Defending Isaiah Berlin's Distinctions between Negative and Positive Freedoms[1]

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More than fifty years have passed since Isaiah Berlin gave his inaugural lecture 'Two Concepts of Liberty'. Among the reasons for the longevity of this text are the variety of themes that have had an impact on the development of late twentieth century liberal thought: not just the nature of liberty, but also pluralism, toleration and the critique of philosophical rationalism. Some believe that the latter themes represent the more significant aspect of Berlin's legacy.[2] What about the positive-negative freedom distinction, however? How significant is it considered to be nowadays? On the one hand, the vocabulary of positive and negative freedom is commonplace in most textbooks on political theory. The distinction is not necessarily defended but it is often assumed and used by many political theorists. On the other hand, few thinkers after Berlin have actively embraced it. Rawls has refused to identify his understanding of liberty as either positive or negative.[3] Raz's understanding of liberty as autonomy straddles this divide.[4] A school of analytical thinkers represented by Steiner, Carter and Kramer engage with a quantitative analysis of liberty along the lines of negative freedom, seeing little utility in positive freedom.[5] Amartya Sen, who links freedom with development, employs a rich notion of freedom, closer to a positive concept, yet purposefully inclusive of characteristics of negative freedom.[6] The republican freedom theorists like Skinner and Pettit recognise the distinction but move beyond it. It would be fair to say that the mainstream political theory after Berlin has been more critical than approving of the distinction.[7]

Some have defended the distinction, however, and I would like to turn my attention to the types of arguments that explain its analytical strengths. Baldwin[8] has defended the distinction as conceptually solid, in response to MacCallum's[9] influential paper presenting freedom as a single concept with a triadic structure. Skinner has argued that if positive liberty is seen as self-realisation, Berlin's bifurcation of liberty is meaningful.[10] Taylor[11] argues that it is inevitable that two such families of conceptions of political liberty should exist.[12] I have argued that a distinction between two kinds of freedom is a necessary one as it reflects the difference between ordinary and moral action.[13] Christman also argues that '[s]eeing freedom as quality of agency is different, conceptually, from seeing it as an absence from something, no matter how robust one's conception of that "something" turns out to be.'[14] Flikschuh claims that the two concepts work as 'historical poles' which define the space that most post-Berlinian concepts of freedom occupy.[15]

What I would like to argue in this paper is that the distinction between positive and negative freedom, as articulated by Berlin, is a philosophical achievement of lasting merit. It is significant because it articulates a number of tensions inherent in the nature of liberty – some of these tensions are related to the complexity of human nature and some to the social implications of seeing liberty as valuable. Each of these tensions leads to a dual concept of liberty. Hence, the fact that Berlin's distinction is multifaceted is not a drawback but a merit.

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Berlin has been accused of outlining more than one distinction and therefore lacking in analytical rigour.[16] I will explain why the multiplicity of his distinctions is among the virtues of his lecture.[17] In bringing together the scholarship on liberty from Cicero and Epictetus to Hayek and Popper, Berlin has managed to offer a well thought through conceptual map of liberty.[18] He has done more than outline two historical traditions of the concept. He has explained how the relation between negative and positive freedom works on different levels. I will look at two of these levels, that of personal metaphysics and that of social interaction, suggesting that there are others that merit further exploration.[19] The idea is that there are two meanings of liberty at the level of personal metaphysics and these two meanings have their implications in a social context, thus leading to two 'other' meanings of freedom at a social level. In other words, we need to look more carefully at how exactly the dual meaning of liberty in a personal context works in a social context. Since the social implications of liberty are not uncontroversial, they have to be worked out, or if already existing, they need to be traced. Berlin's essay is helpful with this, as it does not merely articulate a distinction but also traces its metamorphoses in a social context. It is easier for us to work out Berlin's two concepts at the level of personal metaphysics and this paper helps outline how exactly the distinction could work at a social level.

The paper advances a number of substantive claims. First, that the distinction between a negative and a positive concept of freedom, at each level discussed here, is a necessary one as it reflects tensions intrinsic to the personal experience and the social practice of freedom. Second, that there are benefits in tracing how exactly the distinction works in different contexts. This will shed light on the difficulty of nailing down the positive concept in a succinct definition. It will also substantiate what may be seen as a puzzling statement, that is, Berlin's claim that positive freedom is an end in itself.[20] Third, the analysis in the paper demonstrates why the two concepts do not promote incommensurable values. If anything, Berlin's conceptual scheme, properly understood would help us avoid the tragedy in the pursuit of freedom outlined in his essay, that is, avoid the journey that aims at freedom and ends in a mass dictatorship. If we see how exactly the two meanings of freedom are continuous and discontinuous with each other we can plan our journey to freedom better.

