

## TWO CONCEPTS OF LIBERTY

Ethics: Course Notes | Brendan Shea, PhD ([Brendan.Shea@rcctc.edu](mailto:Brendan.Shea@rcctc.edu))

*"The first of these political senses of freedom or liberty (I shall use both words to mean the same), which (following much precedent) I shall call the 'negative' sense, is involved in the answer to the question 'What is the area within which the subject – a person or group of persons – is or should be left to do or be what he is able to do or be, without interference by other persons?' The second, which I shall call the 'positive' sense, is involved in the answer to the question 'What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?'" (Berlin)*

In a famous essay called "Two Concepts of Liberty," the intellectual historian **Isaiah Berlin** explores two historically important concepts of freedom: **negative freedom** and **positive freedom**. Berlin thinks there is a place for both concepts when discussing human life and political philosophy, but he thinks it is important that we recognize that they are different. Among other things, Berlin thinks that the concept of positive freedom has been more susceptible to misuse by dictatorships and totalitarian governments.

### WHAT ARE THE DIFFERENCES BETWEEN POSITIVE AND NEGATIVE FREEDOM?

**Negative Freedom** (or "liberty") is the range of actions that a person can do without interference from other people. This sort of freedom includes many of the rights mentioned in the U.S. Bill of Rights and similar documents: the rights to free speech, religion, assembly, to bear arms, to not quarter soldiers and so on. Your negative freedom can be constrained when other people actively prevent you from doing something you want to do. This might be in the form of the police (who limit your negative freedom to speed, steal, murder, and so on), or other people (who might use physical force, deception, shame, etc.). Berlin notes that violations of negative freedom can be somewhat indirect. So, for example, he suggests that being underpaid *can* be a violation of negative freedom, but this crucially depends on the *reasons* for this. My negative freedom to a living wage might be violated if employers in my area were engaged in illegal collusion to keep wages low, for example. However, it would NOT be violated if my skills weren't good enough to find me a job in a time of high unemployment.

The idea that a government should promote negative freedom is (relatively) new as far as ideas go, and the "classic" defense of it is given by J.S. Mill's "On Liberty," which argues that democratic majorities need to leave room for people to lead the sort of lives *they want to live*, even if the majority disagrees. Mill worries that governments, religions, newspapers, and other social institutions are too quick to punish those who are different, even if they aren't harming anyone else. However, society obviously can't provide *unlimited* negative freedom to its citizens. This might be for reasons of justice or equality (e.g., taxes limit negative freedom to spend money, but still might be justified because of the good they do), or to avoid clashes with the negative freedom of other people (e.g., the government constrains my negative freedom to go around and kidnap other people, since this would limit *their* negative freedom).

**Positive Freedom** (or "capacity") is concerned with the range of actions and choices a person actually has. In contrast to negative freedom, which can be violated only by the actions of other people, LOTS of things limit your positive freedom. For example, the laws of nature limit your positive freedom to fly like Superman; your lack of skill at basketball limits your positive freedom to play in the NBA, etc. Again, some of our basic legally guaranteed rights are plausibly aimed at increasing our level of positive freedoms, including things such as the right to vote, the right to a basic education, and the right to a minimal level of health care. These are things that nearly all governments provide their citizens with, though to varying degrees. Where negative rights are of the form "no one can prevent you from doing x...", positive rights actually provide citizens with certain sorts of *resources* (such as money, etc.) For obvious reasons, there are limits to how much positive freedom a government can provide its citizens with—e.g., some things simply cost too much money ("everyone gets a free airplane!"), while other things are beyond the power of governments ("everyone will be awesome at math!").

### SHOULD GOVERNMENTS TRY TO MAXIMIZE NEGATIVE FREEDOM?

Classical **liberals** (including both "left wing liberals" and "right wing libertarians") tend to think that negative freedom is either the *only* thing that governments should care about, or the at least the *most important* thing it should care about. Here is a simplified argument for this conclusion, based on arguments advanced by **John Stuart Mill** in "On Liberty" (1859).

1. A society with strong negative freedoms concerning speech, religion, and writing will produce many more good ideas (about science, religion, morality, etc.) and will advance much more quickly than a society without these freedoms. Even if 99 out of 100 people use their freedoms to express ignorant, stupid, and/or evil ideas, we need the freedom so that the 1 out of 100 can make a real contribution. After all, we have no way of knowing *which* crazy-sounding idea is actually the key to the future.
2. Even setting aside the benefit to society, individuals are, in general, a much better judge of what sort of actions will make them happy than is the government. So, individuals are happier in societies with more negative freedom than in societies with less negative freedom. For example, it might be that spinach is better for you than ice cream. However, people would be miserable if the government *forced* them to eat spinach for dessert every day.
3. Since a good government should aim to make its citizenry knowledgeable, creative, and happy, it should do its best to maximize negative freedom for everyone (except for children, who need more restrictions).

