

“POVERTY, PROPERTY AND THE NON-SPECIFIC VALUE OF FREEDOM”

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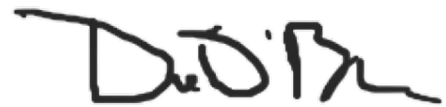
WITH HONORS IN POLITICAL ECONOMY AND PHILOSOPHY

BY



Colin Threlkeld

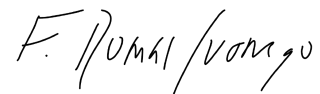
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Colin Threlkeld. Poverty, Property and the Non-Specific Value of Freedom
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This thesis examines the relationship between the distribution of property rights and individual freedom. In particular, it is concerned with the effects of poverty (lack of money) on individual freedom. Much of the political philosophy literature on the relationship between freedom and poverty has stressed how poverty prevents individuals from developing their capabilities (*freedom to*), but there has been less attention paid to the sense in which poverty involves unfreedom in the form of liability to interference from others (*freedom from*). In this thesis, I analyze the sense in which poverty can be said to involve lack of freedom even in this more austere 'negative' sense and attempt to show that this both (a) is morally relevant and (b) can be alleviated through certain poverty-reduction measures in line with a suitable principle for the distribution of freedom. I begin by attempting to define a conception of overall freedom that allows us to make interpersonal comparisons of how free individuals are in the negative sense, and I offer reasons why we should think negative freedom is valuable *as such*. I analyze Cohen (2011)'s argument that poverty entails lack of freedom and try to show how money structures the freedom to perform sets of actions. I conclude by discussing which distributive principles might be suitable for the sort of value I have assigned freedom, and I argue that certain poverty-reduction measures may promote negative freedom on this principle.

1

The main purpose of this chapter is to lay the groundwork for the following two. I begin by outlining an argument that there exists an interpersonally comparable concept of overall freedom. I then briefly outline Isaiah Berlin's two major conceptions of freedom that have had considerable influence on liberal thinking about freedom, after which I define a conception of negative freedom which I think adequately accounts for many of our most strongly held intuitions about freedom. Next, I explain the important role 'property regimes' play in distributing freedom among people and present a typical view about how different property regimes fair on the two conceptions of freedom taken from Berlin. Finally, I argue negative freedom is non-specifically instrumentally valuable, meaning it has value independently of the specific valuable things for which one can use it.

1.1 *The idea of overall freedom*

Subsequent sections of this thesis assume the existence of an interpersonally comparable, quantitative concept of overall freedom. If we imagine all conceivable courses of action someone might perform, her overall freedom is the proportion of these which she is free to perform¹, represented simply as follows:

$$\frac{\text{Actions } X \text{ is free to perform}}{\text{Actions } X \text{ is free to perform} + \text{Actions } X \text{ is unfree to perform}}$$

Overall freedom is not some metaphysically ambiguous concept – it is defined straightforwardly in terms of specific freedoms and unfreedoms. Nor is the idea of overall

¹ Carter (1999), p. 28.

freedom as a *quantitative* attribute in conflict with the view of freedom as a *relation* between people. Specific freedoms are products of relationships between people, and these specific freedoms are then aggregated to reach the quantitative attribute of overall freedom. Freedom is therefore “both a relation and an attribute,” and there is nothing “mysterious or somehow ‘metaphysical’” in statements like ‘X has more overall freedom than Y.’² Such statements merely compare the proportions of conceivable specific freedoms people have.

If we can overcome ontological objections to the concept of overall freedom, we still have to confront the normative question of why anyone should care about how free people are in an overall sense.³ It still remains to determine whether such a concept of overall freedom is in any way normatively relevant. Why, after all, should we care about anything more than the freedom to do specific valuable things? Is there a reason for liberals to “be content with a list of specific liberties, or ... [should they] also take an interest in ‘how free’ people are in an overall sense[?]”⁴ Note for now that a concern for overall freedom does not in any way imply a lack of concern for people’s freedom in specific instances, nor does it discount the fact that some freedoms (practicing the

² Carter (1999), p. 29.

³ Carter (1999), p. 21.

There is also an epistemic objection to overall freedom holding that such an attribute could not be measured. I focus primarily on objections to overall freedom’s normative importance in this chapter (see 1.5), but for now I just note that there are a number of possible techniques available to us to at least *estimate* people’s overall freedom – see Carter (1999), Ch. 10, “Indicators of Freedom” – even as the exact proportion of actions one is free to perform may remain elusive to us.

It should also become clear upon reflection to liberals who center the promotion of individual freedom in their theories of justice that denying the possibility of making interpersonal comparisons of ‘how free’ each person is in an overall sense would be giving up a bit more than they might be comfortable with.

⁴ Carter (1999), p. 31.

religion of one's choice) may be more valuable than others (playing checkers). I will return to this question in section 1.5, but first we need to be a bit clearer about what we mean by 'freedom.'

1.2 *Conceptions of freedom*

We might think of freedom as consisting simply in the absence of interference by other people with a person's actions. Alternatively, we might think of freedom as involving the capacity to reflectively endorse one's desires — to exercise some degree of self-mastery. Proponents of this second conception tend to deny that simply being left to oneself is sufficient to consider someone to be free if that person lacks the ability to act in an informed way. These two conceptions of freedom correspond to those detailed in Isaiah Berlin's famous 1958 lecture "Two Concepts of Liberty," which set the terms for much subsequent writing on freedom.⁵ Berlin defined these negative and positive conceptions of liberty roughly as follows:

Negative liberty: A person is free to the extent they do not suffer interference.

Positive liberty: A person is free to the extent they are their own master.

Negative liberty, then, involves the *absence* of constraints on one's actions, while positive liberty involves the *presence* of an ability to reflect on one's desires and endorse those that seem best.⁶ Note that Berlin is not suggesting these two conceptions of liberty are the only logically possible ones, nor even that they are the only two that matter.

⁵ I use 'freedom' and 'liberty' interchangeably throughout the thesis.

⁶ Or, as Charles Taylor defined them in "What's Wrong with Negative Liberty?" (1979), negative liberty is an "opportunity concept" while positive liberty is an "exercise concept."