1. The moral phenomenology of freedom

Berlin's distinction between positive and negative liberty differs from Constant's distinction between liberty of the ancients and liberty of the moderns in one important aspect.[21] While Constant's liberty of the ancients is a collective asset and as such differs fundamentally from the liberty of the moderns which is an individual's asset, Berlin's positive freedom (at least significant aspects of it), like his negative freedom and like Constant's liberty of the moderns, is a concept that refers to the individual. Flikschuh comments that Berlin's positive liberty is a modern liberal concept on the grounds that '[i]t is a distinctive feature of the liberal tradition that it takes the individual person to be the basic unit of moral and political analysis'.[22] So Berlin's analysis of two concepts, in which both concepts are related to the individual, marks a development upon Constant's distinction. It is, however, commensurable with T.H. Green's analysis of freedom in his 'On the Different senses of "Freedom" as

Applied to the Will and to the Moral Progress of Man'[23], of which more will be said later. Yet Berlin's distinction adds a dimension that is lacking in Green – the explanation of the public value of negative freedom.

In this section I will look at how the distinction works on the level of personal experience. I will also refer to this as the context of 'personal metaphysics' or of 'moral phenomenology'. To use Flikschuh's words, in this section I will take 'the individual person to be the basic unit of moral and political analysis'. I will compare Berlin's concept of positive freedom, as developed in this context, to Kant's and Green's concepts of freedom and explain why the distinction at this level is a necessary one. A key observation would be that Kant and Green, like Berlin, explain their concepts on the grounds of contrasting them with a different conception of liberty (in the case of Kant, with the pursuit of happiness). In the cases of the three thinkers the dual conception of liberty reflects a similar tension: between our desire to pursue our choices, on the one hand, and our aversion to the possibility of associating morally or rationally deficient choices with freedom, on the other.

Berlin makes a clear case that in the context of personal metaphysics we can distinguish two concepts of liberty. The first is related to my determination to live 'my life in accordance with my own (not necessarily rational or benevolent) purposes' and the second is related to the achievement of 'self-direction' and 'self-control'.[24] The first is the negative liberty which reflects our desire to be unimpeded in our pursuit of our well-being, as judged by us; the liberty associated with our personal space unexposed to public scrutiny;[25] the liberty to do things that might be irrational or immoral.

What I take to be the key feature of Berlin's negative freedom is the emphasis on the uncensored nature of the choice we perform through our actions - be this inner or outer censorship – a sense captured well in statements like 'the existence of a minimum area of civil liberty within which an individual may think and do what he pleases because he pleases it'.[26] In his subsequent clarifications to his definition of negative liberty, Berlin does point out that '[t]he sense of freedom, in which I use the term, entails not simply the absence of frustration (which may be obtained by killing desires), but the absence of obstacles to possible choices and activities'.[27] The reason, however, for which Berlin insists that freedom is not merely 'the ability to do as one wishes' is that this phrasing does not preclude internal or external manipulation of desire.[28] The definition of Berlin's negative freedom suggested here - *the ability to pursue uncensored choice* - captures well the author's strong belief that the individual should not be put under any pressure to change the nature of his or her desires.

Berlin's positive liberty reflects our urge to liberate our moral and rational potential. The subsequent analysis will enforce the observation that positive liberty differs from the negative because while the latter purposefully does not commit to moral or rational action, the former does. There are a number of ways in which we flesh out the positive sense of liberty, and I will look at Berlin, Kant and Green in turn.

In order to outline the phenomenology of positive freedom, Berlin tells us two stories. One of them is the story of self-abnegation and the other, the story of self-realisation. In the first case

freedom is achieved through a 'retreat to the inner citadel' where we get rid of those desires we cannot realise.[29] In the second case we gain freedom by living up to our rational nature, by gaining true knowledge and structuring our lives according to it. The notion of self fulfilment is often based on the understanding that we experience a tension, as if there are two selves within us. One of them is a true, rational self and the other, an inferior 'poor, ignorant, desire-ridden, passionate, empirical' self.[30] If the empirical self wins, we will be restless and frustrated due to its unbridled and fickle nature. If the rational self takes over, our lives would be structured and controlled. Our inner tension can only be resolved if the true self overcomes the empirical one, that is, if we see our freedom in the terms of the positive, not of the negative concept.

