



UNIVERSIDAD
TORCUATO DI TELLA

Escuela de **DERECHO**

Revista Argentina de Teoría Jurídica
Vol. 2, N° 2 (Junio de 2001)

FREEDOM AND MONEY¹

In grateful memory of Isaiah Berlin

G. A. Cohen *

.... when ideas are neglected by those who ought to attend to them - that is to say, those who have been trained to think critically about ideas they sometimes acquire an unchecked momentum and an irresistible power....²

I have never dedicated an article to a person before. I have considered it to be a pretentious thing to do. Whole books are big things: they are manifestly big enough to warrant the device of a dedication. But to dedicate a mere article seems to imply an immodest belief on the author's part that the intellectual value of his little piece is pretty special.

For all that, I have dedicated this article to the memory of my sadly late³ but imperishably present teacher and friend, Isaiah Berlin. I have been impelled to this departure from normal practice not because I think that what you are reading is truly wonderful, but by

¹ For comments on earlier drafts, I thank Talia Bettcher, Allen Buchanan, Myles Burnyeat, Ian Carter, Paula Casal, Bill Child, Ronald Dworkin, Eyjolfur Emilsson, David Estlund, Cécile Fabre, Harry Frankfurt, John Gardner, Olav Gjelsvik, Alvin Goldman, Keith Graham, Henry Hardy, Natalie Jacottet, Mark Johnston, Jeroen Knijff, Matthew Kramer, David Lewis, Emiliano Marambio Catán, Stephen Menn, David Miller, Thomas Nagel, Bertell Ollman, Michael Otsuka, Derek Parfit, Eduardo Rivera López, Peter Rosner, Michael Rustin, Horacio Spector, Arvi Sreenivasan, Hillel Steiner, Adam Swift, Larry Temkin, Peter Vallentyne, Frank Vandembroucke, and Jo Wolff, and especially Arnold Zuboff, who rescued me at a number of critical points.

A precursor of this article was delivered as the first Isaiah Berlin Memorial Lecture in May 1998 in Haifa. I benefited from searching criticisms by the audience on that occasion. A Spanish translation of an earlier version of this article appeared, under the title "Libertad y dinero", in *Estudios Públicos* (Santiago, Chile), No. 80, Primavera, 2000.

* All Souls College, Oxford University.

² Isaiah Berlin, "Two Concepts of Liberty", p. 119 (in his *Four Essays on Liberty*, Oxford University Press, Oxford, 1969: all Berlin quotations below are from that volume).

³ Isaiah Berlin died on November 5, 1997.

my feelings of loss, and of consequent desolation. This article's theme, freedom, was at the heart of Isaiah's contribution to our understanding of humanity and of the social world, and, in the wake of his recent death, the dedication of the article to him seemed to me so entirely fitting as to be unavoidable.

Although I was devoted to Isaiah, and although he was bountifully kind to me, we were not of one mind on political questions, and we were also not of one mind on those academic questions that mattered, to each of us, because of the political questions on which they bear. I have elsewhere set out our disagreements, as I understand them, about the thought, and the personality, of Karl Marx⁴. Here, I explain a disagreement that we had about freedom, and, more particularly, about the relationship between freedom and money.

My principal contention, one that contradicts very influential things that Isaiah wrote, is that lack of money, poverty, carries with it lack of freedom. I regard that as an overwhelmingly obvious truth⁵ one that is worth defending only because it has been so influentially denied. Lack of money, poverty, is not, of course, the only circumstance that restricts a person's freedom, but it is, in my view, one of them, and one of the most important of them. To put the point more precisely – there are lots of things that, because they are poor, poor people are not free to do, things that non-poor people are, by contrast, indeed free to do.

Now, you might think that few poor people need to be persuaded of that proposition, that their daily life experience offers ample enough evidence for it; and my own casual observation suggests that it is a truth which is indeed pretty obvious to them. But, however that may be, many non-poor intellectuals have strenuously denied that lack of money means lack of freedom, perhaps because it is a comfort for well-off people to think that poor people, whatever their other sufferings may be, are not deprived of freedom: that false thought might reduce the guilt that some well-off people feel when they face folk who are much less fortunate than they are themselves. Or maybe the relevant intellectuals, being subtler than the relevant poor people, notice something that the poor people don't. A poor person might say that she feels no longer free to visit her sister in a distant town, when the special bus service has been withdrawn. Maybe the intellectual can show that that is just a feeling: that she may feel less free than she was before, but that actually she isn't. But I disagree with the relevant

⁴ See "Isaiah's Marx and Mine", in Avishai Margalit and Edna Ullmann-Margaliat (eds.), Isaiah Berlin: A Celebration, The Hogarth Press, London, 1991.

⁵ Utterly obvious truths can subvert grand claims, and I think this one does so. Wittgenstein said that (good) philosophy "consists in assembling reminders for a particular purpose." Philosophical Investigations, Blackwell, Oxford, 1958, para 127, p. 50e. Reminders affirm what we already know, not new insights. That is how I understand my effort here, the particular purpose being to deny the non-obvious, and, in my view, false claim that the poor lack not freedom but only the ability to use it.

intellectuals: I believe that the feeling that the poor woman expresses represents a correct judgment.

The issue that I raise here asserts itself within the frame of a standard political debate, which runs as follows. Right-wing people celebrate the freedom enjoyed by all in liberal capitalist society. Left-wing people respond that the freedom which the right celebrate is merely formal, that, while the poor are formally free to do all kinds of things that the state does not forbid anyone to do, their parlous situation means that they are not really free to do very many of them, since they cannot afford to do them, and they are, therefore, in the end, prevented from doing them. But the right now rejoin that, in saying all that, the left confuse freedom with resources. You are free to do anything that no one will interfere with, say the right. If you cannot afford to do something, that does not mean that you lack the freedom to do it, but just that you lack the means, and, therefore, the ability to do it. The problem the poor face is not that they lack freedom, but that they are not always able to exercise the freedom that they undoubtedly have. When the left say that the poor, by virtue of being poor, lack freedom itself, the left, so the right claim, indulge in a tendentious use of language.

Let me set out the full right-wing position on this matter in the form of an argument, with separately indicated steps. In effect, the right-wing reasoning contains two movements, the first being conceptual, and the second normative. For my part, I reject both movements. Berlin, by contrast, accepted the first movement: indeed, he did more than anyone else ever has to persuade philosophers, and others, of the soundness of the first movement, even though his compassion for suffering people led him to reject, without reservation, the second movement.

The first movement of the right-wing argument runs as follows:

(1) Freedom is compromised by (liability to) interference⁶ (by other people⁷), but

⁶ See footnote 9 below.

⁷ “Interference” will always mean, here, “interference by other people”. Thus, for example, her limp will not here constitute an interference with a person’s attempt to negotiate difficult terrain (whether or not it compromises her freedom to negotiate that terrain, which matter is discussed in the Addendum to this paper advertised at footnote 10 below).

A further significant stipulation. Interference is often understood to be merely one form of prevention: something interferes when it prevents a person from continuing on a course of action on which she has embarked, or, at any rate, when it prevents a person from continuing on a course of action without hindrance. Interference, thus understood, does not occur where prevention (of another form) does, when, that is, a person is prevented from embarking on a course of action. But I shall here also call that form of prevention “interference”, since such prevention by other people is also considered freedom-reducing by the right. (For the importance of the distinction between interference in particular and prevention in general with respect to theories of appropriation of private property, see pp. 62ff. of my “Once More into the Breach of Self-Ownership: Reply to Narveson and Brenkert”, The Journal of Ethics, Volume 2, No. 1, 1998.)

not by lack of means.

(2) To lack money is to suffer not (liability to) interference, but lack of means.

So (3) Poverty (lack of money) does not carry with it lack of freedom.

The conclusion of the first movement of the argument, proposition (3), is a conceptual claim, a claim about how certain concepts are connected with one another. But, in the right's hands, that conceptual conclusion is used to support a normative claim, a claim about what ought to be done, which is reached as follows, in the second movement of the argument:

(3) Poverty (lack of money) does not carry with it lack of freedom.

(4) The primary task of government is to protect freedom.

So (5) Relief of poverty is not part of the primary task of government.

