



Political Freedom

Pluralism, Unity, and the Civil Order

CRAIG L. CARR

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ISBN 978-3-030-53396-0 ISBN 978-3-030-53397-7 (eBook)
<https://doi.org/10.1007/978-3-030-53397-7>

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This Palgrave Macmillan imprint is published by the registered company Springer Nature Switzerland AG

The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

for
JOHN LADD
(1917–2011)

*The most certain test by which we judge whether a country is really free is
the amount of security enjoyed by minorities.*

—Lord Acton

*A free society is a society in whose works and ways liberty lives as an
unalienable right so guaranteed and protected by the law that the
expression of liberty and the security of the different in each other's presence
are one and the same.*

—Horace Kallen

PREFACE

The work to follow is an exercise in political thinking that takes political freedom as its subject. This, in turn, introduces the two main concerns of the project, or what I will obscurely refer to as its nature and its target. The target is the idea/ideal of freedom, and my goal here is to say something that might provide a useful perspective on this idea and indicate how freedom loving states might profitably cultivate this political virtue into the future. In a great many modern states, freedom has become a central political good, much celebrated and loudly championed, but all too frequently misunderstood. This misunderstanding troubles both the sentiments of the general public and often the reflections of the more theoretically inclined as well. The sentiments of the public are not of immediate concern here, but theoretical explorations into the good of freedom are. Political thinking should yield theoretical perspectives that offer insights, often missed, ignored, or underappreciated, that help bring clarity to valued political ideas and explain with some degree of precision their normative significance. It is not a matter of “getting it right,” of course (whatever this might conceivably mean), but of extending and developing the discourse.

The nature of political thinking is considerably more difficult to assess. Much of what the reference to nature is intended to imply belongs to the field of methodology. But I mean to call attention to something more basic or elemental than this. Thinking, or theorizing, is always about something; thinking has a subject or target. But thinking about

something is also always done in a particular *way* or from a particular perspective. And the way one thinks, the perspective one employs, whether consciously or otherwise, affects the target of one's thought. When it comes to the idea/ideal of freedom, for example, the way, say, social theorists think about the subject—the background presumptions that make their thought possible—differs importantly from the way, say, moral philosophers think about it. The point is of considerable importance for present purposes because how one elects to think about political freedom will have substantial significance for what it is one thinks one is thinking about.

The mystery these remarks no doubt elicit should dissipate as the discussion progresses. They matter here only for the purpose of introducing the problem of how to go about thinking about a subject like political freedom. This is the first issue that needs to be settled by an exercise in political thought, and I propose to settle it by arguing that political theory is a specific activity that properly belongs to the domain of social theory and not to the alternative domain of moral philosophy. This means that the target of my analysis is best viewed as an aspect of social reality that plays a distinct role, and serves a specific normative purpose, in the social life of those who happen to be enmeshed in this reality. This is a fairly longwinded way of indicating that the argument to follow defends a view of political freedom as a social norm that has gained great prominence through the histories of those places where it operates to help order and secure social life. Accordingly, the exercise in political thinking to follow sets about to describe with some degree of precision the nature of this norm and to explore its likely implications for the way normative conflict should be addressed in those states, or polities, whose histories reflect a commitment to it.

This work has been a long time in coming, which means only that I have been thinking about the norm of political freedom for a good deal of time. And I have benefitted, in the process, from the thought and input of many more friends, colleagues, students, and interlocutors than I am able to acknowledge here. But a few stand out as deserving the public acknowledgment of my gratitude and appreciation for all they have done to make this work possible. I first began thinking about freedom in conversations

with Dick Flathman, to whom I am indebted not just for his excellent insight into the philosophy of freedom, but also for his guidance, support, and inspiration as a friend and mentor. My thoughts on freedom, and liberalism more generally, have also benefitted over the years from conversations with my friends and colleagues Gary Scott, Gary Hochberg, Mike Philips, Birol Yesilada, and Dave Kinsella. There is an evident influence from Samuel Pufendorf's social thought present in my argument, and I want to thank Mike Seidler for his many helpful comments on Pufendorf's political sociology. My meanderings into social theory more generally were helped tremendously by talks with Caleb Scoville and Jim Stemler. Archie Bouwer helped me to understand the nature of mitosis and to apply it to social life, and Lisa Johnson offered many insightful comments on the text. Thanks should also be directed to my many students, both graduates and undergraduates, who sat through my seminars on political freedom and helped shape my thinking with their comments and unique perspectives.