If we think of freedom as consisting at its simplest in ‘doing what you want,’ both of these conceptions may appear plausible to us. Each conception seems to capture in part why we might think freedom is such a valuable thing to have. In our ordinary language, we use ‘freedom’ in a variety of ways, not all of which are mutually consistent. Selecting a conception of freedom is not so much a matter of picking the ‘correct’ conception as it is determining “which set of intuitions can be held *consistently*,” as Hillel Steiner has put it.⁷ I think there is a conception of negative freedom that can account for a number of our important intuitions about freedom. In section 1.5, I will argue negative freedom is valuable as such – namely, freedom has non-specific instrumental value. If freedom is such a good, we can consider it to be among the goods to be distributed by our theory of justice. And if freedom is the sort of good which can be distributed, then we will need to know how free people are in an overall sense so we can make interpersonal comparisons and determine whether and how freedom needs to be redistributed to realize whatever principle we have chosen to govern the allocation of freedom.

1.3 Defining a conception of negative freedom

For an adequate conception of negative freedom, we will need to define a number of terms. To begin with, we need to clarify what sorts of things can count as constraints on our freedom. I will hold it is only deliberate human interference, not inanimate obstacles, that can be sources of unfreedom for us. Thus, a person intentionally standing in front of a door to block me is a constraint on my freedom while a large boulder that I am unable to move is not. Negative freedom here refers to social relations between

⁷ Steiner (1994), p. 7.

individuals, not relationships between individuals and things. Inability to act is obviously concerning, especially when it is widespread in a population, but I will treat freedom and ability as separate concepts here because I think the thesis for which I ultimately want to argue follows even from the more austere conception of freedom as non-interference by other people.

When I say ‘non-interference,’ I should specify further that mere partial interference with someone’s action in a way that makes it more difficult but not impossible to perform the action will not be sufficient for making them unfree to perform the action. For a person, x , to be unfree to do y , she must be *completely prevented* from doing x by some person, z . Freedom, when referring to specific actions, does not admit of degrees – it is all or nothing. It might be objected here that a person who suffers pervasive interference in many of their actions but who in none of these cases is completely prevented from acting could not possibly be as free as the person who suffers not even partial interference in any of her actions, as my conception of freedom seems to suggest. One way around this apparent problem is to consider the relationship between action and time. Suppose I can perform actions A, B, C and D in one hour if I suffer no interference at all, but I can only perform one action — A or B or C or D — in the same amount of time if others interfere with my attempt (while not completely preventing me from acting). Thus, while non-preventing interference may not make me unfree to perform individual acts, it may make me unfree to perform certain conjunctions of acts— or ‘act-combinations’ – due to the longer time each act takes me to perform. Non-preventedness as a condition of freedom therefore does not seem to have the troubling consequence raised by the objection.

My conception of negative freedom also assumes a person need not have a desire to act in a certain way for another's interference to make her unfree. In the terms introduced in section 1.1, desire-dependence would make overall freedom equal to the proportion of actions which I desire to perform which I am free to perform. But this seems to have the strange implication that I might improve my overall freedom by extinguishing desires I hold rather than removing the interference of others. In other words, getting rid of the desires I know I will be unfree to act on would seem to improve my overall freedom by decreasing the denominator rather than increasing the numerator:

$$\frac{\textit{Desires I am free to act on}}{\textit{Desires I am free to act on} + \textit{Desires I am unfree to act on}}$$

On this account, the Stoic prisoner who has disciplined himself to only desire what is attainable inside prison walls may be the freest person alive.⁸ As poetic a thought as this might seem, its implications for how we think about, say, the freedom of citizens of autocratic societies who have lost hope of ever attaining what they may once have desired is counterintuitive enough to force us to reconsider the underlying view of freedom's desire-dependence.

Finally, it has been objected by neo-republicans that negative freedom is somehow "unstable." Philip Pettit, for example, argues that the bare lack of interference in an agent's actions is insufficient for capturing the essence of freedom.⁹ For example, imagine a married woman living in a highly patriarchal society whose laws effectively

⁸ The example is adapted from one outlined in Berlin (1958).

⁹ Pettit, Philip. "The Instability of Freedom as Noninterference: The Case of Isaiah Berlin," *Ethics*, Vol. 121, No. 4, 2011.

make her the property of her husband. It seems counterintuitive to say that, should she happen to get lucky and marry a benevolent husband who in practice never interferes with her even when she wants to act in ways not seen as socially-fitting for a woman in this society, she is free in the same way a married woman in a liberal society with a more egalitarian conception of gender roles is if her husband never interferes with her. It would seem odd, the republican thought suggests, to say that this bare lack of interference makes her free, since at any time her husband may legally decide to take a more heavy-handed approach toward her with respect to any of the actions he currently does not interfere with her performing. This may cause her to preemptively alter her behavior to remain on her husband's good side, fearing that doing anything too out of line with his wishes may cause him to become less lenient toward her. More insidiously, she might even come to internalize this worry to the point that she convinces herself she actually has no desire to do any of the things her husband might not like.

Thus, it seems it is not the mere lack of interference in a particular instance which makes one free, but some kind of *assurance* that others will not interfere with you going forward. To be free in any meaningful sense, the argument holds, there must be some sort of institutional safeguards ensuring neither the government nor other citizens can arbitrarily interfere with you. Thus, for the woman in my example to be free, she must have formal legal status as a citizen with an equal right to own her own property, make decisions for herself and so on. But there is some ambiguity as to whether the republican objection should really force us to discard our conception of negative liberty or whether the negative conception already accounts for the concern it raises. As Carter explains, the extent of a person's negative freedom "depends, in part, on the *probability* with which he

or she will be constrained from performing future acts or act-combinations.”¹⁰ Thus, in the case of the wife in a patriarchal society, it seems there is a much higher probability, *ceteris paribus*, that a husband with complete legal authority over his wife will choose to interfere with her actions. Inclusion of this probability element also allows us to say that the wife of a genuinely benevolent husband is at least *freer* (if not ‘free’ in a more general sense of having the status of a ‘free person’) than if she were to have a husband who took pleasure in continuously subjugating her. The final version of our conception of negative freedom can thus be stated as follows:

A person, *x*, is free with respect to some action, *y*, if and only if she is not liable to being prevented by another person, *z*, regardless of whether *x* has a desire to do *y*.