The conclusion of this argument follows from its three premisses, to wit, (1), (2) and (4). There are, accordingly, only three ways of resisting the argument. A familiar form of left-wing resistance to it challenges proposition (1), by asking how a person can reasonably be said to be free to do what she is unable to do? Another left-wing way of resisting the argument, also employed, as we have seen, by Berlin and Rawls, is to deny (4), by saying: even if lack of money is just lack of means, lack of means is just as confining as lack of freedom, and, therefore, just as important a thing for the state to rectify. I shall not resist the argument in either of those ways in the body of this paper, which is not to say that I disagree with those who resist either premiss (1) or premiss (4). I am not disagreeing with them, or agreeing with them, in the present paper, but simply shelving challenges to (1) and (4) here⁸. Instead, I shall reject premiss (2), a premiss which, so far as I know, has not been resisted in the relevant literature. I believe that the non-standard resistance to the argument that I deploy here is more powerful, because it meets the right on their own conceptual ground.

The rest of this article has seven sections. In section 1, I show that the conceptual part of the right-wing argument has penetrated academic thought which cannot be described as right-wing. Isaiah Berlin and John Rawls, in particular, and their many followers, have advocated the conceptual part of the right-wing argument, which culminates in (3), even though, because they do not accept (4), they have not endorsed the right's normative conclusion, (5).

In section 2, I attempt a refutation of proposition (2). I argue that to lack money is indeed to be prey to interference. If that argument is sound, then proposition (3) is false, if, as

⁸ (1) I deal with (1) in the Addendum advertised at footnote 10 below.

the right insist, proposition (1) is true, since, if (1) is true, then the falsehood of (2) entails that (3) is false. I believe, moreover, that my argument, if sound, also establishes that proposition (3) is false whether or not (1) is true, since I cannot imagine how anyone who does not think that (2) is true could think that (3) is true. That's a complicated statement, but it boils down to this: I shall argue that the poor lack freedom, even in the right's, and Berlin's and Rawls's, preferred sense of freedom, where freedom is identified with lack of interference,⁹ and whether or not that identification of freedom is too restrictive.

Section 3 applies the section 2 argument, to, and against, a number of Berlin's formulations.

In section 4, I seek to fortify, but also to nuance, my argument, by presenting some analogies and disanalogies between the freedom conferred by money and (directly) state-regulated freedom.

In section 5, I discuss the bearing of certain Marxian theses about the difference between bourgeois and pre-bourgeois society on the widespread failure to perceive that money confers freedom and that its lack restricts it.

I close (section 6) with a few words about the importance of the semantic tangle that I believe I am unravelling here. (An Appendix responds to the objection, as it is formulated by Jonathan Wolff, that what I say about freedom does not hold for liberty.)¹⁰

1. The most celebrated twentieth century Anglophone political philosophers are Isaiah Berlin and John Rawls. As I have said, both reject¹¹ the conclusion of the right-wing argument: Berlin was a social democrat, in the broad sense, and Rawls is a liberal, in the American sense, and, within those political positions, relief of poverty is at the top of the political agenda. Accordingly, Berlin and Rawls both deplore the right's comparative unconcern about what they would call the ability to use freedom, which, in their view, is what the poor lack. But, in my opinion regrettably, they both fully accept the right-wing contrast between freedom and money. They agree with the right's conceptual claim, even though (not at all

⁹ Or, strictly, with lack of interference and of liability to interference: my freedom to do A is restricted if I would be interfered with if I were to try to do A, and not merely if I am actually interfered with. I may be unfree although I suffer no actual interference, because, knowing that I am likely to be interfered with, I refrain from trying to do A. "Lack of interference" will include lack of liability to interference throughout this paper.

¹⁰ In an unpublished Addendum on "Freedom and Ability", which is available from me on demand, I discuss the relationships that obtain among freedom, means and ability. I show that the latter two have a much stronger bearing on freedom than is recognized by those against whose views this lecture is directed, and I thereby refute proposition (1): I show that freedom is compromised by lack of means.

inconsistently) they reject the right's normative conclusion.

In the following passage, Berlin shows at one and the same time agreement with the right's conceptualization of freedom¹² and forthright rejection of the normative conclusion which the right build upon that conceptualization:

It is important to discriminate between liberty and the conditions of its exercise. If a man is too poor or too ignorant or too feeble to make use of his legal rights, the liberty that these rights confer upon him is nothing to him, but it is not thereby annihilated. The obligation to promote education, health, justice, to raise standards of living, to provide opportunity for the growth of the arts and the sciences, to prevent reactionary political or social or legal policies or arbitrary inequalities, is not made less stringent because it is not necessarily directed to the promotion of liberty itself, but to conditions in which alone its possession is of value, or to values which may be independent of it.¹³

That Berlin agreed with the conceptual side of the right-wing claim is also revealed in his phrasing of a certain commendation which he offered in 1949 of the Franklin Roosevelt presidency.¹⁴ Berlin described Roosevelt's New Deal as a "great liberal enterprise" which was "certainly the most constructive compromise between individual liberty and economic security which our own time has witnessed".¹⁵ The Berlin commendation of Roosevelt implies that individual liberty and economic security are competing desiderata, that, at least sometimes, more of the one means less of the other, and that, in Roosevelt's "constructive

¹¹ It is somewhat zeugmatic to employ the present tense with respect to Rawls and Berlin jointly, since, in its second employment, it is merely (alas) historic. I hope that the reader will forgive this infelicity, which reduces the number of sentences or clauses that I must enter to fix attributions like the one above.

¹² To be sure, Berlin speaks of "liberty" rather than of "freedom", but I do not believe that this makes a substantial difference: as he later expressly said (see *The First and the Last*, Granta Books, London, 1999, p. 58), he used those words interchangeably, and he would certainly never have said, as his (semi-) defender Jonathan Wolff does, that what holds for liberty does not hold for freedom: see, further, the Appendix below.

¹³ *Four Essays*, p. liii, emphases added.

While I am confident that the quoted text agrees and disagrees with the right-wing view precisely as I have just claimed that it does, I do not say that Berlin's discourse in this region was consistent, or free of problems. His work on liberty was as profoundly original as it was influential, and it is common, in ground-breaking work, for distinctions to be missed and for different distinctions to be confused with one another. See fn. 32 below, for a demonstration of some relevant lapses in Berlin's text.

¹⁴ I was privileged to see a great deal of Isaiah during his final months, when he was at home, chair-ridden. Just a few days before his death, he encouraged me (I don't know why he thought I had this kind of influence: he was perhaps harking back to a day when our College, All Souls, was influential in the real world) to encourage the present Labour government to imitate his political hero, Franklin Roosevelt, by instituting a great programme of public works which would reduce unemployment and enthuse young people. He confessed himself unable to see why there had been a turn away, in our time, from the use of the state for progressive purposes, even by a Labour government. He was entirely hostile to total state control - he thought that the claims of socialist planning were illusory - but he was passionately against Thatcherism: he knew that "free" markets destroy people's lives.

¹⁵ "Political Ideas in the Twentieth Century", at p. 31 of *Four Essays*.

compromise”, there was some loss of one of them, or, perhaps, of each, for the sake of the other. One may safely say, moreover, that, in Berlin’s view, there was, in the New Deal “compromise”, more sacrifice of individual liberty than of economic security, that, broadly speaking, the New Deal reduced the first for the sake of increasing the second. Within the terms introduced earlier, the New Deal, according to Berlin, reduced freedom itself in the interest of rendering the freedom that then remained more valuable. Berlin was commending Roosevelt for having rendered American society less laissez-faire and more social-democratic than it had been. Roosevelt introduced union-supporting legislation that restricted the freedom attached to ownership of productive assets, social security legislation that removed free disposal over part of earned income, and state enterprises such as the Tennessee Valley Authority, which blocked free exercise of private property in certain domains.

Policies of that kind, so Berlin believed, enhance the security of those who suffer not lack of freedom but exposure to disaster in less regulated, more Herbert Hoover- (or Margaret Thatcher-) like, economies. In Berlin’s conception of The New Deal, comparatively poor and powerless people gained security and resources, while wealthy people lost some resources, and everyone lost some freedoms. In the net result of the New Deal, on Berlin’s view, security was enhanced, and certain freedoms were rendered more valuable, at the (justifiable) expense of freedom itself.