There is one final scholarly debt to be acknowledged that stands out above all others. In the spring of 1967, a naive and confused college sophomore walked into the office of a distinguished philosophy professor, whom he had never before met or even seen, and asked him to serve as his adviser and mentor for an interdisciplinary course of study in political thought. Professor John Ladd not only agreed to take me on as a student, he also immediately began the interminable paperwork associated with such things back then and began to fill my arms with books for summer reading. The program was to end with the presentation of a senior thesis on a topic of my choice that brought together insights from the various disciplines I touched in my exploration of the various *natures* of political thinking. But in the spring of 1970, when my thesis was due, fate intervened, as it so often does, and the best laid plans came apart. Following the tragic events at Kent State, classes were canceled and school dismissed. I hastily presented a terribly crude draft of my only partially completed thesis to Professor Ladd and hurried off to Washington, D.C., to participate in the student lobby effort to end the Vietnam war. Professor Ladd graciously accepted my sorry effort, and I graduated with my class, though haunted by the thought of a job left unfinished.

This work finally meets the conditions required by my undergraduate program, but since Professor Ladd left us some time ago, I am unable to present it to him. I can, however, dedicate it to him, and do so in appreciation for all that he did in support of a naive and confused college sophomore.

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Craig L. Carr

CONTENTS

1	Introduction: The Good of Freedom	1
	<i>Rationalist and Historicist Political Thought</i>	2
	<i>The Methodological Dilemma</i>	6
	<i>Freedom From and Freedom To</i>	12
	<i>Freedom and Its Theoretical Diaspora</i>	18
	<i>The Journey Toward Political Freedom</i>	32
	<i>Bibliography</i>	35
2	Agency and Social Ontology	37
	<i>The Ontological Paradox</i>	38
	<i>Agency, Autonomy, and the Mystery of Action</i>	42
	<i>Agency and Social Theory</i>	48
	<i>Structuration and Ontological Conflation</i>	51
	<i>Reconciliation: Morphostasis and Morphogenesis</i>	58
	<i>Norm Circles</i>	62
	<i>Rules, Norms, and Social Practices</i>	69
	<i>Bibliography</i>	74
3	The Metaphysics of Social Being	77
	<i>Agency and Modernity</i>	78
	<i>The Internal Dialogue</i>	82
	<i>The Autonomy Thicket</i>	87
	<i>Strong Agency/Communal Autonomy</i>	95

	<i>Social Change and Group Mitosis</i>	105
	<i>Social Orders</i>	111
	<i>Bibliography</i>	114
4	Personal Freedom: The Action Model	117
	<i>Freedom and Action</i>	118
	<i>Freedom and Open Options</i>	124
	<i>Freedom, Action, and Restraint</i>	131
	<i>Freedom, Interests, and Desires</i>	139
	<i>Desire, Restraint, and Freedom</i>	146
	<i>Bibliography</i>	150
5	Personal Freedom: The Culture Model	153
	<i>Positive Freedom and Impermissible Action</i>	153
	<i>Coercion, Freedom, and Permissible Action</i>	159
	<i>Coercion</i>	162
	<i>IPR Conventions</i>	168
	<i>Personal Freedom</i>	172
	<i>The Good of Personal Freedom</i>	178
	<i>Freedom Complaints</i>	185
	<i>Bibliography</i>	189
6	Political Freedom and Civil Order	193
	<i>Social Theory and Normative Pluralism</i>	194
	<i>Social Stability and Political Practice</i>	198
	<i>The Liberal Principle</i>	206
	<i>The Morality of Political Freedom</i>	211
	<i>The Politics of Political Freedom</i>	221
	<i>Toleration, Morality, and Freedom</i>	225
	<i>Bibliography</i>	230
7	Political Freedom and Social Justice	235
	<i>Justice Thinking</i>	236
	<i>Justice Fields</i>	242
	<i>Civil Justice</i>	248

<i>Socio-Economic Self-Determination and Equality</i>	252
<i>Inclusion and Discrimination</i>	258
<i>Forms of Discrimination</i>	262
<i>Bibliography</i>	269
Index	273



CHAPTER 1

Introduction: The Good of Freedom

Freedom is a great political good. This is not a claim that many who live in contemporary western states would be inclined to reject. Nor is it a claim that those thinkers who have undertaken a scholarly exploration of the nature of freedom would be inclined to dispute. But it is one thing to notice that freedom is all but universally considered a central political virtue, and quite another to have a clear sense of precisely what this virtue involves. The pursuit of such clarity requires a theoretical construction of the idea/ideal of freedom that effectively describes this particular political good and explains why it deserves its reputation as a central virtue of civil association. The purpose of this work is to move in this direction. Though the discussion to follow may fall somewhat short of a thoroughly systematic theoretical account of freedom, it does at least move some distance in this direction. And this is a start.

An inquiry of this sort is an exercise in political thought—that is, an exercise that involves/requires an effort at thinking about a particular (and particularly important) aspect of political life. This is ordinarily considered a theoretical endeavor. It is important to mention this at the outset because theoretical undertakings of this sort necessarily take place within fixed methodological and ontological contexts. These contexts often operate in the background of theoretical discourse as pre-theoretical givens that inform and direct a political thinker's problem set and intellectual agenda. Because they operate in the background of theoretical discussion, they may well go unnoticed by readers, especially if

these readers happen to share, self-consciously or otherwise, the author's methodological and ontological convictions. If, however, readers are inclined to regard these convictions as misguided or confused, nothing the author says about her subject, no matter how analytically rigorous her remarks might be, will likely seem to them either sensible or compelling.