1.4 Individual freedom under different property regimes

A large proportion of the actions we may be free or unfree to perform involve the use of material resources. Strictly speaking, the use of some material resources is a condition of *all* action. Even the action of lying stationary presupposes both the freedom to occupy space in a particular location and the freedom to consume the food and water required to sustain continued existence. A concern with the freedom of individuals therefore requires that we pay close attention to the relationship between freedom and property. Every society has certain rules governing the use of resources, and different rules generate different distributions of freedom in a society. We can call these different sets of rules governing the allocation of resources, ‘property regimes.’

¹⁰ Carter (2016), “Positive and Negative Freedom.” *Stanford Encyclopedia of Philosophy*.

One common view of the relationship between freedom and property regimes holds that, while egalitarian regimes fair better than less interventionist libertarian regimes with respect to positive freedom, the latter outperforms the former on the negative conception of freedom. Call this the ‘Standard View.’ By an egalitarian property regime, I mean a set of institutions governing the distribution of property rights in which the state seeks to (roughly) equalize the holdings of individuals. By a libertarian property regime, I mean a set of institutions governing the distribution of property rights in which the state upholds private property rights and plays a relatively minor role (if any at all) in redistributing property, instead giving primacy to the market mechanism to allocate resources. The motivating thought behind the Standard View is that the libertarian distribution will involve significantly less interference in people’s lives than the egalitarian one, while the egalitarian distribution will (either intentionally or as a byproduct of seeking to equalize some other good(s)) better cultivate individual self-mastery through provision of a range of social services like public education, healthcare and social security, even as it sacrifices some of the economic freedom people enjoy under a libertarian distribution. On this view, a liberal property regime might be seen as splitting the difference between egalitarian and libertarian regimes, acknowledging the importance of non-interference in people’s lives while holding this is insufficient by itself and requires some degree of public provision to meet basic needs required for individuals to increase their level of self-mastery.

According to the Standard View, the egalitarian who subscribes to a negative conception of freedom seems to face an uphill battle. It appears she must argue that, though people are less free under her preferred distributive scheme, justice requires that

we curtail freedom in the name of equality. In other words, there seems to be a clear tradeoff between freedom and equality, and the egalitarian sacrifices some amount of the former in pursuit of the latter. On the assumption that not all property-owners will voluntarily redistribute their resources in such a way as to realize an egalitarian pattern, the state will have to interfere significantly with people's actions, reducing their negative freedom. The task of the egalitarian embracing a positive conception seems somewhat less difficult. She can argue that this government interference with private property, when it is directed toward funding public services that increase people's wellbeing and capabilities, will generate an increase in freedom for most people. Given the reasonable assumption that there are diminishing marginal returns to wealth in improving wellbeing and ability, it seems plausible that such redistributive schemes might generate a net increase in freedom enjoyed by all the individuals in the society while decreasing somewhat that of the best-off.

1.5 The value of negative freedom

Why should egalitarians care about negative freedom, then? Why not just grant the premise that any state interference with private property rights reduces the societal level of negative freedom and simply reply that either (a) some of these curtailments of freedom are justified in the name of promoting other values like equality or community or (b) the negative conception fails to capture what we really value when we make appeals to freedom in our ordinary language? While these responses are tempting, I will argue the value of negative freedom is such that egalitarians should not cede this ground so easily. Individuals have an interest in having a certain amount of overall (negative) freedom, and this interest creates significant demands on our theories of justice.

I will argue that negative freedom as I have defined it in section 1.3 has non-specific instrumental value. By ‘non-specific’ value, I mean freedom’s value cannot be described entirely in terms of the value of specific actions one can perform with one’s freedom¹¹, which is to say it is valuable *as such*.¹² To say that freedom is valuable as such does not necessarily mean that freedom is *intrinsically* valuable – i.e. that freedom’s value is irreducible to any other value.¹³ I don’t take a position on whether freedom is intrinsically valuable, and I think someone who did believe freedom to have intrinsic value could still agree with my arguments about freedom’s instrumental value. By instrumental value, I mean freedom is valuable as a means to realizing other valuable phenomena. Non-specific instrumental value, then, can be defined as follows:

A phenomenon, *x*, has **non-specific instrumental value** if and only if *x*, *without regard to the nature of its specific instances*, is a means to some other valuable phenomenon, *y*.¹⁴

In combining ‘non-specific’ and ‘instrumental’ value, I may appear to be attributing two conflicting sorts of value to freedom. A simple example may clarify why this is not the case. Consider a block of wood. It clearly has instrumental value in that I can fashion specific valuable objects out of it like a table or chair. But it also has non-specific value

¹¹ From here on, when I use the word ‘freedom,’ I mean negative freedom as I have defined it in 1.3 unless otherwise noted.

¹² Carter (1999), p. 44.

¹³ For an interesting example that is useful for showing why it is not obvious that we should think freedom definitely *does not* have intrinsic value, see Thomas Hurka (1987), "Why Value Autonomy?" *Social Theory and Practice* 13, pp. 361-82.

¹⁴ Carter (1999), p. 44. Emphasis mine.

in that the block of wood can potentially take the form of a number of different valuable things. The freedom afforded us by un-fashioned block of wood to determine which specific valuable object it will become is itself valuable, hence the non-specific value. Once again, I emphasize that to say negative freedom has non-specific instrumental value is not to deny that negative freedom may be valuable in other ways as well.

Abstracting from specific examples of non-specific instrumental value, we can say that the major reason why freedom has *non-specific* value is “the unavoidability of *human ignorance and fallibility*.”¹⁵ It is simply a reality of human life that we are not always reliable judges of what sorts of things are valuable for us. We often don’t know exactly which doors it will have been valuable for us to have had open to us until well into the future, and therefore we cannot say with certainty exactly which specific freedoms it is valuable for us to have in the present. We unfortunately lack the knowledge required to determine all the specific phenomena which have value and then conclude that only the freedoms which allow us to attain these valuable things have any value. Rather, a degree of epistemic humility should lead us to endorse freedom’s non-specific value, recognizing that while we may currently be indifferent to whether we have certain specific freedoms that we don’t see as valuable, it is nevertheless valuable that these doors remain open, as we may come to realize our earlier oversight of their value was misguided. Our ends will inevitably change over the course of our lives as we take in new information and refine our conceptions of the good life. *Ceteris paribus*, we are better off having more freedom than less.