Although I am happy to join Berlin in applauding the New Deal, I disagree with the terms in which he chose to commend it. In Berlin’s discourse, freedom and economic security are distinct values which humane politicians must trade off against each other, and the Roosevelt administration achieved a most intelligent trade-off, in which realisation of the first was restricted, for the sake of greater realisation of the second. I do not doubt that, like virtually all distinct values, freedom and economic security can conflict, but I do not agree with Berlin that, in the net effect of the New Deal, economic security was enhanced at the expense of freedom.

I defend that disagreement in sections 2 through 4, but, before I do so, let me show that, like Berlin, John Rawls also accedes to the right-wing conceptualization of freedom:

The inability to take advantage of one's rights and opportunities as a result of poverty and ignorance, and a lack of means generally, is sometimes counted among the constraints definitive of liberty. I shall not, however, say this, but rather I shall think of these things as affecting the worth of liberty...the worth of liberty is not the same for everyone. Some have greater authority and wealth,

and therefore greater means to achieve their aims.¹⁶

Although his language is characteristically cautious and the second sentence in the passage might make it seem that he is merely laying down an innocent stipulation, Rawls here denies, in effect, that poverty constrains liberty. For he could not have resolved (as he puts it) to “think of” poverty as affecting (only) the worth of liberty if he had believed that it affects liberty itself, and the view that poverty does not affect liberty itself is the unambiguous message conveyed by the Rawls paragraph as a whole (only part of which is presented above).¹⁷

Given the position struck in the foregoing quotation, it is curious, it seems to generate an inconsistency, that, at a later point, Rawls argues as follows for “the rule of law”:

...the connection of the rule of law with liberty is clear enough...if the precept of no crime without a law is violated, say by statutes being vague and imprecise, what we are at liberty to do is likewise vague and imprecise. The boundaries of our liberty are uncertain. And to the extent that this is so, liberty is restricted by reasonable fear of its exercise.¹⁸

It is hard to see why liberty (itself) is restricted by mere fear of its exercise yet not at all restricted by the impossibility of its exercise that (Rawls thinks) poverty ensures.¹⁹

2. The right-wing position to which Berlin and Rawls regrettably accede says that poverty is lack of means, and that it therefore entails lack of ability rather than lack of freedom. I shall challenge that position without questioning the contrast it proposes between means and ability, on the one hand, and freedom on the other: I argue that a certain lack of freedom

¹⁶ A Theory of Justice, Oxford University Press, Oxford, 1971, p. 204, and cf. Political Liberalism, Columbia University Press, New York, 1993, pp. 325-6.

¹⁷ I do not believe that my comments on the Theory paragraph are inconsistent with the Political Liberalism remark (p. 326) that it offers “merely a definition and settles no substantive question”. “Substantive question” surely means, there, “substantive normative question”: the conceptual claim that I pin on Rawls sticks.

¹⁸ A Theory of Justice, p. 239.

¹⁹ It has been objected to my use of the passage on p. 204 of Theory that it concerns political liberty alone, and not also the liberty of access to goods and services that is the focus of the present article.

But this objection lacks purchase. Rawls is not saying that poverty fails to restrict political liberty, while leaving it open that it may restrict some non-political kind of liberty: nothing in his text suggests that he might countenance the relationship between poverty and nonpolitical liberty as a separate issue. There is, for example, no reason to take the “rights and opportunities” of the first sentence in the quotation from p. 204, or the “aims” of its last sentence, as, respectively, political rights and opportunities, and political aims. Rawls is referring to all the rights and opportunities, and all the aims, that obtain or come to obtain when political liberty, as he understands the latter, prevails. (Note, further, that the people with whom Rawls parts company, because they treat poverty as a constraint on liberty (itself), do not regard poverty as a constraint on political liberty alone; and poverty is, indeed, more evidently (on the view Rawls opposes) a constraint on freedom of access to goods and services than it is a constraint on political freedom proper).

accompanies lack of money, whatever the relationships among ability, means, and freedom may be, and I am happy to assume, here, with the right, and with Berlin and Rawls, that freedom is identical with lack of interference. (In the Addendum advertised in footnote 12 I challenge the right-wing (and Berlin/Rawls) position from another direction, by arguing that the contrast it employs between means and ability on the one hand and freedom on the other is (anyhow) unsustainable.)

Let me state a further assumption that will govern our discussion, an assumption that matches the intentions of those who propound the argument under scrutiny here. I shall assume that, in the examples that we shall have occasion to consider, the law of the relevant land is fully enforced, that people, therefore, are prevented from doing all and only those things that are illegal, and that they suffer interference when and only when they would otherwise behave illegally. The assumption is legitimate, and required, because, when the authors whom I oppose affirm the freedom of the poor, they are not speaking of a legal freedom which might lack effective force (such as the legal freedom of a person of the wrong colour to enter a restaurant to which vigilantes forbid his entry), or of a freedom which is effective but illegal (such as the freedom of the said vigilantes to bar the entry to that restaurant of people of the wrong colour). We shall consider only the central case, in which the law prevails, and where legal freedom therefore runs alongside what we may call effective freedom.²⁰

Now, in my view, the Berlin position depends upon a reified view of money: that is, it wrongly treats money as a thing, in a sufficiently narrow sense of “thing” that, as I shall labour to show, money is not, in fact, a thing. The Berlin view is false, because money is unlike intelligence or strength,²¹ poor endowments of which do not always,²² indeed, prejudice freedom, as long as freedom is identified with absence of interference. The difference between money and those endowments implies, I shall argue, that lack of money

²⁰ Note that what a person is effectively free to do, in the present sense, is not identical with what a person is able to do, all things considered. Suppose that someone is unable to do A, which, to fix ideas, is to walk across the square: the person in question is paralysed. Then he may nevertheless possess what is here defined as the effective freedom to cross the square: he has that freedom if, were he not paralysed, and he tried to cross the square, no one would prevent him from doing so. The question whether, as the left is inclined to affirm and the right is inclined to deny, incapacity reduces unfreedom is here set aside: I address it in the Addendum advertised in footnote 10. According to the right, a person may be free to do what he is unable to do, and no objection to that will be raised here.

²¹ Berlin’s “too poor or too ignorant or too feeble” disjunction (see p. 6 above) is, therefore, malconstructed.

²² I say “do not always”, rather than “do not (ever)”, because of complexities explored in the Addendum advertised in footnote 10. In a word: freedom-removing interference entails a relevant inability on the part of its victim, the inability, that is, to overcome that interference, but inabilities do not in general imply unfreedoms, on an interference-centred view.

induces lack of freedom, even if we accept the identification of freedom with absence of interference. Even if incapacities like illness and ignorance do not restrict freedom, because no interference need obtain where they are present, poverty demonstrably implies liability to interference, and people on the centre-left, such as Berlin and Rawls, accede needlessly to the right's misrepresentation of the relationship between poverty and freedom when they treat poverty (as a Labour-leaning think tank²³ recently did) as restricting not freedom itself but only "what [people] can do with their freedom".²⁴

Now, before I develop my argument, let me make clear what it is not supposed to show. My argument overturns the claim that a liberal capitalist society is, by its very nature, a free society, a society in which there are no significant constraints on freedom, but that does not mean, and I do not claim it does, that a capitalist society is therefore inferior, all things considered, or even in respect of freedom, to other social forms. All forms of society grant freedoms to, and impose unfreedoms on, people, and no society, therefore, can be condemned just because certain people lack certain freedoms in it. But societies have structurally different ways of inducing distributions of freedom, and, in a society like ours, where freedom is to a massive extent granted and withheld through the distribution of money, that fact, that money structures freedom, is often not appreciated in its full significance, and an illusion develops that freedom in a society like ours is not restricted by the distribution of money. This lecture exposes that illusion. But that money is, contrary to the illusion, and to what others claim, a way of structuring freedom, does not imply that a money society is inferior, in general, or even in respect of freedom, to other forms of society. That may be true, but it is no part of what I am here claiming.