Either way, the moral here seems to be that it is wise for anyone attempting a theoretical inquiry into the good of freedom to be up-front about the methodological and ontological commitments that background her discussion. These are important aspects *of* political thinking. That is, the methodological and ontological desiderata that background an exercise in political thought are not simply prior philosophical or sociological considerations; they are important features of the process of political thinking itself. Exploration of what Sheldon Wolin provocatively called "the political" is not an activity that is grafted onto some pre-given conception of social being; as Hobbes famously understood, it is itself an aspect of the larger effort to understand our social being. Consequently, to understand this feature of social life, it is important to make certain we have in place a social theory and social ontology suitable to the task.

Accordingly, I am inclined to regard political thinking as a dimension of social theory. We should want to know, at the outset, what methodological orientation is appropriate for an inquiry into this, or any other, aspect of social life. This methodological concern is connected to, and inseparable from, an accompanying question of social ontology: What conception/understanding of the person is appropriate or proper for the enterprise of political thinking? This question introduces a number of philosophical concerns that are troublesome in their own right, and in the remainder of the chapter I will attempt to identify and expose the source of these troubles. I will also say some things intended to place the discussion to follow within the rather expansive set of theoretical controversies that spin around the notion of political freedom.

RATIONALIST AND HISTORICIST POLITICAL THOUGHT

Political thinking, as a form of scholarly or academic activity, is hardly confined to one or two scholarly disciplines. It is a commonplace activity of most all disciplines concerned with the social life of humans, including (but hardly limited to) philosophy, political science, history, sociology, anthropology, and psychology. Yet the methodological and ontological orientations that direct all this political thinking vary both within and

between these various disciplines, and it is sometimes difficult to believe that the practitioners of political thinking are always talking about the same things. Insofar as methodological approaches to political thought vary between disciplines, they produce barriers to interdisciplinary cross-fertilization and encourage the formation of a set of intradisciplinary discourses on political life that defy easy integration into a more comprehensive or ecumenical form of political thought. Nonetheless, my aim in the following inquiry is to embrace an interdisciplinary approach that draws from philosophy, history, political theory, and social theory (sociology) in order to examine the nature of political freedom as a great good.

At the risk of considerable oversimplification, I will begin by imposing a methodological dichotomy upon this interdisciplinary universe of political thinking. The terms “rationalism” and “historicism” have rather long and complex theoretical pedigrees and admit of various meanings and usages. I introduce them here to characterize the methodological distinction I wish to highlight, but in doing so, I do not mean to brand either orientation with any of the various historical and philosophical schools of thought that are often identified by these labels. The reason why these two terms are used to characterize the divergent methodologies to which I wish to call attention will become apparent as the discussion proceeds.

One way to undertake the project of political thinking is to suppose that the social world is, or properly ought to be, governed by certain fundamental rules or laws that are accessible by reason and that guide and govern the nature of social, and especially political, organization. These rules, when effectively promulgated and implemented, blend some collection of distinct individuals into a civil union commonly described as a state. The natural law tradition, in both its classical and modern variants, is the obvious inspiration for this approach. Yet in spite of this common origin, two separate schools of thought on how best to practice this form of political thinking have emerged through time.

First, one may identify certain basic features of human beings—natural, biological, psychological—and then reason through the kinds of rules that beings of this sort should rationally endorse in order for their lives to go well, given the inescapable and ineliminable fact that people naturally live in the presence of others. Hobbes, Hume, and Bentham are among the most evident and powerful of the philosophers who have pursued political thinking in this manner. Second, one might proceed by positing the existence of fundamental moral rules—natural laws, in effect, that are

legislated either by some deity or by human reason—that have evident political implications, and then proceed to expound upon the structural and procedural implications that follow from adherence to these rules. Locke and Kant are two of the most famous practitioners of this approach, an approach that continues to be favored by those moral philosophers who regard political thinking as a form of “applied morality” as Bernard Williams has put it (Williams 2005: 2).

The subtle difference that separates these two schools of thought depends upon whether the rules or laws presumed to govern civil association are derived from antecedent psychological or biological premises (e.g., fear and pride, pleasure and pain, or the confined generosity of men) or crafted from antecedent moral considerations (natural rights, a categorical imperative). At the moment, however, this difference matters less than the important similarities that identify these two schools as a common approach to political thought. In each case political thinking involves an appeal to reason in order to craft the rules which should govern the relations of persons within some fixed geographical context. The strong reliance upon reason, freed from all historical and sociological contingencies and relying upon only some basic moral or natural facts about persons, inspires my inclination to label this a “rationalist approach” to political thinking.