**Why does Berlin disagree?** Berlin argues that classic liberals (and Mill in particular) are too optimistic about humans generally, and about the project of maximizing negative liberty in particular. In particular, he argues that there are lots of things we care about as a society:

negative freedom, happiness/utility, justice, equality, the ability to self-govern (autonomy), and so on. If we just concentrate on maximizing ONE of these things, we have to give up a lot. Moreover, he thinks that negative freedom doesn't actually deliver all the benefits that classical liberals claim. More specifically, since negative freedom simply involves *freedom from interference by other people*, it's perfectly possible for citizens to be "free" even while they are starving, diseased, and utterly without political power (since the right to vote is a positive freedom). Similarly, a state that maximized negative freedom might be highly unequal or unfair. Finally, history doesn't unequivocally support Mill's claims that greater negative freedom guarantees more progress. For example, we have historical evidence that some societies with pretty limited negative freedom did well economically/scientifically/etc.: the ancient Spartans, the early American pilgrims, etc.

Berlin concludes that, while negative freedom is valuable, and citizens *should* have guarantees regarding freedom of speech, religion, etc., classical liberals go too far when they try to argue that governments ought to maximize negative freedom, or anything of the sort. Negative freedom is simply one important aspect of creating a good society, but it is not the only value.

## MAXIMIZING POSITIVE FREEDOM: A GATEWAY TO TOTALITARIANISM?

While classic liberals have generally cared about negative freedom, many non-liberals (and in particular, religious conservatives and Marxists, who have a surprising amount in common) have cared much more about positive freedom, and tend to think that concepts of negative freedom are "hollow" or "empty." Just as some liberals have thought that state ought to "maximize" the negative freedom of its citizens, some of these thinkers have suggested that the state ought to maximize the positive freedom of its citizens, in order to ensure that its citizens can lead *genuinely worthwhile lives*. The basic argument (which goes back at least to Plato, long before any serious discussion of negative freedom) seems to be something like the follow.

1. People's actual actions and choices can be unreliable indicators of what they really want out of life. An average person is something like an alcoholic or a drug/gambling/sex addict in that he or she consistently neglects the long-term good for short term pleasure. Being an alcoholic or addict is genuinely a *bad* thing, and actually prevents people from having control over their own lives. People's positive freedom is limited by their inability to exercise self-control.
2. A good government (i.e., one that aims to maximize positive freedom) ought to adopt policies aimed at making people "want the right sorts of things." So, for example, nearly every government in recorded history has had *some* sort of laws regarding alcohol, gambling, or drug consumption (from mild taxes to outright bans) that aim at discouraging people from engaging in self-harming behavior.
3. So, when a state seeks to maximize positive freedom, it is OK for it to ignore what citizens *say* they want. After all, their wants ("I want beer! Sex! Violence!") aren't actually the things that are good for them. Instead, the state should focus on shaping the citizens' desires (through education, advertising, and punishment) so that people begin to want the sorts of things that are *really* good for them. For a Marxist state, this might involve banning private property. For a religious state, this might involve requiring everyone to follow the state religion.

**Why Does Berlin Disagree?** While Berlin thinks that positive freedom is valuable, he is very suspicious of this sort of argument. In particular, this sort of argument seems to justify things like the Inquisition, where "heretics" were tortured or killed on the grounds that it was somehow for their own good. He notes that this, historically, has been a common trick of totalitarian governments. Berlin concludes that maximizing positive freedom, like maximizing negative freedom, is a bad idea. He thinks that, in the era he is writing in (the mid-20<sup>th</sup> century, with Stalinism and Fascism), misuse of positive freedom has been a bigger problem than negative freedom, even though both can be misused.

## STRIKING A BALANCE: THE HEDGEHOG AND THE FOX

"The fox knows many things, but the hedgehog knows one big thing." – Archilochus (qtd by I. Berlin).

In the end, Berlin's conclusion is basically a negative one: while both negative freedom and positive freedom are important, the state shouldn't seek to maximize either of them. This is partially because they conflict with one another (for example, the negative freedom to "keep all of your money" might interfere with other peoples' positive freedom to meet their basic needs), but also because both sorts of freedom conflict with *other* things we care about, such as justice/fairness, equality, efficiency, and so on. In an essay called the "The Hedgehog and the Fox", Berlin notes the limitations of thinkers ("**hedgehogs**") who try to explain absolutely everything in terms of "one big idea", whether this be liberty (negative freedom) or capacity (positive freedom). While these thinkers often provide a good starting point for discussion, the progress of civilization also depends on "**foxes**" who are capable of balancing and weighing *multiple* ideas to arrive at a satisfactory solution. Berlin himself seems to be in the fox camp, though he obviously values the ideas formulated by various hedgehogs.

## REVIEW QUESTIONS

1. Consider a political problem that interests you (gun control, abortion, health care, tax rates, environmental regulation, etc.), and analyze it in terms of positive and negative freedom. Specifically, explain how different solutions to the problem would affect the positive/negative freedom of various interested groups. (A simple example: you might argue that stronger gun control laws would restrict negative freedom of those wanting to buy guns, but increase the negative freedom of potential crime victims).
2. In your philosophical outlook, are you more of a "hedgehog" or a "fox"? Explain your answer using examples from your life, and the way you approach different problems.
- 3.