Here, then, is my argument for the proposition that poverty betokens an absence of freedom itself, in the sense of "freedom" favoured by my opponents, in which lack of freedom entails presence of interference.

Consider those goods and services, be they privately or publicly provided, which are not provided without charge to all comers. Some of the public ones depend on special access rules (you won't get a state hospital bed if you are judged to be healthy, or a place in

²³ That is, the Labour-leaning Institute for Public Policy Research (IPPR) in London

²⁴ "The Justice Gap", IPPR, London, 1993, p. 8, my emphasis: "People are likely to be restricted in what they can do with their freedom and their rights if they are poor, or ill, or lack....education..." For a critical assessment of that text, and related ones, see my "Back to Socialist Basics", New Left Review, No. 207, September/October, 1994, pp. 3-16, which is reprinted in Jane Franklin (ed.), Equality, IPPR, London, 1997, where it is followed by a sharp reply ("Forward to Basics") by Bernard Williams, one which has not caused me to change my view.

The argument at pp.13ff below is an extended and (I hope) improved version of the argument linking money and freedom in the Appendix of "Back to Socialist Basics".

secondary school if you are forty years old). But the private ones, and many of the public ones, are inaccessible save through money: giving money is both necessary for getting them, and, indeed, sufficient for getting them, if they are on sale.²⁵ If you attempt access to them in the absence of money, then you will be prey to interference.

A property distribution just is, as I have argued at length elsewhere,²⁶ a distribution of rights of interference.²⁷ If A owns P and B does not, then A may use P without interference and B will, standardly, suffer interference if he attempts to use P. But money serves, in a variety of circumstances (and, notably, when A puts P up for rent or sale), to remove that latter interference. Therefore money confers freedom, rather than merely the ability to use it, even if freedom is equated with absence of interference.

Suppose that an able-bodied woman is too poor to visit her sister in Glasgow. She cannot save enough, from week to week, to buy her way there. If she attempts to board the train, she is consequently without the means to overcome the conductor's prospective interference. Whether or not this woman should be said to have the ability to go to Glasgow, there is no deficiency in her ability to do so which restricts her independently of the interference that she faces. She is entirely capable of boarding the underground and of traversing the space that she must cross to reach the train. But she will be physically prevented from crossing that space, or physically ejected from the train. Or consider a moneyless woman who wants to pick up, and take home, a sweater on the counter at Selfridge's. If she contrives to do so, she will be physically stopped outside Selfridge's and the sweater will be removed. The only way you won't be prevented from getting and using things that cost money in our society - which is to say: most things - is by offering money for them.

So to lack money is to be liable to interference, and the assimilation of money to physical, or even mental, resources is a piece of unthinking fetishism, in the good old Marxist

²⁵ More precisely, money is an inus condition of the said getting: see pp. 14-15 below.

²⁶ The private property argument first appeared at pp. 11-15 of "Capitalism, Freedom and the Proletariat", in Alan Ryan (ed.) The Idea of Freedom: Essays in Honour of Isaiah Berlin, Oxford University Press, Oxford, 1979, which was reprinted, with extensive revisions, in David Miller (ed.), Liberty, Oxford University Press, Oxford, 1991, the private property argument appearing, there, at pp. 167-72. The argument has been criticized by, among others, John Gray, at pp. 169-70 of "Marxian Freedom, Individual Liberty, and the End of Alienation", in Ellen Frankel Paul et. al. (eds.), Marxism and Liberalism, Blackwell, Oxford, 1986, and throughout his "Against Cohen on Proletarian Unfreedom", in Ellen Frankel Paul et. al. (eds.), Capitalism, Blackwell, Oxford, 1989; by Andrew Reeve, Property, Macmillan, London, 1986, pp. 109-110; and by George Brenkert, at pp. 29-39 of "Self-Ownership, Freedom, and Autonomy", The Journal of Ethics, Volume 2, No. 1, 1998. I reply to Gray at pp. 62-5 of Self-Ownership, Freedom, and Equality, Cambridge University Press, Cambridge, 1995, and to Reeve and Brenkert at pp. 79-82 of "Once More into the Breach of Self-Ownership".

²⁷ That is a point about property in general, one that I am making as prelude to a distinct point about money, which is a very special form of property, some truths about which do not hold for property in general.

sense that it misrepresents social relations of constraint as people lacking things. In a word: money is no object.

The value of money is that it gives you freedom, and that is so even though (a) you may not want to exercise (all the) freedom in question, and (b) money alone never suffices, by itself, to supply the freedom its seekers seek.

(a) is true because a person may desire money other than in order to spend it.²⁸ She may, for example, desire it because of the power that possessing the freedoms in question bestows upon her: she can, for example, threaten to sue others in circumstances where a like threat from a poor person would not be credible. She may also desire money because of the prestige that it brings: many people admire the rich. But the claim that money provides freedom is not prejudiced by these motivational complexities.

(b) is true because, in order to buy something, conditions other than possession of the required money are necessary: you need to have appropriate information, the seller must want to sell, you need to be of an age where you can contract, etc. Money, then, is an inus condition of the freedom to acquire, an insufficient but necessary part of an unnecessary but sufficient condition.²⁹ But the key point is that the other conditions apply to rich and poor alike, yet the poor, as such, are far less free than the rich are, as such, because in their case the relevant inus condition is widely unsatisfied, and this makes that condition worthy of special focus. The key truth is that, if you are poor, you are pro tanto less free than if you are rich. To be sure, it is as true of the rich person as it is of the poor one that he is unfree to take the sweater without paying money: no one is free to take the sweater without paying money. But, uniquely for the poor person, this means that he is not free to take the sweater, whereas the rich person is free to take the sweater, by paying money for it.

Things other than lack of money can prevent you from overcoming interference: things like ignorance, or stupidity, or ugliness. They constitute lack of freedom, they are inus conditions of unfreedom, in particular circumstances. But they don't distinguish the poor from the rich, and they are not, as poverty is, a pervasive inus condition of unfreedom. Unlike intelligence and beauty, which may or may not serve to extinguish interference under particular circumstances, the whole point of money is to extinguish interference: that is its

²⁸ See my Karl Marx's Theory of History: A Defence, Oxford University Press, Oxford, 1978 and 2000, pp. 300-1.

²⁹ The concept of an inus condition was introduced by J. L. Mackie in an attempt to illuminate singular causal claims. My appropriation of his concept here does not imply that I endorse the use to which Mackie put it.

defining function, even if further conditions are required for it to perform it. Compare: the defining function of a knife is to cut, but that is not to say that any knife can cut any block of stone.

A final point needs to be made. It is sometimes said, by way of objection to the position I have defended here, that their riches can bring unfreedoms for the rich from which the poor do not suffer: so, for example, their investments may require laborious attention, they are more prey to begging letters, and even, sometimes, to being kidnapped. But my claim is not that, all things considered, the poor are less free than the rich, though that is undoubtedly true, but that what makes the poor count as poor, their lack of money, makes them thus far unfree, whatever other unfreedoms – or indeed, freedoms – that may vagariously cause. It is undoubtedly true that freedom can generate unfreedom, and that unfreedom can generate freedom. You cannot, for example, be forced to do what you are not free to do,³⁰ and, since being forced to do something is a form of unfreedom, it is a form of unfreedom that requires freedom.

But these complexities, too, are beside the point, which concerns what money, in and of itself, immediately does. Despite the indicated complexities, money confers freedom, and those who deny that, those who affirm that the poor as such are no less free than the rich as such, do not, after all, do so on the ground that wealth frequently carries freedom-compromising burdens with it.

3. Let us now return to Berlin.

For Berlin, the favoured freedom, freedom from interference, the freedom that he famously called negative, the freedom that he distinguished from the ability to use it, is “opportunity for action” (p. xlii), “the absence of obstacles to possible choices and activities” (p. xxxix). And the “absence” of said “freedom is due to the closing of...doors or failure to open them, as a result, intended or unintended, of alterable human practices, of the operation of human agencies” (p. xl and cf. p. xlviii). Yet it seems evident, in contradiction of the contrast between freedom and money on which Berlin insisted, that lack of money implies lack of freedom in just that sense. The woman prevented by her poverty from travelling to Glasgow faces just such a closed door. (Under a “smart-card” technology for controlling access to the train, that will be literally true, in a physical sense).