Both the 'self-abnegation' and the 'self-fulfilment' stories are successful in explaining why we gain freedom by following the suggested paths. Getting rid of frustration, gaining control, reaching peace and stability are intuitively acceptable variations of freedom. Both stories are also successful in demonstrating that what has happened is not simply trading one set of free actions for another set, but a reconsideration of the nature of freedom. In the processes of stoic self-denial and of enlightened self-fulfilment we give up negative freedom as a matter of principle. If we stop wanting to be free to do as we will[31], we could acquire a superior kind of freedom. It is superior to the extent that it is more stable and lasting and diminishes our vulnerability to factors beyond our control.[32]

In addition to the fact that positive freedom is more stable than its negative counterpart as it makes us more independent, there is one other reason why Berlin's positive freedom is carved out, so to speak, against negative freedom. The positive freedom resolves a *moral* problem laid open by the negative one. Berlin's story of 'self-fulfilment' outlining the phenomenology of positive freedom exposed a nagging concern. Some of us may think that '[f]reedom is not freedom to do what is irrational, or stupid, or wrong.'[33] As stated in its definition, negative freedom allows us to be irrational, stupid and wrong. This is a morally uncomfortable position to be in. If we opt for positive freedom we will avoid the anxiety of the choice between freedom and poor conduct as we would be free *and* avoid immoral and irrational behaviour. But this positive freedom can only be achieved if we give up negative freedom. What we see here, however, is that positive freedom is not simply a 'technical' variation of negative freedom. It is not only that the latter places more emphasis on the lack of external obstacles, while the former seeks more lasting liberation achieved through self control or self-fulfilment.[34] There is a moral dilemma here which elucidates the nature of the antagonism between the too freedoms much better. Negative freedom allows us to be immoral and irrational, as a matter of principle, while positive freedom spares us this moral frustration.

Kant's theory of the nature of freedom is similar to Berlin's in its emphasis on one being a master of oneself, but it differs in that it stresses, more than Berlin does, the link between freedom and moral action. According to Kant, we are free, because as rational creatures we conform to laws which we ourselves legislate. This legislation is a moral one. The categorical imperative sums up what it is to act in 'conformity to duty … *from duty*'.[35] Acting in

conformity to duty, from duty, necessitates that one avoids immoral actions, that one does not act with 'a self-seeking purpose', and that one should not have 'an *immediate* inclination' to do what he will because of his duty.[36] So freedom seen as the property of the will of being a law to itself is different from freedom seen as the unimpeded pursuit of one's desires.[37] Freedom, as our capacity to act morally, becomes possible when we give up the activities to which we are inclined and which aim to advance our own wellbeing. The latter fall neatly into the remit of actions eligible for Berlin's negative liberty. Phenomenologically, Kant's freedom is carved out against what would constitute for Berlin, negative freedom. Berlin's distinction reflects well the logic of Kant's freedom theory.

 Green's narrative on the meaning of freedom in the context of personal metaphysics is particularly interesting as Berlin's analysis parallels Green's in two ways. The two authors discuss two senses of freedom and in both cases the analysis of the concept focuses on the individual, on the inner constitution of liberty, so to speak. Green distinguishes between 'juristic' and 'true' freedoms, where the first is 'power to act according to preference' and the second is the freedom achieved in doing what we ought to do.[38] Green believes that 'juristic' freedom is valuable and that this is the first type of freedom we seek to attain. However, in itself, 'juristic' freedom is not enough. Once we have 'juristic' freedom, we discover that the type of satisfaction we seek in the attaining of freedom is not to be found in it. Whatever it is we seek in freedom, we cease to find it in the possession of 'juristic' freedom. Since the 'attainment of freedom from external control' is no longer satisfactory, one starts to seek freedom in aiming to achieve 'the state in which he shall have realised his ideal of himself, shall be at one with the law which he recognises as that which he ought to obey, shall have become all that he has in him to be'.[39] Short of developing our full rational and moral potential, we live in a state of frustration and unrest. 'True' freedom can only be found in becoming what we could and should be. It is obvious, however, that this is a transformed meaning of freedom.

These considerations justify the following two claims. Firstly, positive freedom, due to its nature cannot be defined as clearly as negative freedom, which vindicates the variety of definitions Berlin offers in his lecture. Secondly, positive concepts share significant common features, which in turn vindicates Berlin in clustering the positive concepts into a single notion. I will comment on these two claims in turn.

Flikschuh points out that '[i]n contrast to Berlin's summary statement of negative freedom, the relevant catchword in what he says about positive freedom is more difficult to identify'.[40] There is a good reason for that. Positive notions of freedom work as a gradual reconstruction of the negative concept of freedom. Outlining a positive notion is a matter of developing a narrative, rather than describing something obvious in a succinct definition. This has been exemplified in Green's theory where the progression from 'juristic' to 'true' freedom has been presented, in part, as a personal journey of spiritual and moral development.

