



Brazilian Political Science Review

E-ISSN: 1981-3821

[bpsr@brazilianpoliticalsciencereview.org](mailto:bpsr@brazilianpoliticalsciencereview.org)

Associação Brasileira de Ciência Política  
Brasil

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Brazilian Political Science Review, vol. 8, núm. 3, 2014, pp. 39-65

Associação Brasileira de Ciência Política

São Paulo, Brasil

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## ARTICLE

## The Concept of Liberty: the Polemic between the Neo-Republicans and Isaiah Berlin\*

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This article offers an analysis of the polemic between neo-republicanism and Isaiah Berlin on the concept of liberty. Neo-republican theory argues that Berlin's concept of liberty allows arbitrary power to emerge, and that the characteristically negative association between intervention and liberty in his argument should be dispelled. This article points out that the concept of liberty in Berlin does not preclude intervention to prevent oppression. One theme present in Berlin's argument is that interference by Law is an instrument that assures the exercise of both negative and positive liberty. Taking as its point of departure the ideas of negative liberty and positive liberty, the article argues that, on the basis of Berlin's work, these notions are facets of a broader concept that involves primarily the freedom to choose among alternatives. It highlights the fact that the two lines of thought converge in seeing the exercise of freedom as subject to no ultimate ends.

**Keywords:** Liberty; Isaiah Berlin; neo-republicanism; negative liberty; positive liberty.

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(\*) <http://dx.doi.org/10.1590/1981-38212014000100020>

This article grew out of research financed by FAPERJ. Parts of the original paper were presented at the ABCP and ANPOCS Political Theory WGs. Sincere thanks go to the anonymous referees who helped clarify various aspects of the study, and to the colleagues – Bruno Sciberras de Carvallho, Cristina Buarque de Hollanda, Fernando Quintana, Graziella de Moraes, Gustavo Lacerda, Helga Gahyva, Jairo Marconi Nicolau and Marcia Rangel Candido – who, under no professional obligation, purely out of academic interest and friendship, commented on the paper. All other responsibility is, quite properly, mine.

*"Freedom for the wolves has often meant death to the sheep."* (Isaiah Berlin)

This article examines the polemic between neo-republican theory and Isaiah Berlin's ideas on the concept of liberty, and proposes a revision of the neo-republican critique of Berlin's argument. It emphasizes that, in Berlin's argument, freedom of choice is the central value in the concept of liberty, and that this idea should inform thinking about the tensions and complementarities between the extremes of negative and positive liberty. It then points out that the concept of liberty is constructed as the contrary to that of oppression, and the notion of intervention figures as a guarantee of freedom. Taking freedom of choice as its basis, it sets out the reasons why Berlin's thinking gave precedence to the notion of negative liberty. It also addresses the issue of final purposes in the concept of liberty and indicates areas of congruence between Isaiah Berlin's and the neo-republicans' arguments in that both deny the value of an ultimate end that justifies the exercise of liberty.

### **The two concepts of liberty and their leading critics**

In 1958, Isaiah Berlin gave his inaugural lecture at Oxford under the title *Two concepts of liberty*. That same year, the lecture was published as an essay that triggered heated debate. In 1969, the essay was published in the book *Four essays on liberty*, the new edition of the text accompanied by a number of notes absent from the original edition, together with a long introduction in which the author endeavoured to answer a number of criticisms. The essay was originally written during the Cold War, and the imprint of that conflict was made clear in the text itself. Berlin described his purpose as to inquire into questions raised in the midst of "... the open war that is being fought between two systems of ideas which return different and conflicting answers to what has long been the central question of politics – the question of obedience and coercion" (BERLIN, 1969a, p.121). The two views of liberty – negative and positive – were associated, respectively, with the liberal democratic and communist worlds.

The essay had enormous impact and was discussed by numerous theoreticians. Illustrative of those from the left was the critique formulated by C. B.

Macpherson(1973), according to whom the central value of the concept of negative liberty was the absence of interference: negative liberty demanded only a space free from interference by State, Church, trade unions, groups etc, and disregarded the fundamental consideration that liberty is subjects' ability to act according to their desires. For that capacity to materialize, resources are necessary. Macpherson argued that, as poverty does not constitute an interference, Berlin's concept of liberty ultimately did not consider it an obstacle. He saw Berlin's argument as relegating the endeavour to overcome misery and poverty to secondary importance, which thus entailed endorsing a policy of minimum government intervention, as advocated by *laissez-faire* thinkers or liberals like Hayek and Robert Nozick. A second critique, levelled by Gerald MacCallum (1967), had considerable impact in the Anglo-Saxon world, and even Berlin responded to it when his essay was republished. According to MacCallum, Berlin seeks to attribute validity to one of the extremes of liberty (in this case, negative liberty), which ultimately creates distinctions which are never clear. That imprecision results from the operation of dividing liberty. MacCallum sees liberty as a single concept: it resides in acting to do or to refrain from doing something, always against some constraint, interference or impediment.

In spite of the critiques, Berlin's formulation remained one of the most influential in political theory. The brunt of the attack, however, was to come from neither the Marxist left nor the neoliberals (many of whom saw little commitment to liberalism in its value pluralism), but from neo-republicanism, a theoretical current that emerged in the early 1990s and whose main exponents are Phillip Pettit and Quentin Skinner. This school of thought has established itself as one of the most important in contemporary political theory, seeking to mesh a normative political theory with research in the field of the history of ideas. Its point of departure was the critique of Berlin's conception. Phillip Pettit begins his classic *Republicanism* with a discussion of the concept of liberty before the division proposed by Berlin<sup>1</sup>; meanwhile, in the field of the history of ideas, Skinner sought

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<sup>1</sup>This aspect is mentioned directly in several of his writings, including: *The idea of negative liberty: philosophical and historical perspectives* (1984), *Liberty before liberalism*(1997) and *The republican ideal of political liberty* (1990).

to restore a meaning of liberty contrary to Berlin's argument (PETTIT, 2002a<sup>2</sup>, pp. 08-09).

