The Bipartite Structure of Freedom

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Abstract

This thesis argues that past and present conceptions 'of freedom' share a particular structure – namely, they can be analysed in terms of *power* and *security* – and that this structure can be used to produce new conceptions suited to changing historical circumstances. Starting from an overview of how concepts can be produced, psychologically, the bipartite structure is introduced through a thought experiment. The meaning of 'power' is clarified, and the structure is then shown to fit around five widely-varying example conceptions of freedom. Through these examples, the notion of 'security' of someone's 'sphere of inviolability' is also explored. Finally, a process for generating new concepts that adhere to the 'rich value' of freedom is suggested and exemplified, with advantages and drawbacks of the method discussed.

Table of Contents

I. Concepts

1. Intentions

The project of this paper is to expose the roots of the idea of freedom in human psychology, and to use that knowledge to show how to construct new conceptions thereof – conceptions whose emotional attraction would be more obvious to more people than would that of those currently carrying currency in global society. In the process I will reveal the basic psychological-conceptual structure that unifies various conceptions that have historically claimed to be of freedom. Clarifying what this means is the task of this first part of the paper.

The core cases of conceptions of freedom I will be dealing with share a positive connotation as 'states to be sought out' in the minds of their users. In other words, the spotlight of my interest here falls upon *value-laden* conceptions of freedom. Although there are concepts whose names involve 'freedom' which are not value-laden, these are peripheral to my project for reasons that will become clear. The argument over whether 'freedom' should be a value-laden or value-neutral concept[1] seems to me as terminological as it is uninteresting: there is no contradiction in making use of two concepts, value-laden-'freedom' and value-neutral-'freedom', with different extensions, associations, rules of use, and so on. When I say 'free', 'freedom' and so on in this dissertation, I am using the value-laden concept unless otherwise stated; my arguments are intended, in part, to show that value-laden conceptions have many distinctive features, dependent upon their value-laden nature, which both differentiate and unite them as conceptions of the same basic thing. Furthermore, I will not limit my investigations to purely political conceptions of freedom, nor to just those conceptions that

[1] See, for example, pp. 4-7 of Tim Gray's *Freedom*, Macmillan, 1990.

have been rigorously laid-out in philosophical terms. As will become clear, there are elements of conceptual structure which unite very disparate kinds of (value-laden) 'freedom', from 'freedom of the will' to freedom in the sense of 'freedom fighter'.

The two parts of my project correspond to the two sides of an oft-neglected is-ought distinction within conceptual analysis. Nietzsche noticed it, claiming 'only something which has no history is capable of being defined'[2]; but a clearer formulation is to say that the question 'What is freedom?' breaks into two – 'What has freedom been up to now?' and 'What ought freedom to be hereafter?'[3] The two questions can only successfully be elided when the differences between their answers are similar enough to escape notice or be dismissed as deriving from an erroneous conception.

A prime example of this kind of error can be found in J. P. Day's *Liberty and Justice* (Croom Helm, 1987). I shall take as an example one particular argument of his, made in a discussion of whether freedom is an essentially contested notion, against the idea that to be free means to not be a slave to one's passions. 'This definition is false' he argues, 'because liberty is a moral right, and *A*'s moral rights must, logically, be held against *B*, who has the corresponding moral obligation'[4]. Quite apart from his questionable assumption that one cannot have a moral obligation towards oneself, Day is doing something very strange here. How can a *definition* be false? There has existed a concept – that of mastering one's passions, loosely speaking – that has been called 'freedom' and married to a certain evaluative and affective attitude; where does the question of truth or falsity gain purchase on this? For one adherent of this concept to

2 Nietzsche, F. *On the Genealogy of Morality*, Essay 2, Section 13

3 If you are of an analytic bent, you might like to ask 'What has 'freedom' meant up to now?' and 'What ought 'freedom' to mean hereafter?' - this tactic will be more or less effective depending on how neatly the word has tracked the underlying concept, but may lead to confusion in some cases as similar concepts find conflicting names in different speakers' mouths.

4 Day, J. P. *Liberty and Justice*, Croom Helm 1987, p178

say to another 'I believe I am free!' is to successfully communicate that they believe themselves to fall into its extension, as well as implicitly affirming that they do still make the same positive evaluation of the situation so described. What is 'false' about this communication? The real problem Day must have with this, reading generously, is that it is (he believes) *inappropriate* to *value* this self-control in the way most people value whatever they call 'freedom'; that in fact that value belongs *exclusively* to a different concept, one of a particular 'moral right'. But it is now clear that he has offered no argument at all for this: all he has done is asserted his position and pointed out that it is incompatible with the position just described. The appearance of an argument is generated by the illusion that there is only one concept 'freedom' whose *is* and *ought to be* are one and the same, implying that the word's attached value can be conjoined with that concept and no other.

But I'm getting ahead of myself, using terms I haven't properly defined. What are these 'concepts' – and what do I mean when I talk about their attached values?

2. The Relationship between Concept and Feeling

To understand the concept of freedom as it has been, I shall investigate its psychological underpinnings in myself – the assumption being that what I learn will be generalisable to others. How was it generated in me? Are there experiences from which it was distilled, and if so, what was retained and what was left out?

There are two things to be said in this method's defence. The first is that philosophers often consult their own intuitions; I am simply doing so in the knowledge that said intuitions are psychological phenomena. The other – which I might use against a Wittgensteinian challenge

that I am merely chasing incommunicable 'inner lights' that can have nothing to do with the meaning of 'freedom' – is that it is a simple matter to find out publicly whether my own 'psychological underpinnings' are shared or not: if other people say 'yes, that sounds right' in response to my descriptions, then they are, whilst if they dissent, they are not.

My first contention, on this basis, is that there is a distinct sensation or class of sensations/emotions commonly called the *feeling of freedom*. This is uncontroversial[5]. It is opposed to feelings of oppression and powerlessness, in that each drives out the other, the former is typically dreamt of when subject to the latter, and when the oppressive conditions are lifted, the sort of sensation commonly described as 'a feeling of freedom' is provoked. I expect this will chime with your own experiences.

The feeling of freedom – that is, the feeling that a person with a conventional, vague concept of freedom might express by exclaiming "I am free!" – is joined by the impression of freedom one gets by contemplating certain situations. This is the experience of dreaming of freedom – whether or not one distils the abstract concept 'freedom' from the particular scenario envisaged. If I were a Humean, I might say that the two sensations are differentiated in my own experience only by their vivacity[6], the prospective impression of freedom being a pallid version of the present feeling of freedom. As it is, all I need for my purposes is that the two are naturally allied in people's minds before they have a concept of freedom – they don't need that concept in order to be related. This relation is provided, obviously, by the prospective impression being the thought 'That situation would be like *this*' where 'like *this*' refers to the imagined experience of present freedom. Not just any old thought, though – those can be had

5 See for example J. P. Day, *op. cit.* p17.
6 David Hume, *A Treatise of Human Nature*, Clarendon, 1896, p2.

at will. It must be a thought that forces itself upon you, ie. an experience of belief[7].

This formulation is slightly more convoluted than simply saying the impression of prospective freedom *is* the experience of imagining a situation in which one experiences the feeling of freedom, but it is so for a reason: having the 'like' in the thought allows the user different conceptions of 'being like' which can accommodate edge cases such as a depressed person imagining not existing. In that case, the scent of freedom suffuses the prospect of nonexistence without the thinker being committed to the obviously contradictory idea that they would experience the feeling of freedom were they not to exist.

My second contention is that this feeling is the origin of the concept of freedom. (This process of abstracting concepts from experiences can be discovered in many other cases, too – I use freedom partly as an example.) Experiencing these sensations as a child, one – I cannot refer to specific memories here, I can only conjecture, hence the impersonal – one unifies the conditions that provoke them into categories corresponding to the emotions triggered. These are what come to be labelled 'freedom' and 'unfreedom'. Being typically that way inclined, one imagines some common *quality* shared by all and only the members of each particular category. One's idea of this quality is one's idea of freedom. One thinks of this quality as being of the categorised situations rather than in one's thoughts, but no conscious metaphysical commitment is yet involved here; one is at a prephilosophical stage. But here I can begin to speak from experience again.

[7] This is as opposed from merely *believing.* One can believe something at a point in time without having any experience of that belief right then. For example, I have believed Joe Biden to be Vice-President of the United States all day, without once having the belief-thought 'Joe Biden is Vice-President of the United States'. Up until writing this footnote, obviously.