¹⁵ Carter (1999), p. 45.

1.6 Conclusion

This chapter has introduced a number of concepts and arguments that will be necessary for the work of subsequent chapters. I have defined the concept of overall freedom and given a preliminary account of why we ought to care about it. I then introduced two of the main conceptions of freedom that have defined much writing in analytical political philosophy about freedom since Berlin. Following Steiner, I held that the goal of selecting a conception of freedom is not so much choosing the ‘right’ one but of finding a coherent way of accounting for a range of seemingly conflicting intuitions, and I defined a conception of negative freedom which I think is defensible against a number of common objections. I then presented what I take to be a common view about the relationship between different conceptions of freedom and property regimes, which seemed to suggest egalitarians might be better off rejecting the negative conception of freedom or at least downplaying the importance of negative freedom. However, I went on to argue this move would be misguided, as negative freedom is valuable as such – more precisely, non-specifically instrumentally valuable – owing to our ignorance about the possible use and value of different specific freedoms.

2

If we accept the arguments in Chapter 1 about the importance of overall freedom and negative freedom's non-specific value, we should pay close attention to constraints that may reduce people's overall freedom. G.A. Cohen has argued that poverty is one such constraint on freedom. More precisely, "there are lots of things that, *because* they are poor, poor people are not free to do, things that nonpoor people *are*, by contrast, indeed free to do."¹⁶ In a private property regime, Cohen argues, it is money which structures most of the freedoms people have. As a sort of highly generalized ticket to perform various sets of actions, money seems analogous to freedom in light of the non-specific instrumental value I attributed to negative freedom in section 1.5.¹⁷

Against the assumption of the Standard View outlined in 1.4 that egalitarians must sacrifice negative freedom in pursuit of their preferred redistributive schemes, Cohen attempts to show that we have at least *prima facie* reason to believe certain measures to intervene in the market and redistribute property may actually promote negative freedom. For this conceptual conclusion to have any normative bearing on how we should distribute property rights, though, it will need to be paired with a suitable distributive principle for freedom. This principle will hopefully yield a more determinate judgment as to how we can best promote freedom with respect to different distributions of property rights, and that is pursued in Chapter 3.

¹⁶ Cohen (2011), p. 167.

¹⁷ Carter (1999), p. 36.

2.1 *Poverty as interference or lack of means?*

In “Freedom and Money,” Cohen argues that poverty involves significant liability to interference, not just inability, as is often supposed. He sketches the outlines of a typical debate about freedom between the political Right and Left that runs as follows. The Left look on the supposed freedoms enjoyed by individuals in liberal capitalist societies and observe that many of these ‘bourgeois freedoms’ are merely formal for all but the well-off.¹⁸ Everyone enjoys the formal freedom to start a business in the sense that the state would not prevent them from doing so if they had the means, but, so the Left argues, poor people are not *really* free to start a business in the same way people with greater wealth or access to sufficient credit may be. The Right responds that the Left simply misuses ‘freedom’ here. The poor lack not the freedom but the *resources* to do things the rich can do. If freedom is lack of liability to interference by other agents as defined in section 1.3, then how could poverty entail unfreedom? No one is interfering with a poor person who lacks the capital needed to start a business, after all. Such a person simply lacks the resources to *make good on* the freedom enjoyed by everyone in a liberal capitalist society.

A belief that the question ‘Am I free?’ is distinct from the question ‘Do certain background conditions obtain which make my freedom valuable?’ is by no means unique to the political Right, either. Isaiah Berlin could maintain something along these lines as a committed social democrat while not compromising in any way his view that the state had a role to play in relief of poverty and providing a wide range of public services:

¹⁸ For a response to the objection that negative freedom is ‘merely formal,’ see Carter (2016), “The Myth of Purely Formal Freedom.”

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.¹⁹

For Berlin, redistributive taxation makes “certain freedoms ... more valuable, at the (justifiable) expense of freedom itself.”²⁰

When the Right sees the Left arguing that non-interference is insufficient for a person to be free, it (not without cause) senses an attempt by the Left to redefine freedom in a way more rhetorically conducive to defending an extensive welfare state or some form of collective ownership. If the Left wants to argue inequality of material resources is unjust, the Right responds, it ought to argue for that conclusion explicitly in terms of some other values rather than “[indulging] in a tendentious use of language” when discussing freedom. The Right’s argument can be formalized as follows.²¹

- 1) Freedom is compromised by liability to interference by other people, but not by lack of means.
- 2) To lack money is to suffer not liability to interference, but lack of means.
- 3) Poverty (lack of money) does not carry with it lack of freedom.

¹⁹ Berlin, Isaiah. *Four Essays on Liberty*. Oxford: Oxford University Press, 1969, p. liii.

²⁰ Cohen (2011), p. 172.

²¹ Cohen (2011), p. 168.

Note that this is a conceptual argument about the nature of poverty. One might readily accept conceptual conclusion (3) then go on to justify the state's role in poverty relief on the grounds that the state ought to bring about some level of equality of income, welfare, etc., which is precisely what Berlin does. But the Right, on Cohen's account, takes this conceptual argument and combines it with an additional normative premise along the lines of (4) to reach normative conclusion (5).

4) A state is just if and only if its activities are restricted to those which are necessary for protecting individual freedom.

5) Relief of poverty is not among the roles of the just state.

If we want to avoid concluding (5), we must reject (1), (2) or (4). The left-liberal strategy has typically been to challenge (1) or (4), according to Cohen. Berlin accepts (1) and (2) while rejecting (4) in defense of a more expansive role for the state.

While Cohen rejects (1) and (4) elsewhere,²² he thinks many on the Left overestimate the significance of doing so. The advantage of rejecting (2), Cohen thinks, is that it “meets the right on their own conceptual ground.” It is clear to Cohen that “poverty demonstrably implies liability to interference”²³ and not merely the lack of background conditions necessary for making full use of one's freedom, as Berlin holds. If (2) is false, then (3) is also false – or at the very least, the burden of proof will have been shifted back onto the proponent of (3) to replace (2) with a new premise from which (3) will follow,

²² For Cohen's argument against (1), see his “Two Addenda to Freedom and Money” in Cohen (2011). That he rejects (4) is at least implicit in virtually any of his published works on egalitarianism.