There are common features, however, of the moral phenomenology of the different positive conceptions offered by the liberal tradition. These common features can be seen in the

discussed cases of Berlin, Kant and Green. Their positive conceptions all aim to reconstruct negative freedom with a purpose of resolving the moral problems it poses, like frustration from failing to live up to one's moral and rational potential and its possible associations with immoral and irrational actions. Also the positive conceptions are purposefully set apart from negative freedom. Their realisation is based on the 'suspending' of negative freedom. This explains the necessity of two concepts of liberty. The positive concept of liberty restricts the scope of actions that quality as free on grounds of their moral or rational nature.[41]

2. Freedom and its social context

In addition to exploring the variation of the concept of liberty in the context of personal experience, Berlin looks at the way the meanings of liberty are transformed in a social context. In his 'Introduction' to his book *Four Essays on Liberty* where he engages with an array of criticisms to his lecture on the two concepts, Berlin makes the following point. The reason he is more critical of positive than of negative freedom is that the political implications of the former tend to be more 'socially sinister' than those of the latter.[42] This point is of interest as here Berlin qualifies significantly his passionate attack on positive liberty from 'Two Concepts'. It is not positive liberty *per se* that is problematic, but its social and political implications. Both positive and negative freedoms have such implications and in either case these implications can lead to undesirable consequences. The 'uncontrolled "market" economy', for example, which is a political implication of negative freedom, has its own shortcomings.[43]

Unlike the clear focus on the social implications of both liberties in his 'Introduction', in 'Two Concepts' the discussion about the social variants of negative and positive freedoms is dispersed throughout. The essay makes a very vocal case about the totalitarian implications of positive freedom, yet many have argued that the link Berlin draws between positive freedom and the reality of the twentieth century totalitarian regimes is rather tenuous.[44] The more pertinent analysis of these implications is elsewhere. Berlin repeatedly makes the point that the value of negative freedom should be kept apart from the values of justice, equality, fairness or human happiness.[45] I suggest that aligning positive freedom with the pursuit of social justice would be a historically fairer representation of the way the concept has evolved and a philosophically more precise way of explaining the specific clash of values that is at stake. Rousseau's and Green's theories are very good examples of the way the meaning of liberty has developed in the direction of accommodating issues of social justice. Although Berlin's essay does not explicitly take this path in exploring the social dimension of positive freedom, it is a more pertinent social alternative to negative freedom than that of totalitarianism. More pertinent as, unlike totalitarianism, social justice has an obvious political value and as such maintains the place of positive liberty as an end in itself.[46]

I would make the case that the social dimensions of positive freedom in Berlin's essay sit silently on the opposite side of the very sharply carved out social profile of negative freedom. I will draw attention to two specific arguments: that negative liberty should be differentiated from social justice and that it should be differentiated from the conditions of liberty. I will

demonstrate how Rousseau's and Green's theories of freedom argue exactly the opposite and how their concepts of freedom treat the link between liberty and social justice or the provision of the conditions of liberty as foundational to their respective concepts of liberty. Berlin recognises both of these theorists as exponents of positive liberty, hence using them to outline the social profile of his (or what could be his) positive liberty should not be 'unfaithful' to his overall project. My conclusion will be that while the social implications of negative freedom necessitate a clear distinction between the exercise of liberty, on the one hand, and the pursuit of social justice or the provision of the conditions of liberty, on the other, the social implication of positive liberty are to be found precisely in the association between these.

According to Berlin, our concern with both 'social justice' and 'the conditions of liberty' is adversely related to our concern with liberty. The tension between liberty and social justice exists because the evils of exploitation and poverty tend to overshadow the value of freedom to the extent that the sacrifice of negative liberty in the name of social justice is seen as natural. This point is very poignantly made by Berlin. 'I can, like the Russian critic Belinski, say that if others are deprived of it – if my brothers are to remain in poverty, squalor and chains – then I do not want it for myself, I reject it with both hands and infinitely prefer to share their fate.'[47] He recognises the humble place of defending negative liberty compared to that of fighting social oppression as clearly as any passionate Marxist. But he wants us to resist the Marxist conclusion: that individual liberty derives from social wellbeing, as a matter of principle. Berlin is prepared to concede that the exercise of negative liberty coexists peacefully with social exploitation. But here is the crucial observation: while social exploitation is bad, negative liberty is not. It is important to see that these two may be related but that they are not the same. Berlin makes an even stronger point here: for the sake of negative liberty we should be prepared to set our concerns with social justice aside. This is implied in what is probably the starkest line of the essay. 'Everything is what it is: liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience.'[48] We will not be able to defend negative liberty unless we dissociate it from social justice. Therefore conceptions of liberty that fuse together the pursuit of justice with the exercise of liberty, like that of Green as we shall shortly see, are non-negative concepts.