With this imagined quality to work with, I then begin to do philosophy on it. “What is this quality?” I implicitly ask – “What is freedom?” I say out loud. I might tries to give expression to it, or to find what things are *really* freedom and which are not, or to look outside myself for guidance, for example. However it goes, having sprung up tracking the feeling of freedom, this concept then begins to guide it, changing which prospects produce the impression of freedom and even which lived situations produce the feeling of freedom, according to the results of my investigation. It can do all sorts of useful things, this concept: it can help square freedom with my other values, and determine whether freedom or unfreedom applies in circumstances which would otherwise bewilder and prospects that would otherwise appear opaque.

Once the concept has started developing independently like this, however, there is no guarantee it will *successfully* guide the feeling and impression of freedom along its own lines. The course of its development – which may be determined by all sorts of factors, often irrational ones – may draw it too far from the feeling and impression that birthed it. (The latter is, it seems to me, more malleable, but not infinitely so.) The two may divorce, with one of two outcomes, depending on which keeps the name 'freedom'. Either the concept will 'not really be “freedom”', with the mysterious correlate of the inchoate feeling retaining the name, or the thinker will cease to value 'freedom' as they did, the feeling becoming nameless in their mind. There is no fixed 'distance' at which this will happen: it might happen gradually or suddenly, at different levels of tension between feeling, impression, and concept, depending on the individual and their particular psychological circumstances. It is against the danger of this split that I wish to defend in this paper.

In pursuit of this, I will use a concept I call *rich value*. A thing's rich value is a normative

'quality' it has in virtue of the way it would appear to the you if you assessed it with all relevant detail and without factual error – whether in experience (as with the feeling of freedom) or in prospect (as in the impression of freedom). In particular, it has it in virtue of the evaluative aspect of that hypothetical appearance. This concept essentially names the result of a process of extracting a concept from a feeling once again, as if in the naïve position described above. Items' rich values are also differentiated by any difference between the attitudinal and affective response, broadly speaking, that the accurately assessed things would provoke. It can be assumed that for most objects different accurate presentations of the object would produce somewhat different responses in the assessor; particular aspects of the response become more relevant to the object's rich value as they become more constant across the range of different possible accurate presentations.

I call it *rich* value because it, as a property, is predicated of an object in response to more than just the one-dimensional 'utility' that would be perceived therein (even if such a metric can be generated non-arbitrarily with the ordering properties required to assign each object a defined position on a number line). It is difficult to imagine something inherently valuable which lacks any rich value beyond its one-dimensional value; on the other hand, something which is *merely* a means to an end, about which one has no opinion whatsoever other than 'that's useful', might thereby have value without having any particular rich value. Since the world presses itself upon us as a careless mixture of evaluative and non-evaluative impressions, however, it is very rare that our impression of anything is entirely free of evaluation, and hence it is very rare that something will have a utility without having *some* rich value.

Though it can accommodate some differences between the responses to different accurate presentations of the same thing, this concept assumes that overall the assessor would be fairly

constant in her evaluation both over time and across different accurate presentations of said thing. In cases where this assumption fails, the concept may remain useful by considering the assessor as embodying multiple different perspectives or the object as having separate and differently assessable aspects. (Only the latter is an abstraction, as the idea of an assessor who does *not* have different perspectives over time is itself an abstraction, generated (in part) by considering as a whole the collection of particular moments of her consciousness.) If these methods don't work, the concept should not be applied – there is no way to successfully extract the thing's rich value.

The 'quality' in "the object's normative 'quality'" above is in quote marks because it needs no positive ontological status - 'rich value' is a mere *façon de parler* intended to make it easier to talk about the way I evaluate things by tagging the things with the evaluations. In most cases, there is no need for the rich value one person attributes to a thing to match that attributed it by another; what makes it matter when it comes to freedom is that our ability to live together in a good society depends on it.

To defend the worth of the concept 'rich value', I call upon your own experience: of seeing someone *beautiful*, of stepping in a *disgusting* dog turd, of witnessing an *admirable* but at the same time *cringeworthy* act. All these qualities are of the kind 'rich value', and demonstrate how natural it is for human beings to project their evaluations upon the world. If, on the other hand, you believe that (some of) these properties are in one sense or another completely real, including their value components, then you can treat my 'rich value' as real, and my arguments should still come off fairly smoothly[8].

[8] For a prefiguring of this concept, see Hume's comments on the variety of pleasures in his *Treatise of Human*

It should be clear that on its own, a situation's having the rich value of freedom reveals little about other situations. Rich value doesn't on its own produce a system; it merely smooths and generalises hypothetical responses to specific cases based on whatever arbitrary heuristics currently produce actual affective responses in the evaluator. My constructions will relate to it in two ways. Firstly, I will defend the framework into which I loosely claimed all conceptions of freedom fall by comparing it to the rich value of freedom that appears to the advocates of said conceptions, rather than focussing exclusively on their explicit formal elaborations of their ideas. Secondly, in the construction of my own particular variation on the concept, I will attempt to create an elegant structure that snugly fits the rich value of freedom as I 'perceive' it in certain hypothetical situations, thereby demonstrating the function of the method I use.

Actually making use of the rich value of something in an argument is quite easy. You've almost certainly done it yourself in the past, under a different name. In prospect – ie. when contemplating a distant situation or conducting a thought experiment – the only real, not-purely-grammatical difference between the situation's rich value and your considered intuitions about it is that the former is based on the situation's actual attributes rather than those that appear to you. (The grammatical difference is basically that one's attributed to the situation and the other's attributed to you.) This means that consulting one's intuitions about a thought experiment and assessing the experimental scenario's rich value are for all intents and purposes one and the same thing.

Nature – in particular, 'A good composition of music and a bottle of good wine equally produce pleasure; and what is more, their goodness is determin'd merely by the pleasure. But shall we say upon that account, that the wine is harmonious, or the music of a good flavour?' - David Hume, *A Treatise of Human Nature*, 1896 edition, p472.

3. Why Conceptions Fight

There is one more issue I picked up on in my discussion of Day that I'd like to make explicit here. This is the question of the uniqueness of freedom. Why can't disputes between conceptions of freedom be resolved by simply declaring the disputants to be separate concepts? For there to be a dispute there must be something disputed – something the sides can't both have. In the case of freedom there are two crucial areas which cannot help but be monopolised by one or another conception.

First and foremost, there is the rich value of freedom, as defined in the last section. The satisfactory conceptualisation of this demands *one* concept cover all the cases where that rich value is to be found. If only a multiplicity of concepts can do so, the conceptualisation is unsatisfactory: what links the examples covered by one with those covered by another? This is why I count it a virtue of my characterisation of ideas of 'freedom' that it covers metaphysical as well as political freedom. Concepts covering some subsection of the instantiations of a conception of freedom may be considered *varieties* of that freedom, rather than conceptions of freedom in their own right, if they don't conflict with that conception (over this or any other ground) and bear characteristics that would otherwise mark them out as conceptions of freedom.

Secondly, there is the political role of freedom. (The fact that metaphysical freedom doesn't contest this ground is, I presume, one of the reasons for its separation as a concept from political freedom – Hobbes being one notable exception[9].) This can be subdivided into two parts: 'freedom' is a way of life for democratic legislators to protect, and a target for reformers

[9] David van Mill, 'Hobbes' Theories of Freedom', *The Journal of Politics* vol. 57 no. 2 (May 1995), Cambridge University Press, pp. 443-459

and revolutionaries to achieve. Differences about what freedom means cannot be fully accommodated in either case: there can only be one law under any one State in most contemporary conditions, but even were that not the case, a given person can only ever find themselves subject to a single arrangement of coercive forces. Differing conceptions of freedom demand that people be subject to different arrangements, thereby setting a prize over which they must fight – a fight that is only sometimes metaphorical.

II. The Bipartite Conception

1. The thought experiment that started it all

What, then, is the structure I have discerned through the haze of conceptualisations and contradictory instincts that make up our culture's shared 'idea of freedom'? For there *is* a structure to be found there. To introduce it, I will take you through the thought process by which I myself came up with it. The point of this is to provide you with an intuitive grasp of the concepts involved and their appeal, and as such I will proceed more by creative generalisation and association than logical necessity and evidence; I argue more rigorously for the structure's applicability in the subsequent sections.