Neo-republicanism intended to distance itself both from the neo-liberalism prevailing in most western countries and from Marxist thinking. Its chief authors also contested aspects of classical republicanism. Participation in public affairs was not regarded as the highest form of liberty: engagement in the public sphere was essential not because it was the proper dimension of liberty, but because it fostered liberty as freedom from domination (PETTIT, 2002a, pp. 08-09). The question of glory, of seeking after action that transcends its time and attains perpetuity, which constituted a central value in classical republicanism, was abandoned by the neo-republicans in favour of participation by citizens aspiring to liberty so as not to be dominated; civic virtue demanded by the republic was an ordinary, civilised passion (VIROLI, 2002, p. 13). Neo-republicanism reinstated the importance of the separation of powers as a barrier to tyranny by the majority, repudiating any sympathy for a populist ideal of State with the people as its incontestable master (PETTIT, 2002a, p. 09 and VIROLI, 2002, p. 06).

### The two liberties

Isaiah Berlin's concept of liberty<sup>3</sup> comprises two poles: negative liberty and positive liberty. The concept of positive liberty involves the idea of citizens taking action for their own reasons and not from external causes; it is a liberty to do something (BERLIN, 1969a, p. 131-134). Negative liberty, meanwhile, has to do with the sphere where citizens are free of any kind of interference from other individuals or collective subjects (BERLIN, 1969a, p. 122-123). It is important to

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<sup>2</sup> First publication in 1997.

<sup>3</sup> See Hart, H.L.A., 2008, (first publication in *Philosophical Review*, N° 64, in 1955), p. 282. Pitkin (1988) draws a distinction between *liberty* and *freedom*, relating *liberty* to being free from oppression, to enjoying a space for action free from outside control, while *freedom* has to do with the possibility of participating in public affairs. The meaning of the term *liberty* is associated with the idea of legal rights that assure individuals that they will not suffer interference; accordingly, it is closer to the term *right*. As she points out, Berlin often uses the two terms interchangeably, disregarding this difference. At times, however, he does distinguish between them; whenever that happens, it will be highlighted here. Although Berlin's argument is semantically not very precise, whenever it involves an intervention sanctioned by law, that intervention is meant to protect a sphere within which individuals are free to make their choices. See Berlin, 1969b, pp. xlv-xlvi. This idea will be discussed later.

point out that although these two liberties are different, they are not logically opposed; the conflict has arisen as a result of the course of History.

The freedom which consists in being one's own master, and the freedom which consists in not being prevented from choosing as I do by other man, may, on the face of it, seem concepts at no great logical distance from each other – no more than negative and positive ways of saying much the same thing. Yet the 'positive' and 'negative' notions of freedom historically developed in divergent directions not always by logically reputable steps, until, in the end, they came into direct conflict with each other. (BERLIN, 1969a, pp. 131-132)

Let us look at the critique that neo-republican theory makes of Berlin's argument. The neo-republican definition states that liberty grows out of a situation where citizens are not subject to arbitrary interference and can hold to their choices and actions among alternatives without fearing for their safety (PETTIT, 2002a, p. 51-52). The need for intervention stems from the possibility that asymmetric powers in society – such as those of employers over their workers or husbands over wives – may undermine citizens' safety (PETTIT, 2002a, p. 119). Such intervention would represent no loss of liberty. Contemporary neo-republican theory admits interference as a mechanism for guaranteeing liberty and sustains that, in that way, it is undoing the opposition set up by Berlin, where interference is regarded as entailing a reduction in the sphere of liberty (PETTIT, 2002a, Ch. 1 and 2 and Pettit, 2001, Ch. 6). Neo-republican thinking distinguishes itself from Berlin's approach in that the evil to be averted is domination (*dominum*), characterised by a master-servant relationship. In that kind of relationship, the master can intervene arbitrarily in underlings' choices without having to take their opinions into consideration. Pettit stresses that domination can occur without the need for intervention, that threat and fear can lead subjects to restrict their choices in the endeavour to satisfy the dominator, who can force certain behaviour on them without the need to weigh their interests (PETTIT, 2002a, Ch. 1, 2 and 3 and SKINNER, 2008<sup>4</sup>, p. 409).

In his *Introduction* (1969b) to the book containing the text *Two concepts of liberty*, Berlin rebuts a number of criticisms, while emphasising other points in the

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<sup>4</sup> British Academy Lecture in 2001.

light of writings published after his famous essay<sup>5</sup>. First, Berlin confirms that the questions posed by the two polar concepts are not logically remote from one another, but that they occasion different responses<sup>6</sup>.

Let me say once again that 'positive' and 'negative' liberty, in the sense in which I use these terms, start at no great logical distance from each other. The questions 'Who is master?' and 'Over what area am I master?' cannot be kept wholly distinct. I wish to determine myself, and not be directed by others, no matter how wise and benevolent; my conduct derives an irreplaceable value from the sole fact that it is my own, and not imposed upon me. (BERLIN, 1969b, p. xliii)

The definition of positive liberty has two extremely important values to Berlin's argument. In the first place, is the idea of the agent's autonomy, the "wish to be somebody". Individuals are subjects, not slaves with no liberty to choose their behaviour; not disallowed as autonomous agents, but able to make free use of their faculties. As an agent, I am capable "of conceiving goals and policies of my own and realizing them" (BERLIN, 1969a, p. 131). Secondly, and bound up with this, is the idea that subjects aspire to setting their own goals without being forced to do so by others, for their choice of conduct to be a freely selected act, not something imposed by a sage (BERLIN, 1997b<sup>7</sup>, p. 110-111). Both components are inseparable from the idea of freedom of choice. If personal autonomy is valuable, then there should exist a range of options to choose among, because that would signal recognition of individuals' ability to set their own goals (CROWDER, 2004, p. 83-86). The autonomy of the subject present in Berlin's concept of liberty entails no sense of moral perfectionism; rather it corresponds to a minimum status that subjects must hold, one which enables them to seek the ends they deem desirable.