³⁰ For the deep bearing of this (for many, surprising) truth on debates about market freedom, see pp. 241-44 of my “Are Disadvantaged Workers who Take Hazardous Jobs Forced to Take Hazardous Jobs?”, which is Chapter 12 of my History, Labour, and Freedom, Oxford University Press, Oxford, 1988. (For a briefer exposition, see my “Capitalism, Freedom, and the Proletariat”, in Miller (ed.), pp. 163-5).

Now, it might be claimed that I have misused a looseness in Berlin's characterization of negative freedom; that, although he several times said that it was a matter of unclosed doors, his more considered view was that it was to be understood more narrowly than that, as a matter of doors that are not closed by government, in particular. For he says, at p. xliii, that my negative liberty is determined by the answer to the question: "[h]ow much am I governed?" One might then suggest that, in the passages that I have quoted from pp. xlii, xxxix, and xl (and in the supremely important footnote 1 on p. 130), Berlin misdescribes his own position when he identifies absence of freedom with any closure of an avenue, rather than, in line with p. xliii, with only those avenue-closures that are due to government.

Yet it was surely the pressure of truth that produced the wider formulations: a person who blocks my way need not be wearing a government uniform to deprive me, thereby, of freedom.³¹ And blockages by anyone, whether in or out of uniform, standardly succeed, in a law-abiding society, only by virtue of the state's disposition to support them. So the contrast between doors that are closed by government and doors that are closed by others lacks relevant application: it makes a difference only when a certain illegality obtains, and it is absurd to suppose that those who wish to resist the left-wing claim that the poor suffer an extensive lack of freedom will be content to do so by pointing out that the poor can, after all, break the law.

Berlin offers a curious prognosis regarding "those who are obsessed by the truth that negative freedom is worth little without sufficient conditions for its active exercise". He says that they "are liable to minimize its importance, to deny it the very title of freedom...and finally to forget that without it human life...withers away" (pp. lviii-lix). Or, again: "in their zeal to create social and economic conditions in which alone freedom is of genuine value, men tend to forget freedom itself" (p. liv). But how could this be so, given that, on Berlin's own reckoning, what they are obsessed by precisely are (certain forms of) valuable freedom? Berlin's diagnosis of the supposed error of the left, namely, that they are so concerned with the ability to use freedom that they confuse it with freedom itself, is inconsistent with his prognosis that they will tend to forget that freedom itself is an essential value. Why should the left insist that freedom be capable of use if they do not, in the end, care about freedom?

I believe that Berlin here misdescribes the object of his anxiety, which is rather that these champions of the poor come to care so much about the freedoms specifically associated

³¹ Suppose that two people are prevented from boarding a plane, one because she lacks a passport and the other because she lacks a ticket. Was only the first unfree to board it? What the airline does to the ticketless passenger is exactly what the state does to the passportless one: block her way.

with the defeat of poverty, the freedoms associated with having money (whether one thinks, here, that money is required for freedom of access to goods itself or only for the value of that freedom: in what really bothers Berlin, here, that distinction is quite secondary), as opposed to civil and political freedoms (such as freedom of speech, of association, of assembly and so forth)³², that they come to care too little about the latter. It is a large mistake, made not only by Berlin but also (by implication) by Rawls, to describe the left as willing to sacrifice freedom, as such, to the conditions that make it valuable. The distinction between political freedom and money freedom is an entirely different distinction from the distinction between freedom itself and the conditions that make it valuable.

We can now reassess Berlin's description of Roosevelt's New Deal (see pp.7-8 above). We can confidently insist that, when a person's economic security is enhanced, there typically are, as a result, fewer "obstacles to possible choices and activities" for him (p. xxxix), and that he therefore typically has more individual liberty, on Berlin's own liberty-equals-no-obstacles-posed-or-left-by-others conception of liberty. Perhaps the individual liberty of already economically secure people was reduced by the New Deal, but, given his own characterisation of liberty, Berlin had no right to the conclusion, implied by his talk of "compromise" between liberty and economic security, that individual liberty as such (and not

³² The alert reader will note that these are not freedoms with which the New Deal (see pp. 7-8 above) could plausibly be regarded as a compromise. But that is a further décalage in Berlin's position, and not, I am sure, a reason for claiming that my gloss on what he means here is incorrect. (Roosevelt, so Berlin surely thought, restricted property rights, yet he cannot mean to include just such rights among the "legal rights" with which he identifies "liberty itself" in the text to fn. 11 above: that would make nonsense of the (putative) contrast in that text, since being poor just means having few property rights).

There are other important lapses in Berlin's text. Consider, for example, his defence, at pp.liii-liv of the Introduction to his Four Essays, of publicly provided education. Among its recommendations, he says, is that it satisfies "the need to provide the maximum number of children with opportunities for free choice", and he presumably means to reiterate that desideratum when he speaks, a little later, of "the need to create conditions in which those who lack them will be provided with opportunities to exercise those rights (freedom to choose) which they legally possess, but cannot, without such opportunities, put to use".

Now, I take it that, if you have "opportunities for free choice", you have free choice, or you have it effectively, you have it at will: all you need do, in order to have it, is take the opportunities in question. So, within the terms of the first quoted excerpt, education provides free choice itself. But that can't be what education provides according to the second excerpt, which implies that poorly educated children do have "freedom to choose", but that they lack the opportunity to exercise that freedom. (Unless, to stretch things to their limits, "legally possess" doesn't, here, entail "possess", but means "possess (merely) legally" - but then Berlin would be abandoning the distinction between (truly) having liberty and being able to use it.)

Further uncertainties occur in the "Two Concepts" essay itself. Thus, at pp. 124-5, Berlin appears to conflate human desiderata (such as not starving, being clothed, etc.) that are so urgent that they are needs greater than the need for freedom with "conditions for the use of freedom", which are another matter.

just that of members of certain classes) was reduced.³³

4. Money provides freedom because it extinguishes interference with access to goods and services: it functions as an entry ticket to them. I shall now fortify, but also qualify, my argument, by comparing and contrasting money with access tickets to goods and services in a moneyless society.

Imagine, then, a society without money, in which, in the first instance, the state owns everything, and in which courses of action available to people, courses they are free to follow without interference, are laid down by the law. The law says what each sort of person, or even each particular person, may and may not do without interference, and each person is endowed with a set of tickets detailing what she is allowed to do. So I may have a ticket which says that I am free to plough and sow this land, and to reap what comes as a result; another one which says that I am free to go to that opera, or to walk across that field, while you have different tickets, with different freedoms inscribed on them. (We could suppose, further, that tickets are tradeable, so that I can swap some of my freedoms for some of yours.)

Imagine, now, that the structure of the options written on the tickets is more complex than it was above. Now each ticket lays out a disjunction of conjunctions of courses of action that I may perform. That is, I may do A and B and C and D OR B and C and D and E OR E and F and G and A, and so on. If I try to do something not licensed by my ticket or tickets, armed force intervenes.

³³ (1) I do not think the quoted characterisation of the New Deal is compatible with Berlin's later acknowledgement, at p. xlvi, that "the case for social legislation or planning, for the welfare state and socialism" can be based on considerations of liberty.

(2) It might be thought that Berlin strongly qualifies his denial that poverty represents an unfreedom when he says, at pp. 122-3 of "Two Concepts", that, consistently with the conception of freedom as non-interference, I may indeed "think myself a victim of coercion or slavery", if I hold a "theory about the causes of my poverty" according to which it is "due to the fact that other human beings ["with or without the intention of doing so"] have made arrangements whereby I am, whereas others are not, prevented from having enough money with which to pay for [things]". That theory is so weak in its claims as to be, so it seems to me, undeniable, and Berlin himself implies that it is "plausible" (p. 122). Yet Berlin, so one might infer, must deny it to sustain his claim that poverty affects not liberty but only the conditions of its exercise.

The asserted inference is, however, erroneous. The pp. 122-3 passage shows a recognition not that, as I insist, lack of money, however it may be explained, represents lack of freedom, but that lack of access to money represents lack of freedom, when it has a certain explanation (which, I have just suggested, always is its explanation).