Underlying this approach is a highly individualistic, if not overtly atomistic, social ontology. Persons are conceived, rather abstractly, as autonomous or self-determining agents, each capable of exercising her own judgment and possessed with the capacity for studied, rational (moral or prudential), and reflective self-determination (Cf. Taylor 1985b: 187–210). The ontological priority of persons (as such) means that civil association is a union of distinct, self-governing agents who elect to live together according to rules that each is willing to endorse. The social contract tradition may best illustrate the type of political thought that relies upon this sort of atomistic ontology and individualist methodology, though it is on display in most any consent theory of the state. The rationalist methodology, in effect, is evident in the work of any political thinker who begins by postulating certain controlling aspects of persons, moral or psychological/biological, and then proceeds to derive or formulate basic rules—say by rational choice argument or moral reflection—that are claimed to be appropriate for the governance of social activity.

This approach rather obviously trades heavily on the belief that it is possible to amass a body of political knowledge—moral, natural, or

a mixture of both—that informs the project of civil association. This presumption about the existence and accessibility of political knowledge need not be taken to utopian extremes, but it does provide solace in the sense that the puzzle of civil association can be solved by human reason and ingenuity. On this view, it becomes possible to imagine a civil order that enables even the most devilish individuals to live together amicably and justly, provided (to finish the Kantian theme) that they are rational devilish individuals. The possibility of this political knowledge also permits one to imagine that the insights produced by this tradition of political inquiry qualify as timeless and universal. Because they apply to all persons at all times and in all places, they transcend historical and sociological contingency. Therefore, the rationalist tradition is frequently messianic, and invariably meliorist.

This manner of political thinking is distinguishable from an alternative approach that sees persons as socially configured and embedded beings whose beliefs, convictions, ideas, and ways are a product of the social world that englobes them. This view of persons is characteristic of social theory as a scholarly discipline, and more generally of sociology, anthropology, and perhaps history. On this view, the atomistic individualism characteristic of the rationalist approach is problematic because it reduces persons to an abstraction. Such reductionism is understood to ignore or overlook what I will call the social being of persons. According to this notion, any attempt to understand or conceptualize the (natural) person prior to her social being is nonsensical. As Peter Callero puts it, “one cannot define the individual without first considering the fundamental role of social relationships. In fact, for sociologists the individual and society are simply two sides of the same coin and cannot be separated. This means, for example, that our parents, siblings, coworkers, friends, and classmates are not only influential and important individuals, but they are actually a part of who we are” (Callero 2009: 2). F. H. Bradley also put the point more succinctly (and perhaps more obscurely) some time ago, “In short, man is a social being; he is real only because he is social, and can realize himself only because it is as social that he realizes himself” (Bradley 1970: 174).

This socially contextualized conception of the person drives the historicist approach to political thought. But it remains incomplete if we merely acknowledge the fact that persons are shaped by the social context into which they are born, for there is reason to ask where this social context comes from. It is necessary to add, then, that the social conditions that

configure persons are themselves a product of historical processes. Social life takes place in time, and because society is not static, the story of social change must be told in terms of a historical narrative. This explains why I think it appropriate to characterize this approach to political thinking as historicist. It involves tracking, articulating, and reconstructing the basic and valued political norms of whatever civil context the thinker in question elects to reflect upon. Political thinking thus understood is a theoretical engagement with the political world to which the thinker belongs; it is best characterized as the enterprise of rendering transparent the ideals immanent in the ideas that have emerged through a history of struggle to become the treasured norms of a thinker's social order. As Harold Laski put it, "Political philosophy must take over from history the results of the actual processes discovered there" (1938: 88).

The historicist approach does not yield political conclusions that approach the stature of timeless, universal, or objective truths; instead it can produce only contingent ruminations that are conditional upon the specifics of a thinker's place in time and inherited social context. Ruminations of this sort are necessarily perspectival and thus do not transcend the time-space context within which, and for which, they are developed. From a methodological point of view, this sort of political thinking is not, and cannot be, messianic. The ideals articulated by such political thinking are hardly eternal, though they are certainly intended to be meliorist. But tomorrow's problems must be left to tomorrow's thinkers. According to the historicist approach, the job of political thinking ends with the effort to provide a more perspicuous understanding of the guiding political norms of *this* place and at *this* time, and with the corresponding effort to make the ideals these norms introduce more transparent, and thus better suited as guides for the (perhaps modest) management of the flow of civil life into the future.

THE METHODOLOGICAL DILEMMA

These remarks introduce the apparent need to address an initial methodological dilemma: Which of these two approaches should we adopt? This is not a question frequently asked, nor a problem often explored, by those who take seriously the enterprise of political thinking, and perhaps for good reason. Thinkers frequently approach political thought with their minds already made up on how best to proceed. But while disciplinary training or moral sensitivity may incline some to gravitate naturally to one

view or the other, this is not a terribly attractive way to get started. Ideally, political thinking might initially address the methodological dilemma and consider at the outset which methodological orientation is the most sensible or appropriate for the questions a thinker is asking and the issues she is raising.