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<sup>5</sup> Analyses of the concept of liberty in Berlin usually concern themselves exclusively and restrictively to his famous *Two concepts of liberty* essay. One of the purposes of this chapter is examine his argument more broadly, so that it can be analysed in all its complexity. In that respect, it is a mistake to leave aside a number of other writings on the same subject. On the other hand, the Introduction – which was written 11 years after publication of the famous essay – should be considered as a complementary text, which at the same time reformulates various aspects and responds to the criticisms initially levelled at the argument. On the ideas discussed in the Introduction and their importance, see Crowder, 2004, Gray, 2000b, Pettit, 2011 and Ricciardi, 2007.

<sup>6</sup> "Let me say once again that positive and negative liberty in the sense I use these terms, start no great logical distance from each other". (BERLIN, 1969, p. xliii).

<sup>7</sup> This text was published in Hardy, Henry(1964), *Concepts and Categories: Philosophical Essays*. London: Ed. Pimlico.

I wish to be somebody, not nobody; a doer – deciding, not being decided for, self-directed and not acted upon by external nature or by other men as if I were a thing, or an animal, or a slave incapable of playing a human role [...]. (BERLIN, 1969a, p. 131)

As the idea of positive liberty has changed over the course of history, so these values have been suppressed. The idea of subjects' autonomy was modified by the theoreticians of positive liberty in favour of a benevolent, but authoritarian, Higher Self that would lead individuals to true liberty, while preventing them from deciding how to conduct their lives (BERLIN, 1969b, p. xliv). "I must do for men (or with them) what they cannot do for themselves, and I cannot ask their permission or consent, because they are in no condition to know what is best for them (BERLIN, 1969a, p. 151). At that point, in Berlin's view, the theoreticians of positive liberty betrayed the concept of liberty: "what had begun as doctrine of freedom turned into a doctrine of authority and, at times, of oppression and became the favoured weapon of despotism, a phenomenon all too familiar in our own day" (BERLIN, 1969b, p. xliv). Key here is that Berlin is not criticising positive liberty as a whole, but its transformation into an authoritarian doctrine (CROWDER, 2002, p. 88). What vanished with this distortion was subjects' autonomous use of their freedom of choice; rewriting Berlin's metaphor, from then on there would exist a higher Self that would show subjects which door they must go through.

In his Introduction, he emphatically rejects the possibility that the concept of liberty is identical to inner liberty, which should be understood as follows: individuals faced with arbitrary constraints choose to withdraw to their most secluded dimension, the mind (BERLIN, 1969b, p. xxxix). Examining the example of the slave accommodating to the desires of an arbitrary master, Berlin concludes that the slave is not free. That is because liberty has nothing to do with citizens' withdrawing to some inner citadel where they can entertain their desires at will: removing the wish to act does not increase liberty. Liberty, in either its positive or negative sense, cannot be made to emerge by extinguishing desires and choices out of fear of clashing with authority.



For if to be free – negatively – is simply not to be prevented by other persons from doing whatever one wishes, then one of the ways of attaining such freedom is by extinguishing one's wishes. I offered criticisms of this definition, and of this entire line of thought in the text, without realizing that it was inconsistent with the formulation with which I began. If degrees of freedom were a function of the satisfaction of desires, I could increase freedom as effectively by eliminating desires as by satisfying them; I could render men (including myself) free by conditioning them into losing the original desires which I have decided not to satisfy. Instead of resisting or removing the pressures that bear down upon me, I can 'internalize' them. This is what Epictetus achieves when he claims that he, a slave, is freer than his master. By ignoring obstacles, forgetting, 'rising above' them, becoming unconscious of them, I can attain peace and serenity, a noble detachment from the fears and hatreds that beset other men – freedom in one sense indeed, but not in the sense in which I wish to speak of it. (BERLIN, 1969b, p. xxxviii).

Berlin's intention in using the slave example was to draw a distinction between his and the Stoic concept of liberty. His view is that, when citizens accommodate their desires to a narrow field of opportunities in response to some external constraint, and do so in order to adjust to that situation, they may gain in serenity or rationality, but this is not liberty. In other words, Berlin's argument points to oppressive domination exerted without any need for intervention, requiring merely that subjects submit to the discretionary will of another agent. To put it more clearly, no intervention is needed for liberty to be lost. In that light, the absence of intervention does not constitute liberty. This idea was repeated in several of his essays<sup>8</sup>.

On the second aspect. Berlin is emphatic in asserting that freedom of choice can be constrained as the result of intervention, whether or not it is deliberate:

The criterion of oppression is the part that I believe to be played by other human beings, directly or indirectly, with or without the intention of doing so, in frustrating my wishes. By being free in this sense I mean not being interfered with by others. The wider the area of non-interference the wider my freedom. (BERLIN, 1969a, p.123).

Here it is fundamental to underline that Berlin's famous idea – that the greater the area of non-interference, the greater the liberty – is associated with the

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<sup>8</sup> See Berlin, 1997b, p. 111; Berlin, 1969b, p. xxxix, p. 135 and Berlin, 1969a, item III, *The retreat to the inner citadel*.

viewpoint that for individuals to be free is for them to enjoy a sphere where they can make their choices without any interference, regardless of whether or not it is intentional, that might shape their will in a manner contrary to their desires. Enjoying a sphere free of interference, but in which they are oppressed, does not permit them to act freely. As will now be seen, when correctly understood, Berlin's argument does admit a certain level of intervention, providing it is designed to assure freedom of choice. The idea of oppression in Berlin resides in subjects' perceiving that their desires are frustrated by an action that disregards their freedom of choice. It may be suggested here that Berlin's idea of oppression is very close to the neo-republican idea of arbitrariness. The second clause in Pettit's characterisation of an arbitrary act of domination requires that an agent have the capacity to interfere in someone else's life without taking into account the interests and opinions of the person affected by that action; the action can be guided by the agent's judgement alone (PETTIT, 2002a, p.55).

The third aspect involves the theme of intervention. As noted earlier, criticism from the left considered Berlin a theoretician whose definition of liberty entailed a minimum-State policy. However, such a view corresponds to a rather narrow understanding of his concept (CROWDER, 2004 and GRAY, 2000b). In Berlin's argument, intervention can serve as an instrument to assure freedom of choice.