My reading of the pp. 122-3 passage is comprehensively confirmed by a statement which appears at pp. 61-2 of The First and the Last: "A poor man...is...free to rent a room" "in an expensive hotel", "but has not the means of using this freedom. He has not the means, perhaps, because he has been prevented from earning more than he does by a man-made economic system – but that is a deprivation of freedom to earn money, not of freedom to rent the room. This may sound a pedantic distinction, but it is central to discussions of economic versus political freedom".

By hypothesis, these tickets say what a person's freedoms (and, consequently, her unfreedoms) are. But a sum of money is, in effect, a highly generalized form of such a ticket. My statement emphasizes "in effect" because money differs from a state ticket in that, as we have seen, it is an inus condition of freedom of access to goods, rather than, as the ticket is, both necessary and sufficient for such freedom of access, in all circumstances. The effect of money for a person's freedom, is, nevertheless, in standard circumstances, exactly the same as that of owning the sort of ticket I described. A sum of money is tantamount to (□ is) a license to perform a disjunction of conjunctions of actions, actions, like, for example, visiting one's sister in Glasgow, or taking home, and wearing, the sweater on the counter at Selfridge's. (As far as her freedom to go to Glasgow is concerned, the woman who is too poor to take the train is like someone whose tickets in the imagined non-monetary economy do not have "trip to Glasgow" printed on them). That money's effect is that of a freedom ticket is perhaps more clear when physical money is replaced by credit cards, or by credit accounts that have no compact physical realisation. To improve the parallel, suppose that no physical tickets are issued in the state economy, but that people's authorizations with respect to their freedom to use goods are available only on computer screens. It makes no difference to a person's freedoms whether the screen records his ticket collection or how much money he has.

Having drawn this analogy, I now note its limits, and, then, how modest, they are.

First, the limits, which reflect the fact, already acknowledged here, that money is an inus condition of freedom.

Whereas it is the government that restricts a person's freedom in the moneyless society, it is not, standardly, the government, but the owner of the good to which a person desires access, who, in the first instance, restricts her freedom in the money case. What the government in a money economy does is to enforce the asset-holder's will, inter alia when that will is a will to deny access except in return for money. And the strategic role of the asset-holder's will means both that money does not absolutely ensure access (as a state-issued freedom ticket does), and that lack of money does not absolutely ensure lack of access (as lack of a state ticket does). If Selfridge's are, for whatever reason, determined not to sell the sweater that is on display, then an offer of money will not wrest it from them. And if, contrariwise, Selfridge's are minded to give the sweater away, then the government, far from preventing the (possibly penniless) beneficiary of Selfridge's largesse from picking up the sweater gratis, will, instead, protect that gift transaction. Money is not always necessary for freedom of access to a good, since a generous seller need not demand it, and it is not always sufficient either, because the seller is not obliged to sell.

Yet the size of the indicated difference between money and state tickets should not be exaggerated. To take its proper measure, let us enter a complexity into the specification of the state ticket society that matches, to a certain required extent, the complexity in monetary economies exposed above.³⁴

Imagine, then, that, like money, the state tickets are neither always necessary nor always sufficient to secure goods, because state-appointed asset administrators are free, to some small extent, to grant access to ticketless people and to withhold it from people with tickets: this is an officially recognized perk of office. The administrators, let us further suppose, exercise bias in favour of some citizens and against others to precisely the same extent that private asset holders do in the money economy. So, in parallel with the complexity in the money society noted above, tickets no longer absolutely ensure access and ticketlessness no longer absolutely ensures non-access, in the non-money economy. But it remains true that the ticket distribution strongly affects freedom; tickets establish what you are free and not free to do, not, now, to be sure, as we originally supposed, tout court, but within the feasible set established by asset administrators' spheres of discretion, and their particular intentions. And the size of those spheres of discretion enables us to say that freedom of access is largely established by tickets, in the revised state economy.

Now, private asset holders have full discretion over their holdings,³⁵ and asset administrators only a partial one,³⁶ but that persisting disanalogy makes no difference to the freedoms that others enjoy, under the stated assumptions. For, in typical real money economies, there is not much disposition either to give things away gratis or to withhold things that are (otherwise) on sale from selected moneyed customers,³⁷ and, in our parallel state case, the discretion afforded to and used by the administrators is, by stipulation, comparably modest in size. But freedom of access is, we saw, largely established by tickets in the modified state economy. And we can say, in proper parallel, that freedom of access to

³⁴ Arnold Zuboff suggested the rudiments of the complexity that I introduce here.

³⁵ From the point of view of non-owners, legal property owners are, in a sense, ununiformed state agents with wide personal discretion.

³⁶ The state in my story has, of course, the full discretion that Selfridge's have, and its

administrators may be compared to fictive Selfridge's sales assistants who (most unusually!) enjoy a comparable discretion. But that completion of the analogy has no bearing here.

³⁷ Indeed, as Hillel Steiner has pointed out to me, a too extensive disposition to withhold from selected would-be customers would derogate from money's status as a general medium of exchange: money is by definition generally acceptable, and - see the following footnote - it is compulsorily acceptable as legal tender in fully formed capitalist systems.

goods is largely established by money in our form of economy.³⁸ We can therefore say that, in the normal case, lack of money carries with it lack of freedom. The prospect of freedom to travel to Glasgow for the woman too poor to buy the ticket is not much enhanced by the possibility that Richard Branson's Virgin Trains might give her a free ride, since the probability of that is negligibly small. And the discrepancy, in general, between money and freedom, is comparably negligible.

5. The feature of capitalism that makes money partly different from state tickets is the separation, in capitalist civilization, between the state and civil society. Freedom of access to goods in a market society is not, indeed, decided by the state, but by asset holders whose decisions the state supports. But a market society is nevertheless one in which freedom of access to goods is substantially a function of money, even if the multi-personal agency which grants and denies that freedom in a market society is more complexly structured than is its counterpart agency (that is, the state and its administrators) in the ticket society. In both the state ticket society and the money society, (private and/or state) owners decide what I am free to do in respect of goods and services; and owners deciding what I'm free to do in market society is pretty well equivalent to my money deciding that, because of the (systematically³⁹) typical dispositions of owners.

Money, and its lack, imply social relations of freedom and unfreedom. Money is, of course, a resource, but it is not a resource like strength or brains. It is, as Karl Marx said, "social power in the form of a thing"⁴⁰, but it is not, like a screwdriver or a cigarette lighter, itself a thing (meaning, here, by a "thing", a physical object), for social power is not a thing. If you swap your ten one-pound coins for a ten-pound note, you've got a different thing from what you had before, but the very same money. You've got the same license to travel, to acquire goods and services and so on, the same social entitlement, the same prospects of non-interference that you had before (or nearly the same: the bus conductor who is happy to accept your pound-coin may refuse to change your ten-pound note, and kick you off the bus).

³⁸ Note that, when private asset holders are forbidden not to sell to whoever has the money to buy what they offer for sale, then money becomes more like a ticket in the first form of ticket economy (the one without administrators' discretion) precisely because there's a certain guarantee of civil rights: you can't, now, discriminate oppressively.

³⁹ See footnote 38 above.

⁴⁰ Marx's statement appears in this passage, which I have discussed at pp. 124-5 of my Karl Marx's Theory of History: "The less social power the medium of exchange possesses ... the greater must be the power of the community which binds the individuals together, the patriarchal relation, the community of antiquity, feudalism and the gild system. [In market society] each individual possesses social power in the form of a thing. Rob the thing of this social power and you must give it to persons to exercise over persons." (The Grundrisse, Penguin Books, Harmondsworth, 1973, pp. 157-8).

Money is a social power in a sense in which muscles, for example, are not. What you can do with your muscles depends, of course, on social rules and on socially created material structures - such as roads and doors and staircases. But money (as opposed to gold) is not something material, like muscles (and gold), whose practical significance society affects, but social in its very essence. Money doesn't even have to be three-dimensionally embodied: it can take the form of entries on a computer (see section 2 above), and it could, in principle, be less material still. If people all had wonderful memories and were all law-abiding, and information flowed rapidly from person to person, money could take the form of nothing more than common knowledge of people's entitlements.⁴¹ The raison d'être of money is to overcome the interference in access to goods that prevails when money is not forthcoming: that is not true of, for example, muscles, even though big ones may provide access to goods when social order breaks down.