In 2013, though not a student at the time, I was a member of an Oxford University talking-and-drinking society named Oxford Students for Liberty, who would meet up every week and debate subjects relating to freedom in an informal setting. Our membership (numbering about two dozen) was very broad-based politically – the treasurer at the time was a Marxist Communist, the chairman a hardcore libertarian – but in the course of our discussions I began to detect a widespread problem. The conceptions of freedom being put forward and used were unconvincing – not necessarily confused or contradictory, but not compelling. For example, although it seemed intuitively obvious that the mass surveillance activities revealed by Edward Snowden should be a threat to freedom, it was frustratingly hard to articulate quite why; and the rising prosperity of determinedly authoritarian China lent weight to the question: what's so great about freedom, anyway? (Here you can see the threat of the concept divorcing the feeling rear its ugly head.) It struck me that in order that freedom should be preserved, society's dominant conception of it must be such that it has obvious, intuitive appeal and

makes it easy to work out whether it obtains in any given situation. Such a conception would better motivate citizens and political actors to defend it.

Mulling these questions over, I conducted a thought experiment. It went something like this:

Suppose a particular government wishes to prevent a protest, and does so by putting troops on the streets, threatening to kill anyone who demonstrates. This clearly removes the would-be protesters' freedom to protest. But why? The obvious answer is to say that the fact they'll be shot if they protest is the relevant factor.

Change the scenario just a little, though, and that answer no longer satisfies. Suppose that the troops are not issued with ammunition, due to shortages, but that this is successfully kept secret. The effects of the government action are the same - they suppress the protests. We now have two possibilities: either the would-be protesters *are* actually free to protest in this scenario, or they are not, despite their only *thinking* they would be shot if they did. Which does the rich value of freedom follow? I am inclined to say the freedom to protest isn't worth much if you're systematically duped into thinking you can't use it. Thus my intuitions find the rich value of freedom does not obtain here; something other than bullets impedes it.

It might be possible to claim that, unbeknownst to the would-be protesters, something *different* impedes their freedom in the second case than in the first. And to an extent, this is true. After all, the government is engaged in different activities each time. But the fact is that the bullets play no causal role in the deterrence of protest: what actually impedes the protesters' freedom is their *fear*. They want to go and protest; perhaps they even feel they

ought to, despite the risk of death. But their fear stays their feet: it places a barrier before them that they do not overcome. It is encountered as an obstacle. The activist sits in a kitchen. *Do I dare?* He looks at the door. Perhaps he stands in front of it, starts forward, turns away, and paces back and forth, wracked with indecision. Perhaps he walks out and stands on the street, trying to look inconspicuous, watching the line of troops chew their tongues and shuffle their feet in front of their APCs. He doesn't dare go round the corner into the square. It's a place of death. *It would be pointless anyway. There are only a couple of us here*. He thinks this in order to accommodate himself to his circumstances: it's sour grapes, a second-rate way of ameliorating his feeling of unfreedom and powerlessness, and he only half-believes it. His power of protest is cut off by the very presence of the soldiers. They embody his fear of death. It is only his *belief* that they are armed and dangerous that is required to oppress him.

Consider now the opposite case. Suppose the protesters protest despite their fear, and the soldiers really have no ammunition. The government's only defence was their fear; but in overcoming it, the protesters find their feeling of power and freedom. They protest and are already free: the government cannot stop then, could not break them if it tried. The conclusion to which I am drawn is that the prospective protesters, when the government intimidates them, are unfree to protest because they are *unable* to do so, due to their fear. This approach unifies the case of intimidation with the case of physical imprisonment in a way I find pleasing: whether the government uses fear or physical barriers to prevent the protest, the people's freedom is impinged upon in approximately the same way; and the attempt to take their freedom fails when the barriers do.

So let's continue the thought experiment. After the protest, the government puts the fear of retribution into those who protested. Suppose, for the sake of argument, this doesn't stop them

from doing anything. It's still oppression, and hence drives out freedom. Why?

The protester lives under the shadow of the threat. Every night, the prospect of awakening to find a gun pointing at her head stops her falling asleep[10]. She is constantly looking over her shoulder, waiting for the axe to fall. She lives as if in a lucid dream, waiting for the spell to be shattered, to wake up in a dank cell. The oppressive psychological presence of the threat (even if it's actually empty) drives out any experience of freedom she might have. It is an *intrusion upon her world*.

What these observations hint at is the central claim I am making about freedom as we have until now conceived it: that, covertly or overtly, it consists in *some form of* power *and* something that might loosely be called 'security'. It immediately raises four questions: What is a power? What powers are relevant? What is to be kept secure? And from what? The different ways these questions can be answered differentiate different conceptions of freedom. They can be thought of as variables in a formula which can be filled out differently to produce different conceptions of freedom. This is the view I will now expound and defend.

2. Two sides of freedom

It's illuminating to note a symmetry between fear and freedom as we habitually think of it. There are two major kinds of fear: being afraid *to do* something and being afraid *of* something. Similarly, freedom can often be usefully divided into freedom *to do* something and freedom *from* something[11]. And this suggestive dichotomy of dichotomies reflects a division in the ways a person's freedom can be violated: the inhibition of a power, versus the intrusion

[10] This actually happened to a Russian dissident friend of a friend of mine.

[11] See Joel Feinberg's essay 'The Idea of a Free Man' in his *Rights, Justice, and the Bounds of Liberty* (Princeton University Press, 1980) for an in-depth discussion of the uses and limitations of this distinction.

of something upon some aspect of onesself. 'Aspect of onesself' is very broad here: it could include one's family, property, and so on. There are some cases of unfreedom that can be fruitfully interpreted under either heading; the best approach there will depend on what you're trying to do in relation to it.

What criticisms might threaten this division? One might ask if one of the categories is better understood as a subset of the other. Is security power? Is power security?

The example at the end of the previous section suggests that there really are two different things going on here, but there is another example that suggests that security is not encompassed by power. Suppose you feel invaded, violated, or intruded upon, and you realise you have the power to put a stop to it. You don't immediately declare, “I'm free!” No, you make use of that power, and then exclaim, “*Now* I have freed myself!” This shows that the unfreedom of a violation of your personal sphere cannot simply be cashed out as powerlessness to escape some kind of harm. (The next chapters' examples provide further evidence of this.)

Similarly, power is not a matter of anything like 'security of one's abilities', if that can even be made sense of without basing the idea entirely on power. If you only have one chance to exercise a given freedom-relevant power, and you seize it, there are still conceivable scenarios where you can say (in the midst of seizing that chance) “I am free to do this”. But more than that, power is a category in and of itself, with the potential to be independent of freedom. So what is it?

3. Power and Freedom

The way a person encounters their own power is, predictably, through the experience thereof. If I am to contend that power is a crucial component of their conception of freedom, I will have to show how a person's *experience* of power contributes to that conception. In the next chapter, I do this by exploring a number of example conceptions of freedom. But first, I must make clear exactly what I mean by 'the experience of power' by briefly looking into its phenomenology.

The experience of power divides into roughly three distinct experiences:

1. the experience of actually overcoming something you find difficult
2. the experience of overcoming something you think of as difficult but find easy
3. the dream of overcoming something you think of as difficult - this is the *prospect* of power

The common theme here is 'overcoming'. I take my cues here partly from Nietzsche[12], but also from my own experience; I find the feeling of power is not available without something to overcome. When my control is uncontested - when idly daydreaming, for example - there is no feeling of power because the dreamworld I wander in is entirely under my control. Thus, interestingly, the experience of power is to be found at the *edge* of freedom: where obstacles threaten to defeat the agent, but fail. It might be that it's only by comparison with seen or imagined powerlessness that power comes to life; this would also explain the second kind of experience – the experience of overcoming something you think of as difficult but find easy – in its various manifestations (overcoming something you previously couldn't, overcoming something another cannot, overcoming something that's been hyped as unbeatable, and so on).

[12] See for example sections 12-16 of the second treatise of *On the Genealogy of Morality*.

Alternatively, it might be that in these situations the actor feels *powerful* in relation to some imagined other. Here we come across the question of whether the feeling of power is distinct from the feeling of being powerful, but I shall pass over it until or unless I need its answer for something later.