²³ Cohen (2011), p. 175.

and it is not obvious what such a premise could be. Poverty therefore entails unfreedom even on the negative conception if (2) is false. The Standard View (see section 1.4) in which the Left is portrayed as having to support “restricting economic freedom in the name of other values, like social justice or solidarity”²⁴ is thus misleading.

2.2 How money structures freedom

In liberal capitalist economies, most goods are privately produced or provided, and many of those which are publicly produced may still cost money at the point of service. Typically, these goods 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 Rich and poor alike are prevented from going into a store, picking up goods and walking out with them without paying. Anyone who tries to do this will suffer interference at the hands of the state, which enforces the property rights of private owners. As Cohen puts it, “A property distribution just is ... a distribution of rights of interference”²⁶ – i.e. a distribution of rights to make others unfree with respect to certain actions involving one’s property. A system of property rights is a system of both freedom and unfreedom – there is no simply ‘free’ society. The freedom of owners to use their property as they see fit entails the unfreedom of non-owners to use that property without the owners’ consent.

²⁴ Alex Gourevitch (2014), “Liberty and its Economies,” p. 2.

²⁵ Cohen (2011), p. 176.

²⁶ This point and some of its implications are developed in “Capitalism, Freedom, and the Proletariat,” the final version of which appears, substantially revised and edited from the original 1979 version, in Cohen (2011).

That a private property regime — and for that matter, any kind of property regime — is a system of both freedom (of owners) and unfreedom (of non-owners)²⁷ is not a novel point in itself. Strictly speaking, even owners with full liberal private property rights are not entirely free with respect to their property, since they lack freedom to use their property in any way that violates the rights of others. In modern liberal democracies, however, the people we call ‘owners’ typically lack full liberal rights to their property. For example, they may retain the right of use, the right to the capital and the right to exclude others, but the right to income generated by the property may be held by someone else. Thus, even those we call ‘owners’ are often unfree to perform many actions with their property.²⁸ The important takeaway for present purposes, however, is that the person with less money is to that extent less free than the person with more money. *Ceteris paribus*, the person with more money has a wider range of possible actions open to her than the person with less money because the former can in many cases lift the interference of others in the use of their property with money.

Nor is poverty (lack of money) primarily a matter of *inability*. It is certainly true that material deprivation tends to prevent people from developing their capacities and can be a contributing factor to physical and mental disabilities, but if poverty is primarily defined by one’s lacking money as we have done so here, then its essence is lack of freedom rather than inability. Cohen illustrates this contrast between inability and

²⁷ Even anarcho-communistic forms of ownership in which property is held jointly among many people may entail that individual joint owners are, for example, unfree to destroy the property without the consent of the other owners.

²⁸ For the classic summary of the different rights full liberal ownership entails, see Honoré, A.M. “Ownership” in *Oxford Essays in Jurisprudence*, A. G. Guest (ed.). Oxford: Clarendon Press, 1961, pp. 107-47.

unfreedom with the example of an able-bodied woman who wants to take the train to visit her sister but does not have enough money to purchase a ticket. She shows up at the train station, and when she attempts to board, she is prevented from doing so by the conductor. Is she then *unable* to take the train to visit her sister? It seems that she is no less able than the wealthier passengers to walk the distance from the platform onto the train and then sit in her seat for the duration of the trip. What stops her is the physical interference with her attempting to get on the train. Pointing out that the woman ‘has no right’ to get on the train is not an objection to her suffering unfreedom. It may be that this is an unfreedom that should not concern us, but that conclusion will have to be argued for in terms of a value other than freedom.

Money is valuable, Cohen argues, because it is *freedom-granting* – its primary function is to remove interference. This is not to say that money is either always sufficient or always necessary for lifting interference with one’s accessing various goods. If I like my neighbor’s car and decide to turn up at his house to present him with a check in the amount of the car’s market value, I don’t thereby acquire the right to the car since no is under an obligation to sell me anything they own solely in virtue of my giving them money. Offering money is typically only sufficient for gaining the freedom to use others’ property when those things are on sale.²⁹ Or consider another case in which I don’t have enough money to buy or rent housing, but you nevertheless decide to allow me to live in your house free of charge, perhaps because you feel it is your moral duty to aid the poor.

²⁹ In some cases when something is not for sale, I may nevertheless gain access to it by offering you a sum of money much greater than what you think it is worth, leading you to change your mind about selling it to me.

In this case, the owner's goodwill was sufficient for gaining access. Maybe, had I been richer and offered you a good price for your house, this also would have been sufficient to gain access, but clearly it is not the only sufficient way. Money is not the only means we use to remove interference, since property owners are within their rights to remove interference for (almost) any reason they choose. When Cohen argues that money is freedom-granting, he means, 'There are many cases in which money removes interference,' not 'Money removes interference in all cases.' Similarly, that a saw might be unable to cut a particular piece of wood – or that there might be other tools for cutting wood other than a saw – does not in any way undermine the claim that a saw is 'wood-cutting' in a way analogous to money's being 'freedom-granting.'

Money structures freedom in societies where most goods are bought and sold in markets and serves to "extinguish interference,"³⁰ even though it is not sufficient for extinguishing interference in all cases. Money thus acts as a kind of *entry ticket* for accessing goods. Expanding on this analogy, Cohen imagines a moneyless society in which the state owns everything.³¹ Everyone is given a set of tickets, each of which "lays out a disjunction of conjunctions of courses of action that I may perform."³² In other words, a ticket may grant me the freedom to either (A) take a train and go to a basketball game and get a cat *OR* (B) get a cup of coffee and enroll in college and go to a dentist

³⁰ Cohen (2011), p. 178.

³¹ Cohen (2011), p. 181.