That the tickets establish a social structuring of freedom is manifest in the state economy. My claim is that money does so quite as much in the private property economy, albeit less manifestly, since a five-pound-note, unlike an equivalent ticket, does not actually have the freedoms that it confers written on it. One purpose of the present lecture is to make it manifest that money confers freedom quite as much as such a ticket does. It is only deficits in knowledge and in cognitive capacity that disable me from knowing what freedoms a five-pound note represents. Minds more powerful than ours could look at such a note and say what disjunction of conjunctions of actions it frees us to perform.

Notice that I have not claimed that either economy is more attractive than the other. Many will prefer the private property money economy in which my freedom does not depend so immediately on the state, but on the decisions of other people that the state endorses.⁴² But that does not touch the present point, which is that what depends on those decisions in the

⁴¹ I therefore disagree with John Searle's claim (The Construction of Social Reality, London, 1995, p. 35) that "money must come in some physical form or other", unless, what I doubt, he was resting it on limitations in human cognitive and/or moral powers. (Note that even if mental states are brain (and, therefore, physical) states, money does not take the form of brain states in the fantasy sketched in the sentence to which this footnote is attached).

⁴² Capitalist economies are often thought superior to state-controlled economies, from the point of view of freedom, just in that there is a wider dispersion of property in the former. But, by that token, a market socialist society, with far wider dispersion of property, and, consequently, of the freedom that goes with it, is even better. To be sure, there is much more to be said on both sides of this argument: these are just prima facie considerations. But, for balance, I enter the pro-market-socialist anti-capitalist point, which deserves to be set beside the wearisomely familiar pro-capitalist anti-state-control point.

money economy precisely is my freedom.⁴³

The message, then, is that the left's protest against poverty is⁴⁴ a plea on behalf of freedom, and, more particularly, a protest against the extreme unfreedom of the poor in capitalist society, and in favour of a much more equal distribution of freedom.⁴⁵

6. The arguments and the conclusions of this article are conceptual in character. No normative claim has been defended, or even asserted, although I have allowed myself to deliver certain conceptual claims in a distinctly normative tone of voice.

Some people respond to such work by complaining that, in virtue of its purely conceptual character, it establishes no normative conclusions. Why, then, they ask, is it important?

The answer is that conceptual claims are sometimes key premisses in arguments with normative conclusions, and the right-wing movement from (1) through to (5) is a case in point. That important normative argument is defeated when its critical conceptual sub conclusion, (3), is shown to be false, as it has been here. And this way of countering normative arguments is often more effective than a properly normative confrontation with them, which so often leads to impasse.

Some who have heard this paper make the correct point that it does not prove that the right must abandon their political preferences, since they can always reformulate them without using the language of freedom. That is indeed so, but the right lose, if my line is sound, not, indeed, the capacity to stick to the policies that they favour, but an argument for those policies rooted in the value of freedom. The counter-argument that I have provided will not detach hard-core "libertarians" from their political position, but that is precisely because, despite their rhetoric, they do not care about liberty or freedom as such.⁴⁶ But others, who are not hard-core

⁴³ It is perhaps curious that, whereas liberals regard distribution through money as liberating, by contrast with distribution through status, or political power, they are nevertheless concerned to deny, as we have seen, that money is a form of freedom.

⁴⁴ Contrary to what Berlin says in texts presented at pp. 6 and 16 above.

⁴⁵ I believe that H. L. A. Hart was mistaken when he spoke of "the Marxists whose identification of poverty with lack of freedom confuses two different evils" ("Are There Any Natural Rights?", in Jeremy Waldron, (ed.), Theories of Rights, Oxford University Press, Oxford, 1984, p. 77, emphasis in original). A contrast between poverty and lack of freedom follows from stipulative restrictions on the uses of "freedom" and "liberty" which Hart introduces in the relevant paragraph, and which nicely suit his perfectly legitimate intellectual purposes. But he had no good reason to apply those restrictions against Marxist uses of the contested terms.

⁴⁶ I do not doubt that they believe that they care about freedom, but that is because they confuse freedom with self-ownership: see my Self-Ownership, Freedom, and Equality, pp. 67-8, and Chapter 10.

“libertarians”, do care about liberty, and are attracted to the right-wing position because it appears to have liberty on its side. It is those “floating voters”, rather than either the committed left or the committed right, who represent the constituency whose political opinion is most likely to be affected by this paper.

Let me now offer some more general remarks about the right’s attitude to interference, not, now, in relation to money in particular, but in relation to private property in general.

The right profess to be hostile to interference, as such, but they do not really oppose interference as such. They oppose interference with the rights of private property, but they support interference with access by the poor to that same private property, and they consequently cannot defend property rights by invoking the value of freedom, in the sense of non-interference.⁴⁷ They cannot, on the basis of a principled aversion to interference, defend private property against the grievance that poverty represents by recourse to the familiar tactic that I have sought to discredit here.

Some readers may be perplexed, and some incensed, by what they may think to be a strange, or even a brazen, assimilation of illegal interference with private property (such as trespass) and legally justified interference with those who would trespass on it or otherwise violate it. But the immediate point, once again, is not a normative one: nothing is here being said, directly, about the comparative moralities of protecting and violating private property.

Philosophers have construed the words “freedom”, “free”, and so forth in two contrasting ways. As some, including the present author, construe them, one may say that A is (pro tanto) unfree so long as B successfully interferes with his action, and, therefore, irrespective of the moral rights enjoyed and lacked by A and B. On that latter understanding of “freedom”, it is as clear as noonday that an arresting police officer renders a trespasser unfree, whether or not the officer is morally justified in doing so. Alternatively, and flying in the face of ordinary language, others construe B’s interference with A as freedom-reducing only where A has the moral right to do what he is doing and/or B has no moral right to stop him.⁴⁸ But

⁴⁷ See footnote 26 above. (To be sure, the right often also oppose other interferences, such as with security of the person, with freedom of speech, and so on, but these optional extras in right-wing thought are outside our present focus.)

⁴⁸ Note that the distinction between morally freighted and morally unfreighted conceptions of freedom is not the same distinction as that between legal freedom and effective freedom, which was made at pp. 10-11 above.

such a rights-laden understanding of freedom, whether or not it is otherwise acceptable,⁴⁹ renders impossible a defence of the legitimacy of private property by reference to freedom, since, on the rights-laden view of it, one cannot say what freedom (so much as) is until one has decided (on, perforce, grounds other than freedom) whether or not private property is morally legitimate.

Accordingly, neither the rights-laden nor the rights-free understanding of freedom allows private property to be vindicated through a conceptual connection between private property and freedom. More empirically based vindications of private property that make crucial reference to freedom (rights-independently defined) are not therefore excluded. But no one has, in my view, succeeded in presenting such an empirical vindication, which is one reason why the bad conceptual argument that connects private property with freedom is so popular among defenders of the capitalist system⁵⁰.

In effect if not in intention, the argument criticized in the present paper illicitly short-circuits complex empirical questions. It is altogether too swift, and it discredits the defenders of the capitalist market who use it. But its very weakness restricts the size of the victory that its defeat represents for critics of market capitalism, since it is an unlikely supposition that nothing more than what the argument says can be said on behalf of a connection between market capitalism and freedom.

To see where the real discussion must be situated, return to the point made in fn. n, that the airline company withholds freedom from the ticketless aspiring traveller no less than the government does from the passportless aspiring traveller. There is no reason to modify or qualify that judgment, but there is nevertheless a difference between state-originating and business-originating preventions, which a soberly circumstantial assessment of capitalism and freedom must observe. And the difference is that when the government grants freedom to travel to A, there is no B who loses a significant freedom as a result: the distribution of passports is not the distribution of a scarce good. When the government provides a passport, it removes a barrier to one person other than at the cost of erecting one for another.

⁴⁹ I imply that it is not acceptable when I say, above, that it violates ordinary language, but the issue of its acceptability, on that or any other basis, is entirely incidental here: Cf. Self-Ownership, Chapter 2, section 3e.