A similar tension exists between our desire to be negatively free and our preparedness to create the conditions for freedom. The conditions of freedom are often related to the type of society which has the necessary social and legal provisions of liberty for its members. The problem is that '[i]n their zeal to create social and economic conditions in which alone freedom is of genuine value, men tend to forget freedom itself; and if it is remembered, it is liable to be pushed aside to make room for these other values with which the reformers and the revolutionaries have been preoccupied'.[49] The tension comes from the fact that building up the conditions of freedom necessitates fundamental changes that will inevitably violate the exiting negative freedoms of many, most obviously of those who deprive others of freedom. Therefore, it is important to distinguish between what it means to value people's negative freedom and what it means to provide the conditions for such freedom. In a similar manner to

the pursuit of social justice, the provision of the social conditions for freedom is a threat to the negative liberty of at least some members of the society.

So what, we could say. Surely in the name of providing the conditions of freedom, some sacrifice of negative freedom is warranted. If Berlin values negative freedom, how could he not be prepared to recommend the necessary steps towards its provision? The difficulty of Berlin's intention to draw a line between negative liberty and its conditions is starker than that of drawing a line between negative liberty and social justice. It is possible to have a vision of social justice that does not aim to promote people's negative freedom. But creating the conditions of freedom has the direct benefit of serving the cause of negative freedom. Yet Berlin's argument here is similar to that about social justice. The process of creating the conditions for freedom and the process of enjoying your negative freedom are different. Arguably, they are substantively different as in the process of creating the conditions of freedom you may have to give up your negative freedom. The problem, for Berlin, is exacerbated by the fact that we may be tempted to see the process of creating the conditions of freedom as *the exercise* of freedom and denounce the actual enjoyment of liberty by viewing it as something of lesser value. Berlin has reasons to 'worry' because this has been done, as we will see shortly, by Rousseau. Yet, to anticipate my conclusion, Berlin's positive/negative freedom distinction does, or at least should, resolve his worry. Rousseau did not do ill service to the conceptualisation of freedom altogether. Arguably, he is not an exponent of Berlin's negative liberty, but he is an exponent of *another*, non-negative, concept.

Green's theory of liberty from his 'Lecture on "Liberal Legislation and Freedom of Contract"'[50] offers a positive concept of liberty that reconciles the demands for liberty with those for social justice. In this lecture Green discusses the social implications of allowing 'freedom of contract' between employers and employees or landlords and land tenants, in the social and economic environment of late nineteen century Victorian Britain. He observes that the lack of bargaining power on behalf of workers and land tenants would mean that a 'free contract' would be beneficial only to the employers and the land owners. Protecting the freedom of contract will result in less freedom for the first party as it will only exacerbate its conditions of poverty and dependence. Green makes the argument that if politicians' objective is to promote and maintain freedom then the contents of the concept has to be reconsidered. 'When we speak of freedom as something to be highly priced, we mean a positive power or capacity of doing or enjoying something worth doing or enjoying, and that too, something that we do and enjoy in common with others.'[51] A freedom, like the freedom of contract, that benefits some yet leads to a systematic abuse of the wellbeing (including the freedom) of others, cannot be of public value. If freedom were to remain 'highly priced' we need to reconstruct its meaning in a way that makes social justice part and parcel of its exercise. Green's theory of liberty like Rousseau's, outlines the obvious social counterpart to Berlin's negative liberty. Green's and Berlin's analyses are based on the same premise: that negative liberty is compatible with social injustice. Berlin makes the case that we still have good reasons to stick to negative liberty and treat it as valuable and Green makes the case that

a reconstructed meaning is needed in order to maintain the social value of freedom. It also seems that the two thinkers will accept a similar conclusion: that the freedom not aligned to social justice is different from the freedom aligned to it.

Rousseau's theory of liberty seems to be a clear example of the way in which the pursuit of liberty is merged with the process of creating the conditions for liberty. According to his social contract theory we gain our freedom by being a part of a popular sovereign. Through our personal sharing of the political power we guarantee our freedom. But this very process of political participation constitutes our freedom as well. For Rousseau being free means taking part in shaping the political edifice that maintains the conditions of freedom. Rousseau's freedom is an 'evolved' concept: as a result of our discovery that there is no freedom in society as it is, that is, prior to the social contract ('Man was born free, and he is everywhere in chains.'[52]) we come to realise that freedom is about a particular engagement with political life. Rousseau's allusion to the possibility of people being 'forced to be free'[53] reveals that the concept of freedom here is not the ordinary one, nonetheless it is a concept with a solid justification. What we find in Rousseau's theory of freedom is the obvious counterpart to Berlin's negative liberty in a social context. As Flikchuh points out, 'Rousseau offers not so much a metaphysics as a *social genealogy* of human (un)freedom.'[54]Unlike Berlin, however, who sees Rousseau's freedom as part and parcel of totalitarian ideologies, we could see the Swiss philosopher's concept as an example of a positive freedom developed along the lines of associating the process of creating the conditions for freedom with the actual exercise of freedom.