The bloodstained story of economic individualism and unrestrained capitalist competition does not, I should have thought, today need stressing. Nevertheless, in view of astonishing opinions which some of my critics have imputed to me, I should, perhaps, have been wise to underline certain parts of my argument. I should have made even clearer that the evils of unrestricted *laissez-faire*, and of the social and legal systems that permitted and encouraged it, led to brutal violations of 'negative' liberty – of basic human rights (always a 'negative' notion: a wall against oppressors) including that of free expression or association, without which there may exist justice and fraternity and even happiness of a kind, but not democracy. (...) *The case for intervention, by the state or other effective agencies, to secure conditions for both positive, and at least a minimum degree of negative, liberty for individuals is overwhelmingly strong.* (BERLIN, 1969b, pp. xlv-xlvi, my emphasis).

Berlin emphasises that liberty does not mean a *laissez-faire* model with no agencies capable of assuring certain rights, as barriers to prevent oppressors from

blocking the exercise of liberty, whether intentionally or otherwise. The concept of liberty, as both negative liberty and positive liberty, requires some degree of intervention, without which liberty will wither and die. Even while recognising that, in most passages, Berlin uses the term liberty<sup>9</sup> to refer indifferently to rights and to freedom of participation in public affairs, it can be seen from the passage above that he conceives the idea that law, in the sense of obligation, intervention, should be used to assure liberty, in both the positive sense (freedom) and the negative sense (rights). The idea of influencing citizens with the sanction of law has no relation to the approach of "obliging citizens to be free" (an idea attributed to Rousseau), but is intended simply to protect the sphere within which they can made their choices freely. In the passage cited above, the intervention that Berlin describes as necessary to exercising liberty embodies the notion of protection, but not action endowed with substantive content to force individuals to act "freely".

Discussing T. H. Green's 1881 essay, Berlin writes that in that context – in the late 19<sup>th</sup> century – the relation between employers and employees, which was notably free from intervention, gave workers only formal negative liberty, with no possibility of enjoying it in practice, because they were subject to their employers' will. In that situation, negative liberty is a "hollow gain", because the workers' will is subject to another's arbitrary will (BERLIN, 1969b, p. xlix, note 1). Berlin argued that mixing "social Darwinism" with a lack of interference resulted in a loss of liberty for the socially disadvantaged<sup>10</sup>. Berlin's argument neither stipulates that liberty and social equality are in permanent conflict, nor that these two values must be compatible<sup>11</sup>. In certain circumstances, intervention designed to reinforce social equality can be an instrument for assuring liberty. However, it is not difficult to find a number of experiments in western political theory where the two terms are in opposing camps. Whether or not they are compatible will depend on what citizens understand to be the values governing the good life; in that respect, different outlooks inform different conceptions of justice, which may occasionally enter into conflict with liberty<sup>12</sup>. Berlin's argument does not consider it feasible to

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<sup>9</sup> See Pitkin, 1988.

<sup>10</sup> See Berlin, 1969b, p. xlv.

<sup>11</sup> For a different view, see Casarin, 2008.

<sup>12</sup> See Gray, 2000a, pp. 16-19. Perry Anderson (2002) expresses astonishment that Berlin's thinking gives no attention to the institutional structure necessary to protect negative

lay down a normative rule on the relations between liberty and equality, because his value pluralism entails the possibility of conflict emerging among the diverse notions of good, and thus precludes the possibility of harmony among them.

Liberty that may require intervention is an issue that logically raises the concern expressed by neo-republican theory that its thinking differentiate itself from the approach advocated by liberalism. This distinction is present in both past and present western political thinking<sup>13</sup>. Neo-republican thought characterises liberal political theory as follows:

But liberalism has been associated over the two hundred years of its development, and in most of its influential varieties, with the negative conception of freedom as the absence of interference, and with the assumption that there is nothing inherently oppressive about some people having power over others, provided they do not exercise that power and are not likely to exercise it. (PETTIT, 2002b, p. 08-09).

Viroli (2002)<sup>14</sup> notes that the liberalism of Constant and Berlin makes no mention of liberty as the absence of personal dependence, because their concern is only with situations where arbitrary interference occurs (VIROLI, p. 38). Neo-republicanism holds that the law makes citizens free not because it expresses their will, but because it is a universal, abstract command that protects citizens from the arbitrary acts of others. Republicanism was seen to run counter to populism inspired in Rousseau, because it argues that the people are not the master, with the State merely serving the will of the people; in Pettit's terms, the people is the trustor, and the State, the trustee, of that will (PETTIT, 2002a, p. 09 and VIROLI, p. 2002, p. 52). The key points of that relationship were held to be: the requirements of universality and common interest must be above the will of the majority; power must be dispersed throughout society and not concentrated in a single body; and, lastly, the exercise of power must be subject to constitutional controls (PETTIT, 2002a, Ch. 04).

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liberty, traditionally a concern of liberal thinking. Anderson fails to see that Berlin does not believe in the solution proposed by Rawls. As Gray points out, in Berlin's argument, the notion of justice is not above the values relating to equality, liberty, tolerance and so on.

<sup>13</sup> On the history of republican political thinking, see Pettit, 2002a, Ch. 1; Skinner, 1984, 1993 and 1999 and Viroli, 2002. On the more recent issues, see Laborde, 2008.

<sup>14</sup> This text was written in 1999 and translated to English in 2002.

Later, in this book *Republicanism* (2002a), Pettit distinguished among currents of thinking that address the concept of liberty. Instead of dividing them into two as previously done, he proposed differentiating three approaches: *non-limitation*, *non-domination* and *non-interference*. Pettit distinguished Berlin's argument from the Hobbesian utilitarian approach. He felt Berlin gave just as much importance to a diversity of options as to protecting subjects' agency (PETTIT, 2011, p. 715)<sup>15</sup>. Berlin's argument, however, he saw as favouring a strategy of adaptation, of accommodation by agents confronted by the will, whether manifest or not, of a stronger agent. Why did Berlin's argument not give emphasis to the issue of non-domination and interference? According to Pettit, this was because, in Berlin's argument, the only alternative would be to reinforce the positive dimension of liberty. With this tripartite division, Pettit seems to have managed to assimilate the criticisms levelled at him for the narrowness of his characterisation of liberalism and of Berlin's argument (CROWDER, 2004, Ch. 04; GRAY, 2000a, Ch. 01 and LARMORE, 2004).