These concerns may seem premature, however, because as yet we have little reason to think that the methodological *dichotomy* just introduced poses or produces any sort of *dilemma*. At this point, all we have in front of us are two alternative methods for thinking about civil association that are underwritten by (apparently) competing conceptions of persons, both of which claim to be comprehensive and each of which appears to exclude the possibility of the other. Since some understanding of persons is rather clearly a necessary precondition of political thinking, and *if* these competing conceptions really are mutually exclusive, then a choice must be made. But where is the dilemma? Why is it not obvious, say, that the view of persons as autonomous agents is so clearly correct and on target, that the proper choice is fairly simple and straightforward? A dilemma is present only if there is much to be said for and against either option, such that the proper decision is hardly apparent.

Yet even a review of these two approaches to political thinking as cursory as the one above seems sufficient to suggest that the conditions required for a dilemma are present here. To start, it does not take much to reinforce the historicist insistence that the hyper-individualism of the rationalist approach is an unbelievable exaggeration. The naturalism of Hobbes was quickly undone by Rousseau, for example, who noticed that what Hobbes understood to be a natural social diffidence might just as well be socially learned behavior (as Rousseau supposed it was). Since all human life is inescapably social, how can we be certain that behavioral tendencies are natural rather than socially learned? And the moralist prong of the rationalist approach fares little better. Locke's defense of natural rights might be considered "nonsense on stilts," for example, if one does not accept his "Maker's rights" argument, as many nonbelievers or alternative-believers might want to do. And Kantian claims about individual autonomy are now commonly considered highly suspicious. The desiderata necessary for individuals to become self-determining beings—moral or prudential—are supplied by the fact of social integration, or at least this seems to be the claim supported by those who accept a social ontology that sees persons as social beings.

While these remarks hardly produce a compelling case against the individualism that is basic to the rationalist tradition, they just might raise reasonable doubts about the intelligibility of the conception of the person embedded within this tradition. The natural remedy, of course, is to concede the existence and importance of social influences upon the individual, and this takes us in the direction of the historicist account of persons as socially configured beings. But problems are lurking here as well. The claim that persons are social constructs seems to lead straightaway to some version of social determinism. But if we bow to this conclusion, there is little further point to political thinking, for then even the meliorist promises of the historicist approach would be lost in the wash. If the rationalist conception of persons is too weak to make sense of persons as self-determining beings, the historicist approach seems to err in the opposite direction. It leaves us hard-pressed to avoid thinking of persons as the “cultural dopes” parodied by Anthony Giddens.

If political thinking is to matter—if it is even to be intelligible—it is necessary to avoid the path toward social determinism. But this is not reason to retreat in the direction of the abstract individualism present in the rationalist tradition. Such a move would only enable us to avoid the Scylla of social determinism by opting for the Charybdis of indeterminism, and there is little point to this. Now we have a genuine dilemma—or at least the makings of one. Political thought looks as if it might be mortally impaled by the horns of this dilemma if we cannot identify a viable ontology of the person that pays proper homage to the social being of human life without sacrificing the notion of individual agency in the process.

Perhaps ironically, social theory—which initially emerged as a result of the rejection of the Hobbesian understanding of society as something produced by a contract among persons seeking security through civil association—has been considerably more attentive to this matter than more philosophically inspired political theory. This, in any event, seems to be the driving inspiration behind Anthony Giddens’s social theory, as illustrated by his claim that, “[t]he pressing task facing social theory today is not the further conceptual elimination of the subject [agent], but on the contrary to promote a *recovery of the subject...*” (1979: 44, italics in original). This recovery is essential in order to make sense of the idea that human history is generated, as Zygmunt Bauman has put it, through a process of “self-determined determination” (1999: xiii).

In the chapter to follow, I will begin a fairly extended excursion into this problem in order to craft something that resembles the “recovery of the subject” of concern to Giddens. At the moment I wish only to emphasize that this turn to social ontology—and hence to social theory—is neither ancillary nor incidental to political thinking; instead it is a crucial and essential part of this thinking. The methodological dilemma just introduced needs to be tamed as a precondition of the ability to explain the political good of freedom. The significance of this point is unfortunately often missed by those who employ too unreflectively the abstract individualism at home in the rationalist approach to political thought. This is a reasonably familiar deficiency within much of the current literature dedicated to the idea/ideal of political freedom, and this material suffers, even sometimes to the point of silliness, as a result. For reasons that should become apparent in the chapters immediately to follow, it is simply not possible to provide an adequate account of the good of political freedom by starting initially with a misleadingly abstract account of the individual or with an impoverished understanding of the social being of persons.