What I have argued here is that the social implications of positive freedom are not to be found in totalitarian regimes but in the associating of the exercise of freedom with the pursuit of social justice and the creating of the conditions for freedom. There is an apparent contradiction in Berlin's approach to the status of positive liberty that can be resolved if the proposed interpretation of the social dimension of positive liberty is accepted. There is a change of tone, to say the least, between Berlin's 'Two Concepts' and the 'Introduction' written later in reply to the essay's critiques. In the essay Berlin's attack on positive freedom, especially where the alleged link between it and the totalitarian regimes comes to the fore, leads to the conclusion that positive freedom is anathema to liberty. In the 'Introduction', however, Berlin argues that the two concepts are 'twin brothers'[55] and that they represent values equally precious to us, yet clashing with each other. I believe that the latter is not a new message, however, as a lot of the ideas underpinning it have already been developed in 'Two Concepts', particularly in the sections devoted to the moral phenomenology of freedom. So reading 'Two Concepts' back, we could paraphrase one of Berlin's statements in order to make clearer where the 'real' place of positive freedom is in a social, as opposed to a 'personal metaphysics', context. Berlin's famous words '[e]verything is what it is: liberty is liberty, not equality or fairness or justice…' can be paraphrased in the following way: 'everything is what it is: negative liberty is negative liberty, positive liberty is positive liberty'. Negative liberty relates to social justice in a same way as it does to positive liberty. Berlin does not want us to confuse the terms, but we will not, as we are aware that negative

and positive liberty are different. But the importance of the paraphrasing suggested here is that liberty and justice are not as antagonistic as Berlin would have it, because justice is in principle 'alignable' to some form of liberty. In other words, if negative and positive liberty are ends in themselves, and if the philosophical endeavours of Rousseau and Green who linked freedom and social justice are legitimate, negative freedom is not as antagonistic to justice, or to positive liberty, as 'Two Concepts' suggests. Positive liberty is liberty after all.

3. What exactly is the relation between negative and positive freedom?

Looking at the different levels at which Berlin's distinction between negative and positive freedom works has helped to explain the strengths of Berlin's analysis of freedom. Although the distinctions at the two levels share a common underlying structure (where negative concepts are morally neutral and positive ones are morally committed)[56] these distinctions are slightly different. This, I have argued, vindicates the versatility of Berlin's analysis, unfairly cast as lack of analytical rigour. The distinction between negative and positive liberty in the context of personal metaphysics reflects the tension between our understanding of freedom as uncensored choice, on the one hand, and our understanding of freedom as influenced by our ability to discriminate between morally superior and morally inferior choices and by our tendency to prefer the morally superior ones, on the other hand. The positive notion of liberty in the context of personal metaphysics reflects our frustration of aligning freedom with morally or rationally repugnant choices. It is this context that yields the more intuitively acceptable version of positive freedom. In a different way from negative freedom, but arguably with a similar intensity, it feels like freedom.

The distinction between positive and negative freedom at a social level, reflects a more obvious and a more politically pressing tension. This is the tension implied in the fact that liberty is simultaneously an individually oriented and a socially oriented concept. It is individually oriented as it takes the personal point of view to be paramount; it values the individual's choice of action even if this choice is amoral or anti-social. But it is also a socially oriented concept as the individual's freedom depends on the others, to the extent to which they are prepared to respect her freedom. When we choose to respect the freedom of others, we choose to act in a morally relevant or socially considerate manner. This second, socially oriented aspect, of liberty becomes particularly pertinent in view of Berlin's belief that negative liberty is an end in itself, that is, it carries social value. Therefore he commits himself to two lines of reasoning that do not easily sit together. On the one hand, negative liberty places no moral boundaries on our behaviour, yet on the other, it is highly valuable and therefore commands our moral behaviour to the extent that we should feel obliged to protect the negative freedom of others. This tension is usually played against Berlin, but I have argued here that this is the tension he manages to, or at least he could, articulate through his distinction between negative and positive liberty. Freedom is a complex phenomenon and in order to explain it fully we need at least two concepts. The negative one looks after our unforced and uncensored choice and the positive one reflects the fact that the protection of liberty as unforced and uncensored choice, takes commitment to moral action. The social portrayal of negative liberty would be incomplete if we did not account for the moral action

implied in the provision of liberty. Do we need to call the provision of the conditions of negative liberty 'positive liberty'? Maybe not, but respected political thinkers have done so for good reasons. One way in which the action aiming to provide the conditions of negative liberty can be seen as a form of freedom would be if the person performing it sees it as such. The moral phenomenology of freedom reveals that this is an eminent possibility.