As observed earlier, Berlin's concept of liberty embodies a rejection of oppression; it acknowledges that oppression can occur intentionally or otherwise, it just has to be perceived by the citizen; and, lastly, it requires intervention whenever this is necessary for liberty to be exercised in either its negative or positive dimension. In the same regard, there is no refusal of the idea of positive liberty as an integral part of the concept of liberty; subjects' autonomy is a central value for them to enjoy freedom of choice, and is fundamental in the concept developed by Berlin. The criticisms that neo-republican theory levelled at Berlin's argument can thus be considered refutable. If the concept of liberty is compatible with the idea of intervention, then it is important to investigate the relationship between liberty and end purposes in Berlin and in the neo-republicans.

### The end purpose of liberty

Berlin's argument distinguishes between the concept of liberty and the idea of ends. Here it will be shown how his argument effects that separation and then the same process will be traced in the neo-republican argument. In order to

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<sup>15</sup> In this latter book, Pettit gave more attentive treatment to Berlin's argument.

analyse that distinction, it must first be understood how Berlin criticised the notion that there are ultimate purposes justifying freedom of action. In that connection, his criticism of the notion of historical inevitability will be examined.

Berlin's essay, *Two concepts of liberty*, revisited ideas already present in Benjamin Constant's 1816 text, *The Liberty of Ancients Compared with that of Moderns*, while at the same time deviating from them in one important aspect, the role of History. To Constant, the liberty of the moderns rested not on some hypothetical state of nature, but on History. That was where conflicts were staged, ancient institutions were supplanted by new ones, grounded in other principles in step with the march of History. Constant regarded one of the Jacobins' mistakes as having been to endeavour to impose institutions that disregarded individual liberty. That movement rested on the will of political actors, but not on the march of History, a mismatch that resulted in institutions at odds with the spirit of their time. To Constant, as to the doctrinarians, History plays the role of an authority that legitimates the principles underpinning the liberty of the moderns (MANENT, 1994, p. 85).

Berlin refused to ground the concept of liberty in History for two main reasons. The first was that metaphysical or scientific views see History as accomplishing a theological or rational principle which at once explains events and offers a rationale for actions suited to realising that idea. In touching on the theme of historical inevitability (BERLIN, 1969c), Berlin criticises theories that approach human phenomena on a perspective intended to discover forces working inexorably on political actors. On such an approach, scientists should properly occupy themselves with identifying the driving force that conditions actors, to whom one can attribute mistakes, "their ignorance" or "their rationality", always in terms of supposed laws.

Such a procedure would reduce the scope of liberty, because the more this principle is revealed, whether by scientific methods or not, the less possibility there is of agents' choosing. The laws of History point to a meaning whose value agents cannot choose or judge; the role of knowledge is then to keep actors from taking directions at odds with the principle; never to point towards other possibilities or different values (BERLIN, 1969c, pp. 57-58 and HANLEY, 2007, pp. 166-167).

Analysing Berlin's argument on liberty involves highlighting his examination of the Counter-Enlightenment and the Romantic Will. According to those principles, Berlin stresses, to defy the universal laws was an act of liberty, even though such an action might be irrational. Each culture expresses its own view and is at liberty to do so, and the values expressed in each culture's way of life are incommensurable (BERLIN, 2001a<sup>16</sup> and 1990). One of the aspects Berlin highlights most emphatically when he analyses these phenomena is the right of such movements to have the use of freedom of choice, as opposed to schools of thought which assert that human behaviour is determined by purportedly universal laws.

As regards the second reason, Berlin sees History and politics as fields of conflict among diverse values. Politics is unavoidable to the extent that various conflicting purposes are struggling to be achieved, and none can claim primacy over the others; their values are incommensurable (BERLIN, 1997b, p. 65). A conception of History or Reason with a single principle at its core would consider conflicts to be the result of false consciousness or ignorance, leaving individuals no choice of alternative. When Berlin analyses this conception of History, he is addressing the problem of liberty as well. The existence of inexorable processes reduces "the area of liberty"; in other words, it curbs freedom of choice.

The more we know, the farther the area of human freedom, and consequently of responsibility, is narrowed. For the omniscient being, who sees why nothing can be otherwise than as it is, the notions of responsibility or guilt, of right and wrong, are empty; they are a mere measure of ignorance, of adolescent illusion, and the perception of this is the first sign of moral and intellectual maturity. (BERLIN, 1969c, pp. 58-59)

Given Berlin's criticism of this conception of History, now his concept of liberty can be examined in greater depth. If History is no longer the authority underpinning the liberty of the moderns as compared with the ancients, other values have to be constructed. To Berlin, the need to draw a distinction between positive and negative liberty arises not from their formal aspects, but from the conflicts between these two models. More specifically, the differentiation arises when positive liberty entails the existence of a standard against which reasons for

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<sup>16</sup> Berlin's widely read essay "The Counter-Enlightenment" was first published in 1973.



action are considered legitimate. In other words, individuals are then considered free only when acting in accordance with a standard, which may be reason, history, religion or various other ends. Not all actions would be considered autonomous. With these values, Berlin argues, the theoreticians of positive liberty justify interventions designed to ensure that individuals conform to such a standard (BERLIN, 1969a, p. 236).

Berlin's analysis of the role of knowledge shows that his concept of liberty is more complex than a simple reading of negative liberty as the absence of intervention might suggest:

*Knowledge will only render us freer if in fact there is freedom of choice – if on the basis of our knowledge we can behave differently from the way in which we would have behaved without it – can, not must or do – if, that is to say, we can and do behave differently on the basis of our new knowledge, but need not. Where there is no antecedent freedom – and no possibility of it – it cannot be increased. Our new knowledge will increase our rationality, our grasp of truth will deepen our understanding, add to our power, inner harmony, wisdom, effectiveness, but not, necessarily, to our liberty. If we are free to choose, then an increase in our knowledge may tell us what are the limits of this freedom and what expands or contracts it. (BERLIN, 1997b, pp. 102-103, emphasis added).*

It can be seen that knowledge cannot determine the content of free action. Knowledge can be a means to reveal options, but should not fix the only model of free action. To Berlin, the individual is always limited by belonging to a specific community and language, to national customs and habits, and his thinking is extremely critical of the principles of the enlightenment, with their abstract, rational concept of the individual (BERLIN, 2001a). None of these limitations, however, invalidates the idea of defining the concept of liberty in terms of freedom of choice. In Berlin's argument, it is contradictory to define liberty as something beyond freedom of choice, because if a purpose is fixed for free action, then we are only free when acting in accordance with that purpose; that is, we are not free. In political debate, advocates of positive liberty argued that individuals can be coerced into acting for purposes at odds with their wishes, because it is the specific content of that purpose that in fact endows action with liberty. The logic of positive liberty can admit interventionary tutelage of individuals (CROWDER, 2004, Ch. 04).