This criticism will no doubt sound familiar to anyone who remembers the so-called liberal/communitarian debate that received considerable attention in the 1980s and 1990s. During this debate, communitarian, feminist, and republican thinkers challenged the sufficiency of the conception of the person behind various liberal discussions of social justice. Their criticisms, variously reminiscent of my comments above, targeted the abstract or unsituated nature of this vision of the person (Cf. Taylor 1979; MacIntyre 1981; Sandel 1982, 1996). Several liberal thinkers responded by conceding the fact that persons are social beings and yet insisting that they can still be considered autonomous agents in spite of this (Cf. Christman 2009; Spragens 1999; Moon 1993). Unfortunately, but perhaps not unexpectedly, this reply does more to generate the above methodological dilemma than to resolve or mollify it—a claim that will be amplified and defended shortly. In my view, the impasse produced by this discussion is a consequence of the fact that neither side did much to consider the notion of the person from within the context supplied by an adequate social theory. At the moment, however, it is important only to notice that this increased sensitivity to human sociality on the part of some political thinkers, liberal or otherwise, has not to my knowledge found its way into most of those contemporary discussions of political freedom emerging from the disciplines of philosophy and political theory.

Here then is the predicament that must be addressed. The methodological dilemma is a product of differing and competing conceptions or understandings of the person (autonomous agents vs. cultural dopes). And it is not possible to get very far on the question of political freedom without first settling upon an appropriate methodology. Therefore, it seems best to start the discussion to follow by first addressing this dilemma. To eliminate the dilemma, it is necessary to settle upon a conception of the person adequate for the task at hand. More precisely, it is necessary to identify a conception of persons that respects them as both social beings and as agents of some sort. I understand this to be a problem of social ontology, and will address it accordingly by exploring it as a feature of social theory.

Two rather important, and related, features of my overall argument follow from all this. First, the enterprise of political theory, as it is pursued here, should properly be understood to be an aspect, or subset, of social theory rather than as, say, an extension of moral philosophy ("applied morality"). Second, this means that the proper methodological approach to political theory, or at least to theorizing about the good of political freedom, is broadly understandable in terms of what I loosely call the historicist approach. Social theory attempts to locate human agency within the larger context of social life. The implications of this sense of agency manifest themselves within the context of life as demonstrations of change through time. That is, they manifest themselves in history. In terms that illustrate Bauman's notion of self-determined determination, the resultant imagery requires us to suppose that history shapes persons as they are born into some social context, and human doings within this context reshape this history, driving it, not forward, but onward.

This implies, among other things, that the discussion to follow will be primarily descriptive rather than normative. As my opening remarks suggest, the good of political freedom is not in doubt because it is recognized as a great good in those places (states) that take it seriously, and it has come to be so recognized because of past historical struggle. It is hardly necessary, then, to produce a normative argument in order to twist the arms of doubters in order to persuade them to value the good of freedom. Instead, the aim of political thinking directed at the subject of the good of freedom is to describe this good and explain its implications for the civil life of the state (or polity) where it is accepted as a great good. Put more generally, the job of describing political freedom involves

elaborating upon and explaining a particularly important political (and hence social) *norm* (Cf. Kovesi 1967).

The status of political freedom as social norm is aptly conveyed by Bauman's claim that freedom "exists only as a social relation" (1988: 7). As social relation, "for some to be free to achieve their purpose, others must be unfree to resist" (Bauman 1999: xii). To grasp the meaning of this it is necessary to recognize that social life is ordered by a system of norms that define proper and improper modes of interpersonal association. Some of these norms generate a condition of personal freedom for members of society by indicating those things some person or set of persons is permitted to do, and therefore identifying those things that others are not permitted to do—namely, anything that would hinder or restrain (those) persons from doing what they are permitted to do. As norm, then, a condition of personal freedom—a system of social relationships—involves both options and opportunities for action along with restraints upon those possible actions that inappropriately interfere with the options and opportunities legitimately available to (some) others or everyone. Understood as social norm, political freedom is structured by interpersonal and intergroup relationships—rules of associative interaction, recognized and endorsed by the citizenry, that indicate and/or establish what is permissible and what is impermissible for them to do, be, or become.

It follows that the challenge associated with describing the good of political freedom involves exploring, developing, and articulating the basic norm (or norm system) that is historically and conventionally associated with this good according to the citizens of freedom loving polities. As required by a predominantly historicist approach, this should be regarded as a situated inquiry—situated, that is, in both time and space. I will suppose, perhaps optimistically, that both the temporal and spatial conditions are satisfied by targeting my discussion at contemporary states with liberal histories and pedigrees that incline them to value the idea/ideal of freedom. The challenge this presents, however, should not be understood as exclusively historical or archeological.

While some attention to history is necessary for the job at hand, the enterprise of articulating the good of freedom is more theoretical than historical or sociological. It cannot be accomplished, for example, by taking opinion surveys on what the citizens of freedom loving states think the norm of freedom is like. Surveys of this sort are more likely to reveal confusion, vagueness, and obscurity than genuine insight into

the nature of political freedom. As a theoretical endeavor, the task at hand involves imagining the spirit of freedom incipient in the historical traces that have begun to inform and inspire it. Political freedom is both idea and ideal in this sense; it evolves through time and as the result of both political struggle and theoretical insight. Political thinking about the norm of freedom, then, might profitably be considered as part of a historical process that drives the march or evolution of an idea. This thinking attempts to state clearly, coherently, and perspicuously the ideal lurking within the idea of political freedom that is manifest, albeit perhaps inchoately, in the political practices of freedom loving polities. When it comes to political freedom, the aim of political thinking is to sketch in words the outline of the commitments that any polity claiming to value political freedom must honor.