If I am not distinguishing right now between the feeling of power and the feeling of being powerful, what is included in the bank of sensations and experiences that sits under that broad heading? Many different experiences can be associated therewith. There's the experience of 'flow', in which the mind is fully engaged in the task at hand. There's the adrenalin rush of doing something that scares you. There's the self-control required to keep on target; this is unpleasant at the time, and a source of pride thereafter. There's the feeling of triumph, having just overcome some frustrating obstacle. There's the frustration itself (this may be part of what you're self-controlling, as it were). There's the comparative rush of being able to do what you previously could not. There's the satisfaction of having something under control. There's the sense of having the whole of something all in your head at once. There's the endorphin rush of sustained exercise. There's the thought of the admiration others might have for your achievement ('look at me now, Dad!') The satisfaction-feeling of power can, furthermore, be derived from either the end consciously sought *or* the means used to achieve it. There are, in short, a million experiences that could be encompassed by the 'feeling of power', which may overlap without being any of them necessary for it to be an experience of power.

This raises a problem for my theory. If these experiences are all disparate, how can they form a single phenomenon underlying the idea of freedom? The answer can only be the one central element: the overcoming of an obstacle towards an end. The actor is doing X by doing Y

(which is difficult or seen as such) – and succeeding[13].

Just to give a single prominent example of such a sensation – and its intuitive desirability to the sensor – take a moment to consider video games. Play a game of *Civilization*, for example. You find yourself aiming for goals - build a city there, reach the Medieval era, etc - that are pointless in themselves. It's a game! Your achievements mean nothing. Yet you aim for them, because getting there is fun, and it's fun because it's challenging in ways you appreciate. It gives you not 'reward' but a *feeling of power* – in particular, flow, the full-head feeling of strategic planning, and the sense that you have defeated a dangerous enemy (the computer players). Its shiny images, buttons, animations and so on are just lubricant to let you slide into the experience of power more readily - is *Dwarf Fortress*, once you get into it, any less fun for its infamously hostile interface? This is a case of a useful application of the concept or category 'feeling of power'. The aims of the game are chosen merely for the sake of overcoming the obstacles towards them. They are conceived not as obstacles, mind you, but as *those particular obstacles*, not yet subsumed under the abstract concept 'obstacles'. But as easily as the idea 'obstacle' or 'challenge' is formed from the player's experience of obstacles, the idea 'power' or 'overcoming' appears. And it must be noted that these ideas need never be given names. It is enough for the player to be able to identify examples that 'have *it*' or to think 'the sort of fun I have playing games, different from the sort of fun I have going out with my friends'.

So, the feeling of power is a real phenomenon. How does it take part in the production of

[13] Here I am casually making use of a theory of action in which the basic form of action-explanation is 'I'm doing Y because I'm doing X'. M. Thompson, in his *Life and Action* (Harvard University Press, 2012), gives the account upon which this is based, although said account does have some issues with respect to whether it is about epistemology or ontology.

conceptions of freedom? The process has multiple stages, in which multiple transformations are performed on the raw feeling of power. To give you a guide for the terrain ahead, allow me to briefly explain they way this experience is filtered, chopped and twisted as it's added to the mix. There are three variables at play here.

Firstly, almost all conceptions of freedom work alongside some implicit (and possibly explicit) conception of power that allows for the feeling of power to be false or *inaccurate*. The rich value of power does not accrue, in the conceiver's experience, to situations remembered, imagined or observed in which the feeling of power in question is inaccurate. But what are the conditions for said feeling being inaccurate? On the flip side of the coin, when is the *absence* of the feeling a mistake or at least an underrepresentation of the situation? (In particular, ought one to consider 'power' to describe a situation where there is no resistance?) This is the first variable.

Secondly, there is the question of which powers are relevant to freedom. Having or lacking irrelevant powers does not bear upon one's freedom, under whatever conception's in question; but note that all sorts of considerations may affect which powers are relevant in any given situation under a particular conception. There may, for example, be an implied heuristic for picking out whether a power is relevant or not given all the other powers one has. The way in which powers are determined to be relevant or otherwise to freedom is the second variable.

Thirdly, there is the question of what happens in the formalisation step. This is the point at which the conceiver attempts to give concrete voice to the conception, trying to turn themes they detect in their experience of the rich value of freedom into explicit rules for application

of the concept and/or render their concept communicable to others. Here, both of the aforementioned variables may be altered and shaped; the conceiver may fail to notice a common denominator amongst their images and model cases of freedom, or may choose to exclude it from their conception for one reason or another. (One noteworthy case of this is, as I argue below, rightwing libertarianism.) The transformation the conception undergoes as it passes through this particularly *philosophical* filter is the third variable.

In the same vein as Isaiah Berlin's criticism of positive freedom[14], it's important to note that not all possible fillings-out of these variables will produce a conception of freedom worthy of the name. There is more than enough articulation available to substitute a completely fake entity for the actual individual, and arbitrary powers for the powers they actually want, thus producing a totalitarian concept of 'freedom' that I and presumably you would find repellent (and thus thoroughly lacking in the rich value of freedom). This is not itself a criticism of the structure; it merely shows that fitting into it is not sufficient for a concept to be one of freedom.

So much for how power fits into the scheme. What about this second element – 'security', or 'integrity of one's sphere'? What are the variable elements in that half of the categorisation, and what parts are fixed?

4. The Sphere of Inviolability

There are two obvious questions when considering what I'll call (for want of a better name) the 'sphere of inviolability'. The first is: what goes inside it? The second: what is it to be secured against? Clearly different accounts will provide different answers; to provide a really

[14] Isaiah Berlin, *Four Essays on Liberty*, Oxford University Press, 1969, pp. 133-134

substantive analysis I must show what the constraints are on these variables and how what fills them relates to the rest of the conception of which they are a part. The best way to uncover this is, I think, to survey the field and see what trends emerge. One important caveat springs out before we start – the two aspects of the conception are not mutually exclusive, and a given element of a conception can fall into both categories at once. Bearing that in mind, let's consider some example conceptions of freedom, and see how they can be understood under this structure.

III. Case Studies

1. Freedom as the Status of Citizen

One case of a conception which fits the power-and-inviolability structure very easily is the venerable idea of freedom as the status of citizenship, as the opposite of slavery. This is the first kind of freedom Dumnorix asserted in his famous last words, as he was cut down by a Roman cavalryman: “I am a free man in a free state!”[15]. 'To be a freeman was to be a full-fledged member of one's political community with all the rights and privileges, usually including various participatory voting rights, that derived from that membership'[16] in the classical period. In Thucydides' account of his oration at the funeral of Athenian soldiers after the first battle of the Peloponnesian War, for example, Pericles describes the Athenians' distinctive way of life: he highlights the way their 'administration favours the many instead of the few', their meritocracy, and the way their laws 'afford equal justice to all in their private differences', but also the fact that they 'do not feel called upon to be angry with our neighbour for doing what he likes, or even to indulge in those injurious looks which cannot fail to be offensive, although they inflict no positive penalty'[17]. Importantly, he also notes that 'our ordinary citizens, though occupied with the pursuits of industry, are still fair judges of public matters; for, unlike any other nation, regarding him who takes no part in these duties not as unambitious but as useless, we Athenians are able to judge at all events if we cannot originate'. He thereby touches on two of the four aspects into which, on William L. Westermann's analysis, classical freedom broke down: 'status, personal inviolability, freedom

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15 David Shankland (ed.) *Archaeology and Anthropology: Past, Present and Future*, (Bloomsbury) p. 163. The author cites Norton-Taylor (1974) p. 121 as the source for this quote.

16 J. Feinberg, op. cit. p11. Feinberg cites C. S. Lewis' *Studies in Words* (Cambridge University Press, 1961), p125, to back this claim up.

17 I use Crawley's translation, at <http://www.fordham.edu/Halsall/ancient/pericles-funeralspeech.asp>, but cross-checked it against the alternative translation at <http://www1.umn.edu/humanrts/education/thucydides.html>.

of economic activity, [and] right of unrestricted movement'[18] - the last of which he also alludes to, in the context of the Athenian openness to foreign trade. How does this conception of freedom map onto the bipartite structure?

'Personal inviolability' and 'unrestricted movement' are not problematic and fit in the obvious manner into the sphere of inviolability and power sides of the structure respectively. Freedom of economic activity takes a little more glossing. What, first of all, does it mean? Aristotle[19] opposes freedom to the necessary and the useful; the life of a merchant or trader does not even figure amongst his 'three way of life (*bioi*) which men might choose in freedom'[20]. To be engaged in any time-consuming activity requisite for the maintenance of life was to be unfree, because the necessity of survival compels that activity; to labour under the compulsion of necessity, in this conception, is to lose the power of acting as *you* would if you didn't have to do otherwise. This is where the power-and-inviolability structure slots into place: on the inviolability side, the free man can observe that 'My time is my own', whilst the unfree man must give it over to the demands of his occupation, whilst on the power side, the time the free man gains can be put to whatever use he sees fit, not least political participation – which is another avenue of power in itself. (The two sides of the distinction overlap here.)