This is the aspect that Berlin criticised:



Once I take this view, I am in a position to ignore the actual wishes of men or societies, to bully, oppress, torture them in the name, and on behalf, of their 'real' selves, in the secure knowledge that whatever is the true goal of man (happiness, performance of duty, wisdom, a just society, self-fulfilment) must be identical with his freedom – the free choice of his 'true', albeit often submerged and inarticulate, self. (BERLIN, 1969a, p.133)

Berlin's concept of liberty can thus be seen to point to a tension between these two dimensions, in that positive liberty entails establishing an end to which liberty is directed, as it is only a means to that end. Individuals are free only if they make a certain specific choice. Berlin argued that liberty should have no end other than itself, that is, to choose among options. Intervention, as deployed in Berlin's argument, must be directed to assuring freedom of choice.

In response to liberal theory, the neo-republicans formulated the concept of liberty as freedom from domination. Their argument endeavours to show that there is no unsurmountable conflict between, on the one hand, liberty anchored in common values and, on the other, citizens as individuals. In other words, citizens' liberty is not constrained by values common to the whole society.

In two studies of Machiavelli (SKINNER, 1984; 1993), Quentin Skinner distanced himself from the contextualism of the Cambridge school that characterised his work on the foundations of modern political thought. His examination of Machiavelli's thinking sought a concept of liberty different from Isaiah Berlin's.

In his analysis of the importance of Machiavelli and the 16<sup>th</sup>-century English republicans, Skinner highlights ideas such as the common good and *virtu*, which came to denote an ability to realise certain contents, which involve both individual and public liberty. Intervention not only protects, but also leads to certain ends, which should be shared by society.

In his reading of Machiavelli's work, Skinner points out that free action is not constructed as counter to the idea of the common good; on the contrary, it requires citizens to be able to act in accordance with that kind of goal. The neo-republicans argued that the common good required for free action could not be realised by the action of self-interested citizens who, by some fortuitous mechanism (the "invisible hand"), ultimately produces a virtuous result. To

Skinner, if that were the mechanism for producing the common good, the result would simply be corruption.

Contemporary theories of social freedom, analysing the concept of individual liberty in terms of 'background' rights, have come to rely heavily on the doctrine of the invisible hand. If we all pursue our own enlightened self-interest, we are assured, the outcome will in fact be the greatest good of the community as a whole. From the point of view of the republican tradition, however, this is simply another way of describing corruption, the overcoming of which is said to be a necessary condition of maximising our own individual liberty. For the republican writers, accordingly, the deepest and most troubling question still remains: how can naturally self-interested citizens be persuaded to act virtuously, such that they can hope to maximise a freedom which, left to themselves, they will infallibly throw away? (SKINNER, 1993, pp. 304-305).

The mechanisms that lead citizens to contribute to the common good are the laws, intentionally constructed for that purpose, and the norms current among the members of the society<sup>17</sup>. The law not only protects citizens against despotism, as assured by negative liberty, it also leads them towards certain ends and protects a space in which a number of diverging opinions can emerge.

To a theorist such as Machiavelli, by contrast, the law preserves our liberty not merely by coercing others, but also by directly coercing each one of us into acting in a particular way. The law is also used, that is, to force us out of our habitual patterns of self-interested behaviour, to force us into discharging the full range of our civic duties, and thereby to ensure that the free state on which our own liberty depends is itself maintained free of servitude. (SKINNER, 1993, p. 305)

To the neo-republicans, intervention compatible with the exercise of liberty would be such as reflected goods that were common to all. Such goods have no end in themselves and, in relation to them, citizens are at liberty to set the means and the ends they wish to attain. In that respect, such goods are instrumental, and the neo-republicans argue that such goods cannot be achieved by political institutions in isolation, but require citizens' support; to that end, civic virtue and participation are required of them as prior conditions for citizens to enjoy liberty to attain their own particular ends (PETTIT, 2002b; SKINNER, 1999).

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<sup>17</sup> Norms differ from taste; compliance with them brings approval, while failure to do so entails reproof from the members of the society. Taste is morally neutral: one can like or not like, without drawing social disapproval. A norm is social conduct accepted as beneficial to all. See Pettit, 2002b, Ch. 8.

Neo-republican thinking places more emphasis on 'republican civilisation' than virtue as such, thus indicating that citizens are not required to take heroic action, but to adhere to standards of solidarity that benefit everyone<sup>18</sup>. On that approach, there is no heroic dimension; liberty-as-non-domination is encouragement to seek not glory, but safety (SKINNER, 1999, p. 302)<sup>19</sup>.

In the neo-republican argument, the notion of common good that guides intervention is intended to be only a neutral value; liberty-as-non-domination affords citizens the security necessary for them, autonomously, to pursue whatever means and ends they are interested in. Liberty-as-non-domination affords citizens security, because the interference that the concept requires rests on law which is an expression of the common good. Given that the laws express a common interest, citizens are free to act according to their judgment and wishes without being subject to the will of other citizens. Contemporary republican thinking thus separates the concept of liberty from any relationship with a *telos*. Liberty embodies no ultimate end, except whatever end a citizen establishes. Accordingly, liberty is a means, not an end in itself, an instrument that citizens can use to avail themselves of a space where they are permitted to pursue their specific ends.