These remarks should not be read in an overly Hegelian spirit—this is the wrong sort of historicism and the wrong type of social ontology. The evolution referred to above does imply a bit of development, but only because this is how we must think about it. Our ideals become clearer to us with time, or at least they become more precise as they are refined and applied to meet present needs and resolve current problems. But they may also decay with time, become distorted, or even transcended; the historicist approach does not entitle us to think that history is terribly cunning. Future chapters in the saga of political freedom may take the discussion in a different direction and away from what I will describe below as the spirit of freedom. This is but modest acknowledgment of the contingent and uncertain aspect of social life. The historicist approach to political thinking, once again, does not yield grand, eternal, or universal truths; this sort of political thinking can provide only time and space conditional guidance to help perhaps with specific political problems. But as a result, it can also affect political practice (hopefully for the better) and in the process help shape the political culture of those places where it is taken seriously.

FREEDOM *FROM* AND FREEDOM *TO*

While approaching the subject of freedom as a socio-political norm may not seem terribly remarkable or objectionable, this does break ranks with a great deal of the theoretical literature dedicated to this subject. It is far more common to see freedom described as a property or predicate of persons rather than as a social norm. So by way of a further introduction

to what follows, it would be good to say a bit more about the methodological implications of this move. And the place to start is with a few remarks about the distinction between words and norms. I will say much more about social norms in the following chapter and limit myself at the moment to only a few introductory comments.

Social norms are complicated things and come in a wide variety of forms. As Conte, Andrighetto, and Campenni indicate, “norms form a sort of archipelago, with the islands standing for different areas of application—legal, social, religious, moral, and even aesthetic—with scant if any connection to one another” (Conte et al. 2014: 2). The failure to mention political norms here is an unfortunate oversight, but one easily remedied. And we might also question whether these norms are necessarily as disconnected as these writers suppose. But the apparent diversity of the list pays valuable tribute to the great variety of norms operative in modern societies.

This diversity is typically lumped together by recourse to the notion of norms in order to emphasize the prescriptive force that transforms rules into norms. Social norms facilitate social interaction by coordinating expectations and generating cooperation (Ullmann-Margalit 1977). They articulate the “value-standards” that Giddens associates with “prescriptions that may be mobilised as a sanctioning feature of interaction” (Giddens 1979: 102). They are commonly identifiable, in other words, by their social function, or by the role they play in crafting and sustaining associative stability and order throughout society.

Norms are naturally designated by words, but in saying this it is important to appreciate the difference between sign and signified. I will understand words, in a generally Wittgensteinian sense, to be tools with a formal grammar that enables them to do certain jobs for us. While the formal grammar of the word shapes the boundaries of its usage, it also introduces an element of linguistic flexibility. Some words are like tools in the sense that they can be employed in a variety of contexts in order to express a variety of ideas or meanings. The word “freedom” and its cognates are like this. When I write, “freedom is a great political good,” I identify or designate a political norm with valued standing in certain states. But the word “freedom” can be used in other ways that have little or nothing to do with norms of civil association, e.g., “the mouse regained its freedom by escaping the clutches of the cat.”

Perhaps the best known and most insightful attempt to explicate the formal grammar of the word “freedom” is to be found in David

MacCallum's thoughtful paper, "Negative and Positive Freedom" (1967: 312–334). MacCallum takes the title of his paper from Isaiah Berlin's famous distinction between the *concept* of negative freedom and the *concept* of positive freedom (1969: 122). Berlin, as we shall notice momentarily, supposed that there exists a negative understanding of (personal) freedom—which he describes as freedom *from* something (a restraint of some sort), and a positive understanding of freedom—which is described as the freedom *to do* something (an action of some sort). By way of questioning this conceptual distinction, MacCallum insists that freedom always involves "one and the same triadic relation."

The relation MacCallum discerns holds that "freedom is thus always *of* something (an agent or agents), *from* something, *to* do, not do, become, or not become something ..." (1967: 314). This facilitates the view, considered mistaken by Bauman, that freedom is a property of persons; it is a condition that is ascribed to an agent (Cf. Pettit 2007). We do not ascribe freedom to water because water lacks agency, even though we might sensibly say (ala Hobbes) that water is free (i.e., able) to flow downhill. But we can ascribe freedom to agents because they are capable of action. It is the capacity for action that makes persons (qua agents) "freedom evaluable" as Richard Flathman puts it (1987: 147).