This is where 'status' comes in. The social status of citizenship, as well as allowing every citizen to look every other in the eye as Pericles describes, also allows participation in the political life of the *polis* – to 'rule and be ruled in turn' as Aristotle has it[21]. This is a core case of power. But there is one other side to this recognition, touched on by Berlin: I need to be recognised 'as a human being, determined to make my own life... For if I am not so

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[18] William L. Westermann, 'Between Slavery and Freedom', *American Historical Review* vol. L (1945), quoted on p. 12 of Hannah Arendt's *The Human Condition,* 2nd ed. (The University of Chicago Press, 1998).
[19] Aristotle, *Politics*, 1332b2
[20] Hannah Arendt, *loc. cit.*
[21] Ibid. pp. 1283b-1284a

recognized, then I may fail to recognize, I may doubt, my own claim to be a fully independent human being'[22].

The experience of doubt in an idea so fundamental to one's wellbeing as that is a strange thing. It manifests itself (to me at least) not as '*my* uncertainty about *this* topic' but as '*the* uncertainty of *this vital thing*'. It is, in other words, experienced as a crumbling or threatened evaporation of that conceptual lynchpin of one's self-image or peace of mind, and as such, a threat to one's integrity as a person. Thus it falls neatly into the category of 'threat to one's sphere of inviolability', as the bipartite characterisation has it. (Further evidence for this can be seen in the horror many religious people have for the thought of a Godless universe, or many atheists for a Godly one: one cannot help but entertain such an idea, as one probes an ulcer in the mouth, but as with an ulcer, one only does so briefly; after that, one does what is least painful, namely, discards the destabilising notion and returns to a serene dogmatism.) Thus the recognition given by status preserves the integrity of the citizen's identity, at the centre of their sphere of inviolability.

2. The Rightwing Libertarian Conception

Perhaps the most interesting feature of the conception of freedom held by rightwing libertarians is what they *don't* say about it. Formally, libertarian freedom is the absence of violent coercion save for the enforcement of property rights, 'property' here including one's own body, and contracts. This makes it easy to delineate what falls within one's sphere of inviolability – one's own body and property – and what it must be secured against – namely, nonconsensual human interference. By the same token, however, the only form of restriction on one's powers that curtails this 'freedom' is *human* restriction, meaning that 'to be free to X'

[22] Isaiah Berlin, *op. cit.* p157

on this conception means 'to have nobody coercing you not to X', which applies equally well to people who successfully X anyway and to people who couldn't X in the first place. This does not, on the face of it, sound like a case of power and restriction thereupon.

But this is not as straightforward a divergence as it might seem. A glance at the core cases of freedom for rightwing libertarians – their visions of what a free society would look like – reveals that when they think of infringements of rights to act, they are in fact thinking of curtailments of the power to act. Most infamously, rightwing-teen heartthrob and professional egotist Ayn Rand's dreadful potboilers are straight-up power fantasies in which the all-conquering heroes (who are never old or sick or disabled) are stymied only by leeching morlocks dragging them down at gun- or union-point. But the real-power aspect of libertarian ideals is also on display in more respectable venues. Of all contemporary conceptions of freedom, the libertarian account is the most inextricably committed to a particular economic creed, namely the contention that the free market is not only the most just economic arrangement (which is a consequence of their formal conception of freedom) but also the most effective at providing everybody with goods[23]. Why is this? Because they need to preserve the attractiveness of their conception of freedom – that is, its value. Recall that I am concerned exclusively with *value-laden* conceptions of freedom here, and we see that in order to retain its load of value, libertarianism must make the promise that its freedom comes with real power. Indeed, this is just what Robert Nozick does in the third part of his *Anarchy, State and Utopia*: he tries to present a vision of a libertarian state whose inhabitants are happy and free to choose how to live their lives, having a plethora of varied communities to choose from and/or found, in order that his libertarian position might 'thrill the heart or inspire people to

[23] See for example F. Hayek, *The Road to Serfdom*, Routledge, 1944, or Robert Nozick's criticism of rent controls in *Anarchy, State and Utopia*, Basic Books, 1974, pp. 270-271.

struggle or sacrifice'[24].

A libertarian might raise an objection here: “this is too swift! Freedom has its own rich value, and is good to some degree on its own, but is simply not *sufficient* for a good life; to project a vision of utopia, we must include another necessary-but-insufficient condition, namely actual power, which has *its* own, different rich value. Together these add up to produce the rich value of a good life, which is *not* the same as the rich value of freedom, and which is the one that has the all-things-considered, one-dimensional value we hope our lives to have – which is the value *you* wish to arrogate to 'freedom' alone.”

To respond to this is tricky. The right-libertarian vision of freedom offers you the power to dispose of your own property however you are physically able so long as it doesn't impinge on anyone else's – while this is certainly formulated in terms of 'a power', appears crucially compromised by the clause 'however you *are physically able*': the right-libertarian is concerned with more than this. The 'powers' that libertarian freedom considers relevant (recall the second variable in the interpretation of 'power', above) include 'powers' you don't actually have. I have the right to buy a Bugatti, but I will never make nearly enough money to actually do so. One obvious way to try to address this would be to refer back to the first variable, the conditions for accuracy of the sense of power, and say that, in this conception of freedom, the conditions for accuracy of the feeling of power are simply that the individual has the *right* to do whatever it is. But this will not suffice, because the libertarian already has a distinction between having the power to do something and the right to do it.

Can the libertarian position be comprehended adequately under the label of concern with impediments to powers you *could* have? It would therefore be easy to see why the structure

[24] R. Nozick, *op. cit.*, p297

for which I am arguing would fit it – the root idea of power generates the conception by a simple generalisation, abstracting away from some inhibitory aspects one's physical and financial circumstances. But there are problematic edge cases. One can easily imagine a recognisable, if slightly surreal, libertarianism that objects to being coerced out of doing logically impossible things. (After all, neither our concepts nor the law are in fact constrained by reason or logic – they only *ought* to be.) It might even, just to be perverse, be accompanied by a stipulation that doing logically impossible things harms nobody. But this is not an insuperable problem. The part that these 'potential powers' plays in libertarian thought is entirely covered by the *thought* of them, not the fact; and the thought is subject to logical constraints only when the thinker chooses. (This does not exclude the possibility that sometimes the thinker cannot choose otherwise.) Thus the powers under consideration need not be restricted to logically possible powers; rather, all so-called powers that can be imagined or even merely spoken of without fully being imagined (such as the power of squaring the circle) are fair game for the libertarian's concern.

Probably the best way to understand this is to look again at the question of the conception's sphere of inviolability. This covers the conventional material property of the individual, but also certain *powers* the libertarian considers 'property'. Let me explain: to own something implies (in my impression of a libertarian's thinking) exclusive control of all activities by, with or upon it, whether 'it' is your body, or your machinery, or your land, or indeed the labour of someone whom you have contracted to perform a task (to the extent that the contract specifies). The sphere of inviolability is then the space *within which* the powers of freedom are exercised, those powers being specified simply by the contents of one's property – one's *properties*, if you'll excuse the pun – and the potential range of potential powers that having certain properties (in every sense of the word) *might* grant you forms the outline of the sphere. The presence of a violently coercive force in any capacity is then inherently a threat. The

libertarian begrudgingly sets aside a small preserve for it in order to prevent murder, rape and robbery (if that), but any step it takes beyond those bounds is inherently a violation, because of the limitless, unspecified scope of potential property-based powers. To speak a little metaphorically, rather than having the individual front and centre in the picture, in a protected circle of inviolability, powers extending from her, sometimes cut off by impediments emerging from the edge of the frame, we have the malign state in the centre, tendrils of coercion creeping over the borders of its assigned zone to invade the realm of freedom, which is not captured within the picture but is imagined to extend beyond the frame. The threat is well-defined, the threatened left open: freedom is whatever coercion threatens (with the exception of coercion itself) because anything coercion threatens is by the nature of coercion a potential property of a person.

There are many problems with the libertarian conception of violent coercion, but here is not the place to deal with them. It suffices, to make my point, that the libertarian concept of freedom can be wedged into the corset I have set for it.

