerable. For example, where there are fewer obstacles to seeking employment of one's choice (fewer migration restrictions, fewer licensing or union membership requirements), are there fewer unemployed people? If so, then we can infer (not in the way a logician deduces but rather in the way a scientist guardedly infers causal connections from empirical regularities) that negative freedom is positively liberating in that particular way. We can ask well-defined questions about the consequences of specific forms of negative freedom, such as freedom from trade restrictions or from state-mandated religion. If we can document trends, making the debate less about whether a trend is real and more about why the world sometimes departs from it, we have made progress in lowering the barriers of understanding – which is what we realistically hope for from philosophy.

   Isaiah Berlin and many classical liberals are suspicious of 'positive liberty,' thinking that acknowledging its value can be misinterpreted as licensing socialism – or, more generally, as licensing bureaucrats to force us to be "free." Nevertheless, simply acknowledging positive liberty as a valuable species of the genus liberty does not commit us to any particular view about what regime promotes it best. We share Berlin's concern about giving governments a license to do whatever it takes in order to promote positive liberty. (In the real world, to give government officials the power to do *x* is to *hope* that officials will use it to do *x*, knowing that, no matter who actually ends up holding such office, the person in question will duly pay lip service to doing *x*, then will use the power for purposes of her own.) None of the conceptions of freedom discussed earlier entails that it should be the government's job to secure that kind of

freedom. Defining terms cannot settle a government's proper role as protector or promoter of particular liberties. We must examine historical, sociological, and economic evidence to see what actually happens when people rely on any institution, including a government, to play a given role.

At the risk of oversimplification, each of the first four chapters starts with negative liberty, treated as freedom from external impediments deliberately imposed. We argue that, in various ways, securing this freedom has a history of enabling people to achieve positive freedom. That is to say, in (negatively) free countries, people generally have more *real choice*. What is real choice? Charles Taylor (1979) distinguishes between negative freedom as an opportunity concept (that is, as a state of having options) and positive freedom as an exercise concept (that is, as a state of having exercised one's options in such a way as to achieve self-realization). In speaking of "real choice," we intend to encompass both an opportunity and an exercise concept: to have real choice is to have options together with the capacities to exercise these options successfully.[37] Chapter 5 (on civil rights) might be seen mainly as starting from a republican conception of freedom as non-domination and working toward the conclusion that non-domination, too, has a history of fostering positive freedom in the sense just defined. Chapter 6 (on psychological freedom) turns to an awkward, by no means merely theoretical, puzzle lying at the core of (one sense of) positive freedom. The puzzle: we could be, as they say, our own worst enemy. We might have an enviable set of options, yet we might want too much, or too little, or know too little about what we truly want, to be able to handle our world of options as it is. In sum, not all impediments to freedom are external.

Institutions