³² Cohen (2011), p. 182.

appointment. “[A] sum of money is, *in effect*, a highly generalized form of such a ticket.”³³

We can stipulate certain features of the state-issued tickets such as their being tradeable to make the analogy more exact, but even then there remain certain dis-analogous features to note. Unlike the state-issued tickets, which are always both necessary and sufficient for having the freedom to do something, money is not always necessary or sufficient for gaining access to goods in a money society. We can then stipulate that the “state asset administrators” who distribute the tickets have a certain latitude as a perk of their positions to give some tickets away for free to improve the analogy, but it remains that private asset holders enjoy “full discretion over their holdings” while the state asset administrators clearly have something less than that.³⁴ It is the role of the state in a money society is to enforce the will of asset holders, differing from its function in the moneyless society example where it is more directly laying down the sets of freedoms people have. Yet even if there is more latitude for private asset holders in a money society to give away for free what they own than the state asset administrators have in the ticket example, it is still far from the central case of how freedoms are distributed. Charitable giving in the U.S., for example, has stayed fairly stable at around 2% of GDP over the last few years.³⁵ While that 2% is by no means a small sum of money in absolute terms, charity is not – and arguably cannot be – the way

³³ Cohen (2011), p. 182.

³⁴ Cohen (2011), p. 183.

³⁵ Soskis, Benjamin. “Giving Numbers: Reflections on Why, What, and How We are Counting.” URL=<https://nonprofitquarterly.org/giving-numbers-reflections-counting/>

most people gain access to the resources they need in a liberal capitalist society. Money is the *primary* method of distributing freedom in a capitalist society, even though it is not the only one.

It is clear enough that the tickets structure freedom in the example. Cohen just wants us to take the next step and acknowledge the same is true of money in our own. The minor dis-analogous features of the example should not distract us from the considerable similarities. That the state ownership of all resources would be unjust or undesirable is no objection to the basic point Cohen makes that the freedom-granting function of money is analogous to that of the state-issued tickets. Accepting the analogy does not commit us in any way to a particular view about the justice of particular property rights regimes. It merely opens up the conceptual terrain a bit for us to think about the different possible methods we can use for structuring freedom.

2.3 Increasing the freedom of the poor

If we accept that poverty involves lack of freedom, a good which we determined in section 1.5 was valuable as such, we will want to know what can be done to alleviate this unfreedom. We can imagine a number of different redistributive schemes ranging from universal basic income to public provision of education and healthcare to old age pension schemes, all of which may reduce poverty and thereby increase the freedom of these individuals. But is there anything special from the perspective of freedom about these redistributive measures, or could we alleviate the unfreedom of the poor in other ways not involving state redistribution of property rights? Imagine, for example, a society where all property is privately owned but in which people are significantly more altruistic than is currently the norm in modern liberal capitalist societies. Some people still own

large amounts of property while others own little, but people in this society give much more readily when they see someone in need. Whenever a homeowner sees a person out on the street without a place to sleep, she invites the person into her home to stay for as long as she has need. Stipulate that the people in this society take a similar attitude toward the provision of all other goods whose deprivation we associate with life in poverty.

Is such an ideational shift toward greater willingness to let others use our property sufficient for alleviating the unfreedom involved in poverty with which we are concerned? Recall that, on the conception of negative freedom articulated in section 1.3 – the important elements of which I believe Cohen shares at least in this essay – we are concerned not just with interference but *liability to* interference. If we were only worried about actual instances of interference, most societies where respect for law and the authority of the state is high would probably score quite well. The state would rarely have to step in to interfere with people’s unauthorized use of others’ property, and as a result it might seem all these societies would have very low amounts of unfreedom. But people like the woman from Cohen’s earlier example who lacks the money needed to take the train to visit her sister very rarely suffer physical interference with their actions because the *threat* of interference is typically enough to convince them not to attempt to access other people’s property when they don’t have enough money. It would be wrong to say that poverty only involves unfreedom insofar as poor people actually suffer interference with their actions. Accepting the premise that it is only instances of physical interference that matter generates the absurd implication that the prisoner who never tries to escape is somehow freer than the prisoner who suffers interference when he unsuccessfully tries to

escape. Moreover, it would also seem to imply that threats cannot make someone unfree. Suppose you make a credible threat to break my leg should I continue walking past your house on my way to work, and I therefore decide to take a more circuitous (but significantly less dangerous) route to avoid you.³⁶ If only actual instances of interference are sufficient to make me unfree, then I remain free to take the route that passes your house so long as I never actually take the route but become unfree to take it just in case I actually do take the route.

How then should we think about freedom in the highly generous society of private owners? It seems there will likely be fewer actual instances of interference since basic needs are always met by generous property owners, but these owners nevertheless retain legal authority to exclude anyone from using their property. Consider the positions of the rich and poor with respect to housing in a highly ungenerous vs. highly generous society where all property is privately owned. In both societies, rich and poor alike may suffer interference should they attempt to sleep in someone else's house without permission. But while the rich person's money is not sufficient for removing interference in her sleeping just anywhere, it does provide her with a whole range of possible housing accommodations she can hypothetically access. Depending on how much money she has, the rich person may not be able to access housing options A and B and C and D. She will, however, be able to access, say, A and B, or C and D, or A and C. She is therefore free to access *any* of the housing options within her price range but not *all* of them simultaneously. In the ungenerous society where all property is privately owned, "the

³⁶ For simplicity, given that I have defined negative freedom as requiring non-preventedness in section 1.3, assume breaking my leg would completely *prevent* me from getting to work.

homeless person might discover ... that there was literally *nowhere* [she] was allowed to be”³⁷ since she lacks money to access housing and no one will take her in. In the generous society, this homeless person would always find someone willing to take her in, but for as long as she is on others’ private property, she “is utterly and at all times at the mercy of” the owner.³⁸ The owner of the property may at any time decide to exercise his right of interference and remove the homeless person if she attempts to stay any longer than she has been given permission to stay. Her freedom therefore seems to be unstable at best, even in a highly generous society. Given the discussion in section 1.3 about how the negative conception of freedom accounts for the republican objection by incorporating an element of *probability* of facing interference, we can say that such a person is still less free than if she were to have enough money to buy or rent her own housing, where, assuming the state is committed and able to enforce the housing contract, the probability of her facing interference in her being there will be virtually zero.

But suppose we stipulate that in this highly generous society, the social norm dictating private owners always aid the homeless is so firmly ingrained and stable that homeless people can virtually always rely on someone’s offer of housing not being revoked once it has been offered. Assuming it is possible for such a social norm to be so firmly established that it answers our stability objection, what, if anything, is lost from the perspective of freedom in this society? At the extreme levels of altruism stipulated here, the rich altruists have in a sense become the state asset administrators distributing tickets in Cohen’s example. In effect, the goodwill of the propertied has become one of

³⁷ Waldron (1991), p. 300.