What, though, has this revealed about the 'sphere of inviolability' half of my structure? The libertarian conception of property treats it as a kind of extended self, which the individual reigns over like a guiding spirit. It is the place where that spirit lives, both as home and as body. Corroborating the case of the citizenship conception, it demonstrates something that must fit *inside* it – and indicates its centre point, the least disposable element, namely the self. In Nozick's words, 'A line (or hyper-plane) circumscribes an area in moral space around an individual' limiting the actions of others upon them[25]: each conception of freedom's sphere of inviolability involves a conception of the self that sits at its centre. Indeed, a prime example of this can be found in a conception of freedom very distant from the essentially political right-

[25] Nozick, *op. cit.*, p57.

libertarian conception, a conception so far removed that most authors would not even discuss it under the same heading: the Christian conception of freedom from sin.

3. Christian Freedom from Sin

The premise of Christian morality – the hook that draws in the punters, as it were – is that all human beings are fundamentally polluted and require the attentions of God to purify them. The pollutant in question is, of course, 'sin'. And the solution – 'grace' – is commonly spoken of (especially amongst Born-Again Christians) as 'liberating', of one who is thus freed from sin being 'free' *per se*. Now why should that be? Why is it natural for the participants that this process – in which one 'finds God' and is thus saved – should be thought of as a process of becoming *free*?

The bipartite structure for which I am arguing can provide hints as to why this might be.

Inherent in the idea of the soul is that it is right in the centre of the individual's self. It is what unifies 'their' actions through time into the actions of one person. And by plunging the corruption of 'sin' into *that*, Christian dogma assures that for those who take it at its word, the sensation of said corruption is inescapable. And here an analogy with unfreedom, as characterised by the bipartite power-and-inviolability structure, can be drawn. The 'sphere of inviolability' contains the soul and nothing else of note, placing the self at its centre by default; the intrusion against which the conception demands it be secured is the corruption of sin.

So far, so compatible. But where is the power element here? It is not made explicit, but there are two aspects of the Christian experience that might be expected to produce a feeling of

relative power. One is social: the newly 'saved' believer's participation in the church community provides them with a network of friends and acquaintances they can fall back on or call on for help. This can also provide another sense of security, in a broader sphere including not just the individual's soul but their bodily needs and those of their family: they are protected by their community from hunger and destitution. Obviously this factor will depend heavily on the individual's circumstances. The other factor, more obviously 'conceptual', is that the thought of having God on one's side is bound to produce a sense of increased power. Indeed, this is attested by every athlete, general and Miss America contestant who ever implored God to assist them. The overall sensation, then, fills out both sides of the bipartite characterisation, making it a little clearer why it would be that such an experience would so easily be characterisable as 'freedom'.

4. Stoic and Buddhist Freedoms from Desire

On the subject of ideas of *personal* freedom, both Stoic and Buddhist conceptions of freedom from desire fit the bipartite characterisation in much the same way, being related in content, if (as is evident) not in origin. Essentially, the idea behind each is to engage in what Berlin calls a 'retreat to the inner citadel'[26]: they involve the determination 'not to desire what is unattainable':

"*The tyrant threatens me with the destruction of my property, with imprisonment, with the exile or death of those I love. But if I no longer feel attached to property, no longer care whether or not I am in prison, if I have killed within myself my natural effections, then he cannot bend me to his will... I have withdrawn into myself; there, and there alone, I am secure"*[27]

This makes clear what it is that is made secure, what is at the centre of the Stoic's or

[26] Isaiah Berlin, *op. cit.*, p135
[27] Ibid. *loc. cit.*

Buddhist's sphere of inviolability: their peace of mind. As Berlin says, 'This is a form of the search for security'[28]. It is, he implies, no true freedom.

Nietzsche goes further than this. He condemns this approach to suffering in the strongest terms (not that he ever uses any others). This is what he calls 'nihilism': the view that commitment to life is a mistake, that it should be abandoned as causing suffering. He describes Buddhist and Hindu religious teaching as aspiring to and venerating nothingness and 'deep sleep'[29] above all else.

What the former misses (though the latter certainly does not[30]) is that this invulnerability to the threats of tyrants and masters also grants *power*. Consider the stoic statesman Seneca, who committed suicide on the order of Nero. Lane contends that he did this not purely out of a sense of duty, but because he considered

"...that suicide is the supreme mark of freedom. No tyranny can so enslave us as to take away this freedom: a freedom to act based on the inner liberation of realizing that death and other worldly losses are in fact indifferent and irrelevant to happiness"[31].

In other words, when one no longer cares about 'death and other worldly losses', the threat thereof can no longer block one's path. Far from merely 'eliminat[ing] the obstacles in my path by abandoning the path'[32], abandoning one class of concerns can clear obstacles relating

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28 Ibid. p136

29 Friedrich Nietzsche (trans. Maudmarie Clark and Alan J. Swensen), *On the Genealogy of Morality* (Hackett, 1998) Essay III, section 17. pp. 95-97

30 F. Nietzsche, *op. cit.*, Essay III section 7/p75

31 Lane, Melissa, "Ancient Political Philosophy", The Stanford Encyclopedia of Philosophy (Fall 2011 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2011/entries/ancient-political/>. Lane cites Inwood (2005) pp. 307-9 here.

32 Berlin, *loc. cit.*

thereto from the paths of my others. What would, taken in surfeit, be a poison can thereby in moderation serve as a tonic. And this fills out the other half of the freedom-structure: the invulnerability of indifference gives the individual the power to thrust their hand into fires from which they would otherwise have shied.

5. The Case of the Objectivist Threat to the Committed Subjectivist

One peculiar case that sheds light on the variety of possible contents of the sphere of inviolability I derive directly from my own experience. The situation is one in which a committed moral subjectivist, who is not only comfortable with their own evaluations being the foundation of his moral universe but in a pseudo-Nietzschean fashion treats his value-production as a fundamental part of his identity, encounters the possibility of an objectively true morality that clashes directly with their own values. The encounter has an air of horrifying paradox: the subjectivist is faced with the prospect of not only coming to see as good what he knows right now to be evil, but of in the process mutilating a fundamental part of himself – that is, cutting down the tree of *his* morality that grows from his own breast (its leaves and fruits, in this metaphor, being individual moral evaluations). The effect is reminiscent of prospect set before Winston Smith in George Orwell's *1984*, of coming to believe that 'War is Peace, Freedom is Slavery, Ignorance is Strength' and that 2 + 2 = 5. The putative objective morality is encountered as brutally *oppressing* the subjectivist in the inmost sanctuary of his mind.

In my case, in particular, since the morality in question was a malign, Christian one, the would-be objective morality appeared possessed of a Lovecraftian agency, which made the experience one of oppression beyond a shadow of a doubt. However, the experience of oppression was not reliant on the absurd metaphysical premises entailed by the encroaching

worldview (which could perhaps be characterised as a delusion, in that I knew it was ridiculous but nevertheless could not shake it off for several weeks) as it comprised two phenomenologically distinct elements: the straightforward terror of being helpless before an omnipotent evil, and the aforementioned dissonance of moral evaluation. The former exhausts the influence of the theistic particulars of the situation. The latter, relying only on the externality of the putative objective morality to the self, could persist even were that moral system to be thoroughly secular. Though it would not *necessarily* be true of a Kantian system, since it makes its moral claims on behalf of the individual's 'noumenal' self, the possibility of *disidentifying* onesself from one's noumenal self – however irrational that might be – opens up the psychological possibility of an experience of oppressive alienation of a similar kind.

What does this have to do with freedom? It is an experience of unfreedom – a core case, in fact, given that to the one who experiences it, any account of what is and is not a conception of unfreedom must allow *some* such conception to cover it in order to be satisfactory. It illustrates the 'integrity' aspect of the sphere of inviolability: what this oppression compromises is a thoroughly mental and even conceptual aspect of the self. Correspondingly, to be rid of it is to be free in a valuable respect. Allowing unfreedom to include offences against the dignity and integrity (in every sense) of the person helps to clarify what is oppressive about, say, the Iranian regime: being forced to inform on one's friends (for example) violates the informant's moral integrity, not just the target's privacy and trust.