Because of the close connection between freedom and action—freedom is predicable only of agents because only agents are capable of action, it is possible to identify things an agent is able (free) to *do* and to distinguish them from those things an agent is unable (not free) to do by virtue of the presence of some restraint or impediment. As MacCallum noticed, this indicates the formal grammar of the word "freedom." A person (agent) is free to do (become) X if and only if there are no barriers in front of the person that block her opportunity to do X. Accordingly, a person's *sphere* of freedom covers the range of possible actions she is able to perform by virtue of the absence of restraints. For some reason, the restraints that limit a person's opportunity to perform some action that she could otherwise perform are commonly limited to human interventions. If A falls into a deep hole in the ground and cannot escape, her freedom to move about outside the hole has not therefore been restrained (though we can say she has lost the freedom to do so), but this freedom has been restrained if she is thrown into the hole by B.

Let's suppose for the moment that this view of what counts as a restraint upon a person's freedom is unobjectionable. The word "freedom" now enables us to identify those actions a person is *free* to perform

(i.e., the universe of actions a person is able to perform minus the actions she lacks the opportunity to perform because of the presence of a humanly imposed restraint), and those actions a person is not free to perform (the universe of actions a person has no opportunity to perform because of humanly imposed restraints). But sometimes we also speak of persons, individually or collectively, as either free or unfree; that is, sometimes we appear to predicate freedom, or freedom *simpliciter* as MacCallum puts it, of either persons or groups of persons (1967: 329).

It might be worthwhile to wonder why anyone would think to speak this way. What are we asking when we inquire into whether a person is free—and not just free from some (restraint) X to do some (action) Y? If the grammar of freedom always anticipates a triadic relationship, as MacCallum contends, then it seems as if it should be possible to identify and indicate the things a free person is free *from* and the things she is therefore free *to* do, be, or become. This apparent conclusion supposes that the negative, or freedom *from*, prong contains a list of all humanly imposed restraints that would block a person's opportunity to act—interference from others for short, while the positive, or freedom *to*, prong involves a list of all possible actions a person is able to perform—available or open options for short. Let me call this the *action model* of (personal) freedom. On this account, freedom is again a predicate of persons, and only derivatively a predicate of groups of persons.

At the moment, I want to strengthen the case for thinking of freedom (personal or political) as a social norm by noticing a substantial problem with the view that freedom is a property of persons. It is simply incoherent to move so easily or readily from the grammar of freedom to a conclusion about freedom *simpliciter*—if in fact we can speak of such a thing at all. The problem is this: Freedom presumes a social relation. A person can be free only in the presence of others because it makes no sense to insist that freedom involves freedom from restraints upon action imposed by others if there are no others around to impose such restraints. Robinson Crusoe sans Friday was not free at all; he was merely alone. But conceding that freedom involves a social relation produces deep difficulties for the action model.

Imagine something like Hobbes's state of nature: No rules, norms, or conventions structure the relations between the detached persons who occupy a given space. (This is hardly a social condition, but of course that is part of the point.) Hobbes took this to be a condition of perfect freedom (freedom *simpliciter*). Persons here could do whatever they

wished provided they had the strength and cunning to get away with it because others were also free to intervene in one's affairs and restrain one's actions. The inevitability of others doing just this made this a terribly insecure environment. So, Hobbes thought it rational for people to abandon this "lawless condition" in favor of a social order where persons surrender some freedom in order to be secure in the remainder of this freedom.

But this argument puts matters poorly because it presupposes that it is sensible to talk about (personal) freedom in a world bereft of social relations. However, no one is actually free in Hobbes' state of nature because the possibility of others' restraining or hindering one's actions is always present, and as Hobbes emphasized, no one is so strong or cunning as to be able to do what she wishes when confronted with opposition from others. (Hobbes supposed that it was security, not freedom, that was lacking in his state of nature, but when the freedom to act as one wishes is not secure, one is not free.) Chaos of this sort cannot qualify as a condition of freedom (or freedom *simpliciter*) in the sense formally described by MacCallum because it is not possible to know what one has the realistic opportunity to do, be, or become since the possibility of being restrained by others is invariably real. A condition of freedom comes into being, on the other hand, when persons reach some accord on what things it is permissible for people to do, be, or become in the company of others and what things it is not permissible to do, be or become. If A is to be genuinely free, others must understand that they are not permitted to interfere with some identifiable package of actions A is entitled to do, and if others are to be free, A must be so restrained as well.

This, as Baumann has noticed, is the point behind thinking of freedom as a social relationship. Understanding freedom in these terms involves imagining a social environment where social relations are socially structured such that everyone understands the things she is free to do, etc., and the things she is not free to do, be, or become. This produces an obvious question: What actions, activities, and life plans should be available to (some or all) people and which of these actions and activities should be prohibited as a necessary condition of realizing this end? Getting clear on freedom *simpliciter* now looks like it requires filling in the proper blanks by indicating what persons should be free from and what they should be free to do, be, or become. But who should decide? And how should this decision be made? Different ways of filling in the salient blanks will produce different conceptions of freedom, or different versions of the