³⁸ Waldron (1991), p. 299.

the currencies of the society. That may be objectionable on the grounds that it creates a clear hierarchy of status in which the wealthy bestow their largesse on everyone else, but it isn't obvious that the worst-off are considerably worse-off than in the highly altruistic society purely from the perspective of negative freedom than they would be if the state were to redistribute some modest amount of money to them so that they could buy their own housing. Admitting this theoretically existing society might be as good or better for the freedom of the worst-off, however, is not likely to be a fatal blow to freedom-based arguments for more egalitarian distributions of property, whose proponents can settle instead for the conclusion that, given levels of altruism within the observed range, certain poverty-reduction programs instituted by the state are likely the best, most reliable way to promote the freedom of the worst-off.

This example should, moreover, impress upon us the fact that there are no easy conclusions to be reached purely at the conceptual level about how we can alleviate the unfreedom of the poor without any further empirical evidence. The conceptual arguments about how individual freedom is affected by different sorts of redistributive measures all rely on certain assumptions about how human beings are likely to behave in certain circumstances – how much they will be willing to cooperate and the like. We can reach interesting and potentially quite useful conclusions at the conceptual level if our assumptions are plausible, but we should also be realistic about what they mean and the empirical work still to be done to confirm them.

2.4 Conclusion

This chapter has examined a simple argument made by G.A. Cohen to the effect that poverty involves not just lack of means but also unfreedom in the form of the

liability to interference suffered by the poor. Every society has certain rules governing who has the freedom to act in certain ways, and in liberal capitalist societies it is in large part money which distributes these freedoms, though money is of course neither always necessary nor always sufficient for removing interference in our gaining access to certain goods and services. Cohen illustrates his point about money's freedom-distributing function with a useful analogy to a society where the freedom to perform certain sets of acts are allocated in the form of state-issued tickets. While likely not an appealing alternative, the state ticket society does help to open up some conceptual space for us to think of different ways that we could distribute freedoms. I then asked whether we have reason to think Cohen's preferred method of redistributing property and expanding collective ownership would be distinctively better at improving the freedom of the worst-off and concluded that there was nothing about a society where all property is privately owned which necessarily means the poor must suffer significant deprivation of freedom under such a system, since we can imagine a highly altruistic system in which the well-off voluntarily remove interference with the poor accessing their property. However, I judged this possibility to be sufficiently unlikely that we might settle for the conclusion that some method of redistribution of property rights is likely to be the best, most stable way of alleviating the unfreedom entailed by poverty. As of now, though, I have yet to build any sort of normative case for measures that ought to be taken toward redistributing property in the name of increasing the freedom of the worst-off. Chapter 3 first takes up the question of what kind of distributive principle we should favor given the discussion in section 1.5 of what kind of value negative freedom has. It then turns to the practical upshot – what does our choice of distributive principle, combined with the conceptual

conclusion of this chapter that poverty entails lack of freedom, mean for what sort of distributions of property and poverty-reduction methods we should pursue?

3

Analysis of Cohen's argument has hopefully given us at least a *prima facie* reason to think that certain poverty-reduction measures might be effective in promoting negative freedom. But it remains to specify what exactly we mean by 'promoting negative freedom' and how this is to be done. Allowing the woman from Cohen's example who lacked the money to buy a train ticket to get on the train without paying clearly seems to increase *her* overall freedom, but if the seat she takes displaces someone who otherwise would have paid for a seat, would it also be a net increase in societal freedom? To answer this question and others, we need a distributive principle governing how freedom is to be allocated among individuals in a society. The principle we choose will in large part turn on what sort of good we think freedom is – what kind of value does it have, whether the societal amount of negative freedom can be increased or not and so on.

Once we have settled on a distributive principle or principles, we will be in a better position to make more concrete judgments about what sorts of measures might be useful for promoting negative freedom. Combined with the arguments of Chapter 2 that poverty involves lack of freedom, this will likely lead us to focus especially on measures to ensure the freedom of the worst-off is considerably improved. To that end, I examine two classes of poverty-reduction measures to see whether they promote negative freedom according to the distributive principle(s) we have decided on. I offer examples of each type, which I believe do show that poverty-reduction measures can indeed promote negative freedom.

3.1 *Choosing a distributive principle for freedom*

If freedom is a non-specifically valuable good that each person has an interest in having a certain amount of, we need to determine which principle(s) should govern how it is to be distributed. In general, different distributive principles may be suitable depending on what sort of good freedom is and what value we have attributed to it. To take an extreme example, suppose freedom is “unconditionally valuable,” in which case both of the following will be true: (a) adding additional units of freedom is always better, and (b) an increase in freedom (however small) is always preferable to an increase in any other good(s) (however large).³⁹ In this case, it seems obvious that we will want to opt for a principle like maximal societal freedom. However, rejecting the unconditional value of freedom does not mean we cannot favor a maximizing principle for freedom.

We can distinguish, first, between purely aggregative maximization principles and distributive principles incorporating a maximizing element. If we choose a purely aggregative maximization principle, it will be because we are primarily concerned with how much total freedom there is in the society, without reference to the freedom of specific individuals except insofar as their freedom contributes to the societal total. What reason could we have for holding such a view? One possible answer might be that we see freedom as having a kind of non-specific instrumental value for attaining some broader societal goal.⁴⁰ For example, we might think that, *ceteris paribus*, higher levels of societal freedom tend to promote social and economic progress. Many will likely be

³⁹ Carter (1999), p. 78.

⁴⁰ Carter (1999), p. 78. See also pp. 46-50 for discussion of how Hayek and Mill can be seen as arguing that freedom is non-specifically instrumentally valuable for attaining certain social goals.

uncomfortable with the maximal societal freedom principle, thinking it fails to adequately acknowledge the separateness of persons and their individual interest in having a certain amount of freedom for pursuing their own ends. While the maximal societal freedom principle may in practice work more like the maximal equal freedom principle, it does not have to. In theory, the maximal societal freedom view may not always be opposed to depriving certain individuals of freedom if it means a boost for societal freedom in the aggregate.