The relationship that neo-republican thinking establishes between the common good and liberty-as-non-domination is designed to respond to the criticisms levelled at liberalism by the communitarianists (PETTIT, 2002a, p. 124)<sup>20</sup>. The communitarianists regard the common good as a substantive conception of the good life formulated by the community. That common good, instead of consenting to a standard given by peoples' preferences, provides a standard on which those preferences are evaluated. From that perspective, liberty

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<sup>18</sup> See Pettit 2002b, Ch. 8.

<sup>19</sup> For an approach critical of the replacement of civic virtue by republican civilisation, see Bignotto, 2000.

<sup>20</sup> In chapter 4 of the book *Republicanism*, Pettit made a contribution to theory by presenting the concept of liberty-as-non-domination as being equally grounded in "equality and community". The name of the chapter – "Liberty, equality, community" – announces the intention to discuss the subject in terms of communitarian thinking. Later, Pettit (2009) introduced the requirement that liberty-as-non-domination be connected with the groups that make up the society; in other words, liberty-as-non-domination would not be a good enjoyed by a citizen in isolation with no links to particular communities within the society.

corresponds to self-determination, which citizens make use of from the moment they find they are secure from arbitrary domination (TAYLOR, 1979).

According to Pettit, if one espouses the promotion of non-domination, the first task to be acknowledged is that the politics required for the task cannot consist in just an atomistic project; it must be articulated at the level of individuals overall. The degree of non-domination available to a member of an indigenous population in Australia or Canada is closely connected with the degree of non-domination obtained by other indigenous groups. The enjoyment of that liberty is a collective act, but in a sense different from what is understood by the communitarianists: citizens enjoy a good that belongs to all equally; if not, that would mean that everyone can come to be arbitrarily constrained at any moment. The security that is available to all is a collective good, but the pleasure of enjoying certain ends remains tied to the group (PETTIT, 2002a, pp. 120-121). Liberty-as-non-domination is a community value to the extent that its neutrality assures the plurality of goods. The common good present in law that intervenes so as to assure non-domination guarantees expression to partial identities, it protects them, giving them recognition and a voice. Pettit argues that protecting an ethnic minority requires not just the right to file a complaint against discrimination, but also the power to organise a group and, in some cases, the right to live under government protection (LABORDE, 2008; PETTIT, 2009, p. 50). What is of interest here is to underscore that, for neo-republican thinking, the common good that legitimates intervention and makes it compatible with liberty is content-neutral; it assures that diverse ways of life can find expression without suffering at the hands of arbitrary power. This theoretical school stresses that liberty-as-non-domination does not involve any idea of ultimate ends for free action and assures citizens free choice in determining what constitutes the good life. The interference that may occur is justified by the guarantee that it will not be guided by any specific content, but will only assure that citizens can make their own choices freely.

To neo-republicans, an institution can be permitted to interfere on the condition that it furthers the citizens' interests and does so on criteria shared by all (PETTIT, 2002a, p. 42). The instruments of a democratic State are means to promoting liberty for its citizens and not ends in themselves. Citizens' liberty is different from participation in government; the latter is understood as a means to

assure the former. This aspect is directly connected with the neo-republicans' criticism of the idea of ultimate ends for free action.

Citing Berlin's argument in this respect, Pettit argues that the idea that the State should make a goal of improving its citizens would result in a despotic institution opposed to liberty<sup>21</sup>. To live under a free State is to be unconstrained to seek certain specific ends and to have autonomy to pursue whatever ends the subject, regarded as autonomous, has chosen (SKINNER, 1984, p. 302). Citizens take part in public affairs because they understand that, in that dimension particularly, they enjoy liberty. The same approach was taken by the neo-Athenians<sup>22</sup>, but only because it is intended to preserve a sphere free of arbitrary interference. The defence of liberty depends on sustaining a polity in which citizens participate in view of the need to preserve their liberty (PETTIT, 2002a; SKINNER, 1984).

In that respect, in the neo-republican argument, the conception of the common good signals the notion that no group has arbitrary power over the others, which affords security and leads citizens, through laws, to contribute to that common good, which is, above all else, in the interest of all of them.

From Berlin, neo-republican thought inherited the idea that liberty should involve no ultimate end as justification of free action, and that the diverse ends that exist in society should be available to citizens<sup>23</sup>. Neo-republicans reject the introduction of ends intended to improve citizens or any intervention in which the values of one group, whether or not it is a majority in society, predominate over others. At the same time, the certainty afforded to citizens by neo-republican theory that they will be able to act freely is completely compatible with Berlin's

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<sup>21</sup> "There is only so much that such a state can be usefully state can do anything useful on the intrapersonal front. On the contrary, it seems all too likely that were the state to embrace the ambition of improving people's psychology in the respects required the it might well degenerate into a oppressive agency. The point is familiar one and does not need any emphasis here (BERLIN, 1969a, Essay 1)". PETTIT, 2001, p. 127.

<sup>22</sup> The neo-republicans regard Hannah Arendt and Charles Taylor as neo-Athenians.

<sup>23</sup> "I happen to agree with Berlin that there are many different ends that we can equally well pursue." (SKINNER, 2008, p. 400). There is a difference between the formulations of Pettit and Skinner. The former sees the constraint on freedom of choice from interference by the law to be a lesser evil than arbitrary oppression. Skinner, meanwhile, gives equal weight to violation of freedom of choice, by law or by individual arbitrariness. On this difference, see Pettit, 2002b, and Skinner, 2008.

argument that the autonomy of the subject requires an area free from oppressive interference. Pettit's 'arbitrariness' or Berlin's 'oppression' emerge when free action is forced to pursue an end other than that of assuring citizens the security necessary so that they can choose freely among diverse ends.

### Freedom of choice

Having highlighted the dissociation between free action and ends, I would now like to examine MacCallum's criticism (MacCallum, 1967) of Berlin's argument, as well as to reinforce the core idea of Berlin's concept. MacCallum regards liberty as always characterised by a threefold relationship in which an agent (X) is (or is not) free from a barrier (Y) to doing (or not doing) something (Z). His intention in this was, by establishing a tripartite conception, to dissolve any distinction between positive liberty and negative liberty.