An objection that might be raised here is that these strange psychic entities – 'projection of values', 'moral integrity', etc. – are being created *ex nihilo* by myself in order to make the offences in question make sense in the language of objects to be held within the 'sphere of inviolability' and there protected. In other words, that I'm using bogus ontology to crowbar

hard cases into my Procrustean conceptual framework. I have a response for each of the two example cases, and a broader defence of this practice. Firstly, in the case of 'projection of values' or the 'tree' of moral evaluation, I am merely describing phenomenologically the experience I myself had. In the second case, I am relying on the feeling of being sullied by their actions that creeps over informers. *They themselves* are somehow made dirty – think of Lady Macbeth washing her hands. To say their 'moral integrity' is compromised is simply to give a name to that aspect of themselves that the moral contamination contaminates.

More broadly, when considering people's *conceptions* of freedom, the question is not whether the assumed ontology is true or false of the world, but how it interacts with the conception psychologically. As such, it's perfectly acceptable to talk about even logically nonsensical objects in the course of this discussion, so long as their place in the conception is described accurately. Furthermore, if our understanding can be understood as a model of its object, there is no sin in proposing objects because they are conceptually useful. This is how particle physicists produce their ontology, for instance: they accept whatever entities are presupposed by the best explanation of their results. Thus if I find that the prospect of objective morality promises me some psychic mutilation, I am justified in thinking of the object of that mutilation *as* an object.

IV. A New Hope

1. Creating New Conceptions

So far, I have shown (I hope) that the bipartite framework of power and security or integrity fits around almost all conceptions of freedom that lay claim to the rich value of freedom. But this is only half of what I promised: it illuminates only the question 'What has freedom been?'

The framework naturally suggests an approach to answering the other question – 'What should freedom become?' – namely, to begin with the ideas of power and security/integrity, and develop them by answering the questions, 'What are the conditions of accuracy for the sense of power?' 'What powers are relevant to freedom?' 'What obstacles are relevant to the unfreedom to use said powers?' 'What is the self?' 'What is the proper sphere of inviolability within which it should sit?' and 'What threats should that sphere be secured against?' To flesh this method out, however, requires an inverse approach to the framework to that by which I proved its applicability. Rather than asking 'Are there answers to these questions sufficient to cover these important cases?', I shall ask what must be *avoided* when developing a new conception from these seeds in order to retain freedom's rich value. Since any new conception will be developed in unpredictable future social and technological circumstances, there will inevitably be many questions that must perforce be left open. But I will show – by developing an example conception – how the creative process *may* proceed, and where it must be sure to link up with concepts other than freedom, such as human excellence and identity.

Before I start, though, I want to explain my motivation for making this unusual move. Why not simply try to come up with a definitive account of what freedom ought to be? Why set up

only an incomplete method, with blanks for the reader to fill in? The answer, in a word, is technology. (There is also an argument to be made from the fact of differing conceptions of the good life, but to pursue it would open a can of worms to do with whether one conception of freedom can accommodate all acceptable conceptions of the good life. The problem of technology is sufficient to justify my approach.) Technological and scientific change can and does run roughshod over the presuppositions of our political concepts. Privacy, for example. If the only possible intruders on one's privacy are human, the concept works just fine. But what about when the intruders are machines? In the age of Google and PRISM, it is perfectly possible for a machine to observe a person in various significant ways without taking on other aspects of personhood. Whether or not this is an invasion of privacy is simply not determined by a concept thereof which assumes the only actors are human. Moral responsibility is an even more obvious case: we still have not, as a society, fully decided whether to adopt compatibilism or incompatibilism with respect to determinism, even centuries after the first modern challenge to the concept of libertarian free will. By giving an open method rather than a closed conception, I am creating something more flexible and hence more durable against unforeseen challenges to undetected assumptions you and I might unknowingly make.

2. Constructing a Conception of Freedom: Long Live The New Flesh

I have to do something difficult here: even more than in the thought experiment about the protesters, I have to walk you through a creative process, which is really a terribly secret and arbitrary thing, in a way that lets you grasp how to do it yourself and do it *right*. As such, I can't begin like a magazine article with beguiling questions along the lines of 'What do you get when you mix Hannah Arendt's interpretation of ancient Athenian political life, teenage celebrity-burglars, and David Cronenburg's *Videodrome*?' Nor can I simply lay out for you the anatomy of the finished product. Rather, I need to draw you a picture – a necessarily

fictionalised picture, given the opacity of the process – of the conception's origins and development.

Whilst I go through it, please bear in mind that this conception is intended primarily as an illustration of the process. It doesn't need to be all that convincing in itself, and in fact I can see several obvious limitations to it. It most certainly could not lay *sole* claim to freedom's rich value – you would be justified in calling it a *variety* rather than a *conception* of freedom on that basis alone. But so long as it provides as a reasonable illustration of what I'm trying to do, it has served its purpose.

The first thing you need is a *problem*, some challenge for contemporary conceptions of freedom, be it philosophical, political, social, or technological. It doesn't have to be a well-defined problem – by constructing a conception of freedom in response to it, you help to define it, so a problem that's too well-defined may actually be less fruitful than one which has more grey areas. For this example, I shall use the problem of ubiquitous surveillance and recording. How are we to be free in an era when almost all our words and deeds leave an electronic trail? This is an appropriate problem because, whilst it has areas of crossover with well-understood threats to freedom, it has its own distinctive character. In contrast to Stasi-style surveillance, it doesn't rely on informants and (to an extent) allows the subjects of surveillance to craft their own profiles (in multiple senses of the word). Yet it has an undeniably Kafkaesque aspect – consider, for example, the case of sociologist Janet Vertesi, who attempted to hide the fact she was pregnant from online marketers, only to find her attempts to avoid attention made her look like a criminal[33]. Or the unsettling ease with which networks like LinkedIn draw connections between us and people we've met. At the same time,

[33] See her talk at <http://mashable.com/2014/04/26/big-data-pregnancy/> for details.

it is not only governments and marketers who benefit from the creation of data from activity: we all enjoy the mixture of prurience and casual social interaction that surveillance platforms like Facebook provide. In this context, what kind of freedom might be available to us?

Once you've got your problem, you need to work out how to solve it. Any conception of freedom describes certain aspects of a way of life, as presuppositions, as explicit demands, or as logical or practical consequences. The libertarian conception of freedom, for example, implies a way of life without state-funded healthcare, whilst the Christian conception presupposes many facts about human nature and the world which have obvious implications for 'how we live' in a very literal sense – never mind the social consequences of believing that Jesus will imminently return and render all worldly concerns moot. Regardless of what it is, if you have a certain way of life in mind which you recognise as having the rich value of freedom, you can therefore distil the first draft of your conception from it. (This is not to claim that every way of life you assess as 'free' will entail one and only one conception of freedom – the 'distillation' process is very much a creative process and will usually involve choices.)

Your task in this step is therefore to perform a little science-fiction in the creative space of your problem. How can someone live in such a world? How can they be free? This is where the real non-rational, *artistically* creative part of the process reaches its peak. Inspiration at this stage can come from the most diverse sources. I listed some of mine at the start of this section. Consider Cronenburg's *Videodrome* – the film's central theme is the crazed idea that people can live on through their recorded image long after their body is dead. Taken literally, this is of course madness. But at the same time, consider the Athenian longing for immortality through their works. They wished to live on through the material and remembered records of

their deeds, as propagated and perpetually memorialised in the public sphere of the polis[34]. What would such a mindset have made of the power of video – never mind the infinitely richer and deeper record that the internet keeps of our lives? (Here comes the meat of the conception, the work the individual must do to live out its rendition of freedom.) If the Greeks had the idea of a self – a 'being-for-others'[35] – constituted by the sight and memory of their peers, through which they could live on after death, then how much more substantial a 'self' could we constitute through our social media profiles?

Picture a rebel of the future – perhaps a heroic figure in the image of Ed Snowden, but perhaps simply a daredevil aiming for acclaim. On peer-to-peer video, they show off the world and themselves as *they* see them – a hero or antihero in the eyes of some subsection of the Internet-dwelling public. They condense themselves into a flash of lightning their followers can believe in, even if their actions are cut short: feeling the eyes and nascent memories of others upon them, they are emboldened, in the familiar way. Indeed, even if nobody's watching, the lust for fame is powerful enough to overcome all sorts of barriers other, more noble impulses would falter before. Consider the strange case of reality-TV specimen Alexis Neiers and her so-called 'bling ring' of well-off teenagers who burgled celebrities' houses in LA in 2008 and 2009, and who even now maintain their profiles in the media[36]. The fear of jail time was not enough to blunt their desire, not only for positional goods (to show off online as much as in meatspace) but for proximity to their aspirational figures in the public eye. Bear in mind, particularly, the difference between the kind of aspiration modern celebrities represent and that which the movie stars (for example) of an earlier era did. No longer do people want to *be* like their 'heroes' – the burglars targetted Paris

[34] Hannah Arendt, *op. cit.*, p19
[35] Jean-Paul Sartre, *Being and Nothingness*
[36] <www.newnownext.com/pretty-wild-the-bling-ring-primer-to-reality-queen-alexis-neiers/06/2013/>

Hilton because they thought she was dumb enough to leave her door unlocked[37] – but to *live* like them. It is recognition itself that is 'aspirational' about celebrities, particularly the bizarre attention-seeking freakshows of reality TV. I don't mean to claim that these brats had achieved the kind of 'freedom' I'm talking about – they universally repented their crimes, for a start – only that they demonstrate the power of the quest for recognition. It indicates the degree of subjective 'reality' of the image recognition forms.