⁵⁰ There is also an argument, favoured by the right, and articulated by Jan Narveson in his “Libertarianism vs. Marxism: Reflections on G. A. Cohen’s Self-Ownership, Freedom and Equality” (The Journal of Ethics, Volume 2, No. 1, 1998, pp. 3ff.), according to which the regime of private property may be defended not as constituting a realm of freedom but as resulting from exercises of freedom in a pre-private-property state of nature. I refute that argument in my “Once More into the Breach of Self-Ownership”, which shows, at pp. 60-7, that it fails to consider the unfreedom suffered by non-appropriators of private property.

What holds for the government and the traveller vis-à-vis passports contrasts, thereby, with what holds for the airline company (be it privately owned or not) and the traveller vis-à-vis tickets. Airplane seats being in finite supply, providing a seat to one person means not providing a seat to countless other persons. Or, if everyone is crazy about flying, then providing seats for all means nevertheless denying freedom of access to other goods for them, because of finite overall resources. This does not make it false that the person who cannot afford a ticket lacks a freedom. But it does mean that partisans of freedom cannot propose the abolition of airline tickets in the way that they might propose abolition of passports.

So the real issue, which is illicitly circumvented by the right-wing argument, and as was suggested in the fourth paragraph of section 2 above, is how freedom is to be distributed where resource finitude makes limitations on freedom unavoidable. The claim that, in the face of resource finitude, market capitalism is optimal for freedom, has not been proved. But the case against that claim is not made by the defeat of the short-circuiting argument that has been refuted here.

Appendix I: Jonathan Wolff on Freedom and Liberty

In “Freedom, Liberty, and Property”,⁵¹ Jonathan Wolff proposes that both left and right overreach themselves in the claims that they lodge regarding freedom and/or liberty. To a first approximation, so he contends, the left is right about freedom but wrong about liberty, while the right is right about liberty but wrong about freedom. That is merely to a first approximation, however, since “freedom” and “liberty”, in ordinary usage, do not always comply with the partly stipulative definitions of those terms that Wolff offers in pursuit of his claim. For his clarifying purposes, “freedom” may be understood as “real possibility”, while “liberty” may be understood as “permissibility”. The left is interested in real possibility, and correctly denies that permissibility delivers it. The right is interested in permissibility, and correctly denies that it entails real possibility. These denials are logically equivalent, so left and right are right about the same thing. But the left is wrong when it assimilates everything important that can be meant by “liberty” to its plausible conception of freedom as real possibility. And the right is wrong when it assimilates everything important that can be meant by “freedom” to its plausible conception of liberty as permissibility.

I do not accept Wolff’s contention that, in common with other philosophers on the left, I neglect conceptual truths about what he calls “liberty”. I believe that the conceptual part of Wolff’s critique of the left is multiply flawed. But there is no space to go into that here, and anyway, it isn’t the most important question.⁵² This question is more important: why should we care about (what Wolff calls) liberty where it isn’t matched by (what Wolff calls) freedom? Why might the woman of my example care that she is, as Wolff would say, at liberty to go to Glasgow (simply because the activity of going to Glasgow is not, as such, legally impermissible), when she is not, as Wolff would acknowledge, free to do so (when it is not a “real possibility” for her)? Wolff states three supposed reasons for my caring about a liberty⁵³ that I cannot use (p. 356), a liberty, that is, which I have but which is not accompanied by a corresponding

⁵¹ Critical Review, Vol. 11, No.3 (Summer, 1997), pp. 345-357.

⁵² Those who happen to be interested in my exposition of Wolff’s specifically conceptual errors can get it from me on demand.

⁵³ Across the course of this Appendix, I use “liberty” and “freedom” as Wolff defines those terms.

freedom. Most revealingly, however, each reason for caring about such a liberty that Wolff gives is a reason for caring about it entirely because of a freedom that is in one way or another associated with it. None is a reason for caring about liberty other than because of a freedom that is connected with it, and none is, moreover, a reason for caring about the liberty that I have now. Each is a reason for caring about liberty entirely because of freedom, but merely not because of the freedom it grants (1) me (2) now.

Wolff's first reason is that I may "enjoy living in a society of diversity and tolerance, where a wide range of behaviour is permitted". But that desirable diversity supervenes only if others are able to use the relevant liberty, only, that is, if liberty indeed generates freedom, albeit not for me. In this first reason, I care about a liberty that I lack the freedom to exercise because others who have that liberty do have that freedom, and society therefore exhibits a desirable diversity. Given why I am said to care about this liberty, I would care the same about it even if I did not have it: I care about my liberty only because it is a sign that others have it (since everyone has the same liberties, in a society governed by the rule of law) and what's good about that is that some of them will have the corresponding freedom, which is good because a desirable diversity ensures.

Wolff's second reason is that I "may welcome the fact that" "people [I care] about" find certain behaviour "permissible and possible". But, once again, the value I am glad they enjoy is the freedom that, in their case (though not in mine), the liberty gives them. In Wolff's second reason, then, even more directly than in his first, I care about a liberty-without-freedom that I have because others also have that liberty and they enjoy an associated freedom (whatever further good consequences, such as diversity, this may or may not have). And, once again, I would care the same about this liberty even if I did not have it.

Finally, Wolff says, I may value my freedomless liberty even if I cannot at present use it, because I may come to be able to use it. But that is no reason for valuing my liberty now: it is a reason for valuing it later, on the assumption that it will persist. And, as before, and, therefore, with respect to all three of Wolff's reasons, liberty matters here because of freedom. In Wolff's third reason, I care about my liberty now, despite not having a corresponding freedom now, because I may want - and have - a corresponding freedom later. But then I care about present liberty only because it is a sign of (likely) future liberty (just as, in the other two cases, I care about my liberty only because it is a sign that relevant others have the same liberty). I care nothing, so far as this goes, about present liberty as such. And I care about the indicated future liberty solely because I may hope that it will be associated with a future freedom.

So Wolff's reasons for caring about a liberty that I cannot (now) use are, none of them, reasons for caring about liberty in the absence of freedom. In all three cases, I care about liberty because of freedom. On Wolff's own showing, liberty turns out to matter wholly because of the freedoms to which, in particular circumstances, it leads.

I believe, however, that Wolffian liberty does have an independent importance, which has nothing directly to do with Wolffian, or any other freedom, and nothing to do with what we should naturally (as opposed to Wolffianly) say we are at liberty to do.⁵⁴ Wolffian liberty matters, in my view, apart from its promise of Wolffian freedom, in that it is an insult to the status of persons when certain acts are forbidden to them, whether or not the permissibility of those acts would generate a corresponding freedom for those persons. Thus, for example, suppose that I have, and will continue to have, no desire to travel to Australia, and suppose, further, that I lack and always will lack the money to do so. I would nevertheless consider it an insult if I were forbidden by a state to travel to Australia (whether it be by Canada or by Australia - though the insults might be of different significance and/or weight in the two cases). Accordingly, my Wolffian liberty to travel to Australia matters to me independently of whether or not I am Wolffianly free to do so. If I were free to do so, through, for example, undetectable passport fraud, I might nevertheless regret that what I was thereby free to do was something that I was not (officially) at liberty to do. ("Officially" needs to be added because of the discrepancy between Wolff's definition of "liberty" and its use in ordinary discourse. Someone might say: despite the state prohibition, you are at liberty to travel to Australia, since I can forge a visa for you).

So the real reason for caring about liberty when no freedom goes with it is that lack of liberty then (still) means an insult to my dignity, a diminution of my status. But that has nothing to do with caring about freedom, as such. (It has to do, instead, with caring about who presumes to restrict my freedom, and why they seek to do so.)

So why is it worse for the state to forbid me access to, say, Glasgow, than for the railway company to do so? Because the former involves a judgment on my status, and the latter doesn't. That is why state-legislated impermissibility matters distinctively to me, whether or not it removes my freedom. When the state forbids me to do something that it should forbid no one to do, it seeks to make me unfree in a respect in which no one need be unfree. And it thereby insults my status, in a way that a business that will not give its wares to me gratis does not.

⁵⁴ We naturally say, "the escaped convicts are still at liberty": that contradicts Wolff's stipulations.