MacCallum's approach starts from the same mistaken reading as the 'neo-republicans'. That is to say it understands Berlin's concept of liberty as divided between two models, positive liberty and negative liberty, thus obscuring its core idea. Such an interpretation fails to perceive that Berlin's concept of liberty resides fundamentally in the notion of choice.

On this point, Berlin's conception of liberty emphatically rejects the idea of an end, which is present in MacCallum<sup>24</sup>. Berlin writes: "A man struggling against his chains or a people against enslavement need not consciously aim at any definite further state. A man need not know how he will use his freedom; he just wants to remove the yoke. So do classes and nations" (BERLIN, 1969b, note I, p. xliii). In Berlin's argument, liberty is the act of choosing among options; performing an action without the agent's enjoying options does not represent liberty. It would be absurd to postulate a free agent with only one alternative: "Action is choice; choice is free commitment to this or that way of behaving, living,

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<sup>24</sup> Silva (2008), p. 172, argues that ultimately MacCallum's efforts corroborate the meaning of Berlin's conclusions, because there is only one type of liberty after all: negative liberty. Silva's error consists in failing to perceive the fundamental difference between Berlin's and MacCallum's concepts. MacCallum's concept of liberty show no similarity at all to Berlin's, because MacCallum presupposes the existence of an end, while Berlin's rejects, radically, the idea that an end is a necessity for free action. In Berlin's argument, positive liberty becomes corrupt when it comes to depend on the idea of an end. On this difference, see Gray, 2000a, 2000b and Crowder, 2004.

and so on; the possibilities are never fewer than two: to do or not to do; be or not be" (BERLIN, 1997b, p. 96).

According to Taylor(1979), positive liberty is an exercise-concept, whereas negative liberty is an opportunity-concept. The concept of liberty formulated by Berlin allows a subject who refrains from acting out of a reluctance to infringe internalised standards, but who has a range of options, to be considered free (TAYLOR, pp. 177-178). The emphasis on the idea of opportunity, which Taylor criticises, occurs because the agent's freedom of choice is central to Berlin's argument; with it, agents can fill their field of action with their values and ends. Having opportunities to act means agents' enjoying a diversity of options, which is as important as the action itself, and its materialisation is the end point of a process. Having the means, such as knowledge or money, but not having options and thus being able to apply the means in only one way, does not constitute free action. In Berlin's argument, action is present jointly with the idea of opportunities; they are not to be found separately. In that regard, central to Berlin's formulation of the concept of liberty is the presence of opportunity to choose among various ends, and the inseparability of that choice from action.

*To be free is to be able to make an unforced choice; and choice entails competing possibilities – at the very least two 'open', unimpeded alternatives. And this, in its turn, may well depend on external circumstances which leave only some paths unblocked. When we speak of the extent of freedom enjoyed by a man or a society, we have in mind, it seems to me, the width or extent of the paths before them, the number of open doors, as it were, and the extent to which they are open. (BERLIN, 1997b, p.110, my emphasis).*

In Berlin, the very definition of the extent of liberty is directly connected with the possibility of making choices, some of which are only potential, that is, subjects will not realise them, but Berlin argues that these possibilities should be within their reach: "The extent of my social or political freedom consists in the absence of obstacles not merely to my actual, but to my potential choices – to my acting in this or that way if I choose to do so" (BERLIN, 1969b, p. xl). The point that confused his critics was that they failed to perceive that negative and positive



liberty are defined by choice among diverse ends. Both dimensions of liberty are important as means to assure choice<sup>25</sup>.

It may be asked: why do so many readings of Berlin limit themselves to the idea of non-intervention alone? Any emphasis that his argument may give to the idea of negative liberty stems from the fact that ultimate ends are absent from that definition. Negative liberty does not require the idea of an end to justify the existence of a sphere free of arbitrary interferences, whereas positive liberty formally stresses the autonomy of the subject, thus rejecting the idea of an ultimate end that might justify any tutelage of the subject. The historical political debate, however, furnished positive liberty with the idea that free action would only be truly free if guided by an end, be it the market, social justice, history, equality or whatever. Berlin did not deny that positive liberty is necessary to enjoy liberty; the problem arises when its advocates postulate the suppression of freedom of choice.

## Conclusion

The core component of Isaiah Berlin's concept of liberty is freedom of choice; to act is to have the opportunity to choose among several ends. Positive liberty and negative liberty are different aspects of this same principle, and historically they have come into conflict. The former speaks of the autonomy of the subject in choosing who is to govern public affairs, so that they assure freedom of choice. Negative liberty, meanwhile, has to do with the right to do or not to do, a sphere in which citizens are protected by the law. As shown here, interference should be used in situations where choice is threatened, but such interference should not be subordinated to an end. These two postulates are distinct and, historically, will come into conflict whenever the theoreticians of positive liberty endeavour to establish a model in which liberty is subject; that is, it is a means. In this way, Berlin pointed to a violation of the core idea of the concept of liberty, the opportunity to choose among various ends.

Submission to oppressive interference, whether the latter is intentional or not, violates the exercise of liberty. That idea was present in Berlin's argument, and is exemplified by the slave adjusting to the master's wishes. Republican theory

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<sup>25</sup> Gray, 2000a and Crowder, 2004, offer different interpretations of Berlin's thinking, but they agree on the centrality of the value of freedom of choice.



sought to build a significant part of its concept of liberty on a critique of arbitrary domination. Intervention was regarded as a morally legitimate mechanism, providing its goal was to prevent arbitrary domination; such a structure would be controlled by law and by a participatory society. The concept of liberty-as-non-domination precludes any ideas of ultimate ends, following Berlin's formulation in this regard. A republican society, however, requires citizens who are moved by principles of common good, which could not be the result of an invisible hand leading self-interested citizens. In that respect, neo-republican theory qualifies intervention in a manner that had not been formulated by Berlin. In that theory, the model of free action requires not only protection against arbitrary power, but also citizens capable of establishing a dialogue with others, of voicing their ideas and being receptive to the values of other citizens. The communication dimension was entirely missing from Berlin's argument, concerned as he was to emphasise the plurality of conceptions of good in society and, as a consequence, the conflict.

Translated by Peter Lenny  
Submitted in August 2013  
Accepted in August 2014

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