Having such a mirror-soul (so called because it is an inversion of a soul, being formed out of the skin one constantly sheds rather than that which is most central to one's being, and also because of the physical 'black mirrors' through which we produce it) provides one with certain freedoms in much the same way as having a soul does. It is a part of the individual which is, after a fashion, immune to death and/or imprisonment; thus these threats both cease to loom so blackly over them (inviolability) and cease to block their path with such finality (power). More than this, the imperative they feel to attract the notice and approval, even awe, of their peers can lead them to do things they otherwise would not dare to do.

Now, having conceived a way of life that demonstrates freedom in the context of your problem, all that remains is to distil a conception from it. In my case it's very easy: the conception – of a being-for-others that is everywhere recorded, reducing the impact that death or punishment can have on the individual (given the difficulty of suppressing information in the internet age) and thereby freeing them to do things they would otherwise shrink from as too dangerous – is quite obviously interwoven with the 'way of life' in question.

[37] C. Stockton, '41 Little-Known Facts about the Bling Ring', *Thought Catalog*, 2013 <http://thoughtcatalog.com/christine-stockton/2013/06/41-little-known-facts-about-the-bling-ring/>

3. Constraints on the Method

What constraints does this method, as described so far, place on the basic 'power and inviolability' structure? The need to respond to a problem with an imagined way of life that achieves the rich value of freedom at least demands that the conception be in some sense achievable (assuming the problem is of more than purely theoretical interest). It ensures that, at least for the conceiver, the conception tracks the rich value of freedom. And by providing an example application for the conception right from the start, it opens itself up to constructive criticism from others, establishing a readymade battlefield for both dissent and persuasion, namely the issue of what the best way to distil a conception of freedom from that particular way of life is.

What it does *not* do is place restrictions on how the conceiver projects their rich value of freedom beyond saying the objects of the value must exhibit some close relative of power and some sphere of approximate inviolability centred on some variation on the self. That could be anything. That could be shoes. They protect your feet (part of your self) from cold and injury, and thus give you the power to go outside when otherwise you would stay in to avoid getting hepatitis off a discarded needle. Are shoes a conception of freedom?

Having raised that question as a reductio ad absurdum, I'm inclined to bite this bullet and say that the listed benefits of footwear ownership actually do constitute a kind of freedom.The shoe-having lifestyle, as described, severely underdetermines what *kind* of freedom it describes, but said freedom at least treats having the actual capacity to walk around outdoors without getting AIDS as a prerequisite for having the freedom to do so. If having shoes makes you freer, moreover, then your conception of freedom must treat the powers so gained as

relevant: this is no 'spiritual freedom' but a very concrete, material variety – even quite a radical one. 'For my freedom of movement to be worth anything, I must be able to travel safely in my neighbourhood!' (Note that 'having shoes' is here playing the role of a way of life, as described in the last section, rather than a conception itself.)

This highlights an important part of this creative method. When imagining a 'free' way of life, it may be vital to point out what it is contrasted against. Whence must we be travelling in order to find (more) freedom in this way of life? In this case, it's the not-having of shoes; were the contrast case 'being able to fly everywhere', ground-based shoe-possession would no longer be liberating – in fact it would be the opposite.

4. Freedom, Virtue, and the Good Life

When considering what constraints ought to be placed on the conception-creating process, I find it important to bear in mind the influence of other moral concepts, and I'm going to go out on a limb and guess that you do too. With that in mind, what impact can conceptions of virtue and the good life have on the development of a conception of freedom?

First of all, it's obviously desirable that virtue should be compatible with freedom. Now a conception of freedom can clash with virtue in several ways. First, it might be contradictory for a virtuous person to achieve the kind of freedom the conception describes – for example, if freedom is conceived as doing (*and* being able to do) what's in one's interest, and virtue is conceived as selflessness, the person who is free can at best be partly virtuous, whereas the virtuous individual can only be free in their spare time, if they have any. Secondly, the pursuit of freedom (in the conception's sense) might clash with virtue, providing strong incentives to

abandon virtue – as is liable to be the case if freedom in the relevant sense is provided by wealth in most modern societies. Thirdly, the sort of lifestyle created by a society in which a given conception of freedom is constitutionally and socially enshrined might drag a person away from virtue. This kind of concern is notably exemplified by Nietzsche's opinions on liberalism. 'Liberal institutions', he asserts, 'undermine the will to power, they are the levelling of mountain and valley exalted to a moral principle, they make small, cowardly and smug'[38].

A similar triple threat links conceptions of the good life to conceptions of freedom. The life of freedom may not be good, the means to freedom may not be good, and/or the side-effects of freedom may not be good. When constructing a conception of freedom, intended to attain the rich value of freedom, these contingencies are causes of moral tragedy, and count against the conception's worth.

All of these considerations ought to weigh on the creator of a conception of freedom: not only is it (if you use the above method) grown from an envisaged way of life, it is a real social and psychological phenomenon, with real effects, and as such has merits and flaws pertaining to both its representation of the world and its causal role within it. In this sense it resembles a game. Any game is both a system of causes and effects *and* a representation of a world. A knight in chess is not only the potential to move over other pieces, one square straight and one square diagonal; it is also an image of a horseman leaping over obstacles. On the other end of the scale, a character in *The Sims* is not only a living image of a person living in a house, but a source of potential interactions with other game elements in a way that provides the player

[38] F. Nietzsche, *Twilight of the Idols*, trans. R. J. Hollingdale (Penguin, 1968). p92/'Expeditions of an Untimely Man', section 38. The matter is slightly more complicated than I present it as being here, as Nietzsche is at the time discussing his own conception of freedom, which doesn't fall into the traps he describes; this rather proves my point.

with interesting decisions. So it is with a concept: it is at once a way of categorising and judging the world, which can correspond to natural divisions or fail to do so, *and* an attribute of its thinker's psychological landscape which can benefit or harm them in myriad ways, *and* a cog in a political, social, and economic system which can undermine or further the numberless deliberate purposes and unintended functions with which that system acts. The good philosopher, like the good designer, will hold all these aspects in mind, even if only to give one absolute priority over the others.

I want to emphasise here that proceeding in thie manner is not necessarily at odds with treating adherence to the truth as having absolutely overriding, lexical priority. The problems to which the creation of concepts is a response are not questions about what exists but about how people should think about it. On a general level, I treat a concept as having three parts – an extension, a heuristic for including new phenomena into that extension, and an attitude towards said extension's contents – parts which ought to be consistent with one another, but which are underdetermined by the world in which the thinker finds themselves. Of course this is an abstraction which admits exceptions and which does not fully represent the nuances of individual concepts, but as a model of what exists it serves admirably. It also makes it plain where creativity and choice may enter into the act of construction: much of the time, neither the heuristic of inclusion nor the attitude to the concept's objects is determined by those objects, and even when the facts nudge the conceiver one way or the other, it is often because one conception is easier and more practical to use than another, not because the former is the only possible conception. (It seems natural to think of electrons as single objects, for example; but to a race of sea-dwelling creatures who always grow in conjoined pairs and travel through the water by spinning clockwise in the manner of a screw or propeller, it would seem natural to think of electrons as pairs, on the model of their own bodies.)

Given this fact of underdetermination, I see no reason why considerations of consequences should not enter into the construction process. This is my ultimate defence of what I have tried to do in this dissertation: I have only worked with what I found before me, using the tools appropriate to the job. Concepts being human creations, the tools I have used are those of creativity and invention as much as analysis and investigation; and I hope that with them I have contributed some small stone to the grand edifice that is our conceptual world.

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