The defence of the positive/negative freedom distinction developed so far would challenge Berlin's claim that positive and negative freedoms reflect two incommensurable values. These freedoms are commensurable in many ways not least because each is a part of the other's moral and social phenomenology. A better way to explain how exactly we should account for their different natures would be to say that in the context of a particular person's action, these freedoms could only occur one at a time. When I enjoy my negative freedom, I am not likely to be contributing to social justice and vice versa.

Conclusion

Berlin's distinction between positive and negative freedom is conceptually justified and normatively significant. I have argued that we can, in fact, see two distinctions in Berlin's inaugural lecture: one in the context of personal metaphysics and a second one which spells out the implications of the first in a social context. In the context of personal metaphysics negative freedom reflects our ability to pursue our uncensored choice, while positive freedom is the freedom we attain by living up to our moral and rational potential. In a social context negative freedom is properly preserved only when its independence from other social values like social justice or the provision the conditions of liberty is properly appreciated. The manifestation of positive freedom in a social context is exactly the opposite – the association of the exercise of liberty with the pursuit of social justice and the provision of the conditions for negative liberty. Out of these four interpretations of liberty, only the last one does not fall within the remit of Berlin's intended messages, but I have argued that Berlin has outlined well its conceptual space. In each of these two contexts Berlins distinctions articulate significant tensions. These are not tensions that can be avoided or resolved. Seeing that we have two concepts of liberty maybe a disconcerting message which precludes the possibility of having all the best things in one place. However understanding the reasons why on some level the negative and positive meanings of freedom are incompatible can help us address the problems associated with this as constructively as we possibly can.

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[1] I would like to thank Bruce Baum and George Crowder for their comments on this paper.

[2] John Gray, *Berlin* (London, Fontana Press, 1995), 168.

[3] John Rawls, *A Theory of Justice* (Oxford University Press, 1999), chapter 6, section 32.

[4] Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1988).

[5] Ian. Carter, *A Measure of Freedom* (Oxford: Oxford University Press, 1999); Matthew Kramer, *The Quality of Freedom* (Oxford: Oxford University Press, 2003); Hillel Steiner, 'Individual Liberty' in David Miller (ed) *The Liberty Reader* (Edinburgh University Press, 2006), 123-40.

[6] Amartya Sen, *Development as Freedom* (New York :Knopf, 1999).

[7] Quentin Skinner, 'A Third Concept of Liberty' in *Proceedings of the British Academy – 117; 2001 Lectures* (Oxford University Press, 2002), 237-68; Philip Pettit, 'The Republican Ideal of Freedom' in *The Liberty Reader* David Miller (ed) (Edinburgh University Press, 2006), 223-42.

[8] Tom Baldwin, 'MacCallum and the Two Concepts of Freedom', *Ratio* 26 (1984), 125-42.

[9] Gerald MacCallum, 'Negative and Positive Freedom', *Philosophical Review* 76 (1967), 312-34.

[10] Skinner, 'A Third Concept of Liberty'.

[11] Charles Taylor, 'What's Wrong with Negative and Positive Liberty' *The Liberty Reader* David Miller (ed) (Edinburgh University Press, 2006), pp. 141-62.

[12] Silier demonstrates that the distinction still plays a useful role as an analytical tool. Yildiz Silier, *Freedom: Political, Metaphysical, Negative and Positive* (Aldershot, Ashgate, 2005).

[13] Maria Dimova-Cookson, 'A New Scheme of Positive and Negative Freedom: Reconstructing T.H.Green on Freedom', *Political Theory* 31 (2003), 508-32.

[14] John Christman, 'Saving Positive Freedom', *Political Theory* 33 (2005), pp79-88, p. 80.

[15] Katrin Flikschuh, *Freedom* (Cambridge, Polity Press, 2007), 175.

[16] Eric MacGilvray, 'Republicanism and the Market in Berlin's "Two Concepts of Liberty"' in this volume. See also C. B. Macpherson, 'Berlin's Division of Liberty' in Democratic Theory: Essays in Retrieval (Oxford, Clarendon Press, 1973), 95-119, 95-6; A. Swift, *Political Philosophy: A Beginners' Guide for Students and Politicians* (Cambridge, Polity, 2001), 56-68.

[17] George Crowder discusses how Berlin's different interpretations of positive liberty relate to each other. G. Crowder, *Isaiah Berlin. Liberty and Pluralism* (Cambridge, Polity, 2004), 67-70.

[18] See Iisiah Berlin, 'Introduction' in *Liberty* edited by Henry Hardy (Oxford, Oxford University Press, 2005), 3-54, 31; 'From Hope and Fear Set Free' in *Liberty*, 252-79, 265, and 'Historical Inevitability' in *Liberty*, 94-165, 101.

[19] We can explore how the distinction works at the level of metaphysics of knowledge, observing that the negative meaning of liberty is related to our 'every day' knowledge while the positive meaning is related to rational knowledge.

[20] Berlin, 'Introduction', 42.

[21] Benjamin Constant, 'The liberty of the ancients compared with the liberty of the moderns' in *Political Writings*, trans and ed by Bianca Maria Fontana (Cambridge University Press, 1988), pp. 309-28.

[22] Flikschuh, *Freedom,* 17.

[23] T.H. Green, 'On the Different senses of "Freedom" as Applied to the Will and to the Moral Progress of Man' in *Lectures on the Principles of Political Obligation and Other Writings*, Paul Harris and John Morrow (eds) (Cambridge University Press, 1986), pp. 228-49.

[24] Isaiah Berlin, 'Two Concept of Liberty' in Henry Hardy (ed) *Liberty*, (Oxford, Oxford University Press, 2004), pp 203, 190. Hereafter 'Two Concepts'.

[25] Ibid., 173.

[26] Berlin, 'Philosophy and government repression' in Henry Hardy (ed) *The Sense of Reality: Studies in Ideas and Their History* (London: Chatto & Windus) pp.54-76, 75.

[27] Isaiah Berlin, 'Introduction' in *Four Essays on Liberty* (Oxford, Oxford University Press, 1969), xxxix.

[28] Berlin, 'Two Concepts', 186.

[29] Ibid., 181.

[30] Ibid., 194.

[31] See Flikschuh's discussion about the closeness between 'willing' and 'wanting' for Berlin. Flikschuh, *Freedom*, 34. Provided that our will is not manipulated, 'doing what we will' is a fair representation of the nature of negative freedom.

[32] On this point see Diana Coole's chapter in this volume.

[33] Berlin, 'Two Concepts', 194.

[34] This would address MacCallum's and Nelson's objections to the positive/negative freedom distinction. See note8 and E. Nelson 'One Concept Two Many?' *Political Theory* 33, (2005), 58-78.

[35] Immanuel Kant, *Groundwork of the Metaphysics of Morals* Mary Gregor (ed) (Cambridge University Press, 1997), 11 (4:397).

[36] Ibid., 11 (4:397).

[37] Ibid, 52-3.

[38] Ibid., 241.

[39] Ibid., 241.

[40] Flikschuh, *Freedom,* 16. Emphasis added.

[41] One aspect in which proponents of positive freedom vary is whether they link positive freedom to the nature of one's *action* or to the nature of one's *agency*. I have followed T.H.Green in defining positive freedom through its link to moral action. John Christman articulates a link between positive freedom and '*quality of agency*' (Christman, 'Saving Positive Freedom', 79.) I believe that the similarities between these two approaches are more significant than their differences.

[42] Berlin, 'Introduction', 39.

[43] Ibid., 39.

[44] See John Gray, 'On Negative and Positive Freedom' in Zbigniew Pelczynski and John Gray (eds) *Conceptions of Liberty in Political Philosophy*, (London: The Athlone Press), pp. 321-48; Charles Taylor, 'What's Wrong with Negative and Positive Liberty'; Avital Simhony, 'Beyond Negative and Positive Freedom: T. H. Green's View of Freedom' *Political Theory* 21 (1993), 28-54; Peter Nicholson, (1990) *The Political Philosophy of the British Idealists* (Cambridge University Press, 1990), Chapter 4; Carol Gould's paper in this collection.

[45] See 'Introduction', 42, and 'Two Concepts', 172.

[46] In his 'Introduction' Berlin makes the point that positive freedom has a positive value, so to say, much more clearly than in 'Two Concepts'. He claims that both, negative and positive freedoms, 'are ends in themselves'. 'Introduction', 42.

[47] Berlin, 'Two Concepts', 172.

[48] Ibid., 172.

[49] Berlin, 'Introduction', 46.

[50] T.H. Green, 'Lecture on "Liberal Legislation and Freedom of contract"' in *Lectures on the Principles of Political Obligation and Other Writings*, Paul Harris and John Morrow (eds) (Cambridge University Press, 1986), pp. 194-212.

[51] Ibid., 199.

[52] Jan Jacques Rousseau, *The Social Contract* (London, Penguin books, 1968), 49.

[53] Ibid., 64.

[54] Flikschuh, *Freedom*, 25.

[55] Berlin, 'Introduction', 50. Note 1.

[56] See Dimova-Cookson, 'A New Scheme of Positive and Negative Freedom'.