Instead, we might retain the belief in the non-specific instrumental value of freedom while seeing this value as contributing primarily to individual well-being rather than a broader social goal.⁴¹ This avoids some of the problems facing the societal maximization view while still allowing us to include a maximizing element in our distributive principle. Examples of such principles include maximal equal freedom and maximin freedom. Each of these principles acknowledges that fulfilling individuals' interest in freedom is in practice an "insatiable principle," meaning it will always be better for a person to have more freedom than less.⁴² But they are distinct from purely aggregative maximization views in that these individualist views favor maximization of freedom only when certain conditions have been met rather than in the non-*ceteris paribus* sense in which the unconditional value view supports maximization of freedom.

The principle of maximal equal freedom holds, straightforwardly, that we should seek to increase the freedom of all the individuals in the society to the highest possible

⁴¹ See Carter (1999), pp. 50-54 for discussion of the view that freedom is non-specifically instrumentally valuable as a means of improving individual well-being.

⁴² Carter (1999), p. 83.

level consistent with everyone's having an equal amount of freedom. It does not allow for significant inequality even in cases where that is what is required for increasing the freedom of the worst off (and everyone else). The maximin freedom principle directs us to maximize the freedom of the least free people in the society. The society best fulfilling this principle will have its least free people closest to the highest possible level of freedom they can attain. In contrast to the maximal equal freedom principle, maximin may direct us to allow a certain amount of inequality in the amount of overall freedom enjoyed by individuals if this is what is required to make the least-free in the society as free as they can be. In practice, the institutions called for by the maximin principle could conceivably take the form of those called for by maximal equal freedom if that is what it takes to maximize the freedom of the least free, but this will ultimately be an empirical question.

Before proceeding to the practical upshot of choosing one of these principles, we first need to confront a potential conceptual problem all freedom-maximizing principles face. Both the maximal equal freedom principle and the maximin principle appear to assume that the overall amount of negative freedom in a society may increase or decrease, depending on institutional arrangements. If we did not hold this view about the possibility of maximizing, there would be no reason to prefer either of these principles to a principle of equal freedom. A fundamental challenge to this maximizing view comes in the form of Hillel Steiner's 'zero-sum thesis,' which he summarizes as follows:

Negative liberty is such that it makes no sense to speak of it as being aggregately increased or diminished — much less maximized or minimized — but only as being dispersed or concentrated to some particular extent. A universal quest for greater personal liberty is a zero-sum game. Undue neglect of this fact has

resulted in many players having their attention distracted from normative questions about the distribution of liberty.⁴³

Steiner holds maximizing freedom is incoherent at the societal level and unjust at the individual level, since no single person could have the right to hoard a limited supply of freedom for herself when she was necessarily contributing to the deprivation of others' freedom. In part based on this conceptual premise, Steiner arrives at a principle of equal freedom,⁴⁴ which in turn becomes part of his theory of justice requiring an equal division of natural resources among persons.⁴⁵

Cohen has challenged the zero-sum view with the following example.⁴⁶ Imagine two people, *A* and *B*, each of whom own a set of tools, some of which the other does not have. If both sets of tools are privately owned, neither *A* nor *B* is free to walk into the other's garage and take the tools they need, even if their owner is not using them at the time. Now suppose the following rule is instituted: "each may take and use a tool belonging to the other without permission provided that the other is not using it and that he returns it when he no longer needs it, or when the other needs it, whichever comes first."⁴⁷ Assuming *A* and *B* do not dramatically change their rate of tool-usage upon the rule being instituted, it seems total tool-using freedom is increased by this measure – i.e. the overall freedom of each person is increased. Set aside for now any empirical concerns

⁴³ Steiner (1994), p. 54

⁴⁴ Steiner, "Slavery, Socialism, and Private Property." *Nomos*, Vol. 22, "Property", 1980, p. 246.

⁴⁵ Cf. van der Vossen, Bas, "Libertarianism", *The Stanford Encyclopedia of Philosophy*, 2019, sec. 4 for a brief summary of Steiner's views on justice.

⁴⁶ Cohen (2011), "Capitalism, Freedom and the Proletariat," p. 155-6.

⁴⁷ Cohen (2011), p. 155.

about whether the tools will be cared for adequately when they are taken out of full private ownership that might lead us to think the overall freedom of each will actually be reduced in the long-run given their lack of attentiveness to tool maintenance and so on, since we are concerned only with refuting the *conceptual* thesis that the amount of societal freedom is fixed. The imposition of the new rule does not mean that either *A* or *B* will always have immediate access to each of the tools he previously owned – he may have to walk over to his neighbor’s house to retrieve the tool he needs. Nor will either *A* or *B* have as much freedom under this new arrangement as one of them would have were he to become the sole private owner of both *A* and *B*’s tools. The argument, rather, is that it seems plausible that some form of joint ownership would likely increase the overall freedom of both *A* and *B* relative to the baseline of each’s private ownership of half the tools, thus increasing the freedom of this two-person ‘society.’ It might be objected here that, even upon institution of joint ownership, the number of acts *A* and *B* will be able to perform has not increased, since each will only be able to use one tool at a time. This, however, is to confuse the number of actions a possible world contains with the number of freedoms it contains.⁴⁸ Both *A* and *B*’s overall freedom with respect to tool-use has increased, even though the total number of tool-using actions each can perform has not. While not a definitive refutation of Steiner’s view, Cohen’s counterexample should be sufficient to maintain our continued interest in distributive principles with maximizing elements for now.

⁴⁸ Carter (1999), p. 262.

If, though, we think that the principle of fulfilling people's interest in freedom is in practice a satiable one – i.e. it will not always be better to add to an individual's overall freedom (which is not to say it will necessarily be worse to add to her overall freedom since we might just be indifferent about increases in freedom beyond a certain level) – we may favor a principle specifying a certain level of overall freedom below which no individual should be allowed to fall. Such a principle does not incorporate any kind of maximizing element. It is also potentially viable whether or not we buy Steiner's zero-sum thesis if we set the guaranteed minimum for each person at some level below equal freedom for all. We obviously could not set a guaranteed minimum above that equal level since there would not be enough freedom to go around. If we reject Steiner's view, however, then as Carter notes, "nothing in the principle itself implies the guaranteed minimum should be particularly low."⁴⁹ Indeed, if the guaranteed minimum is set fairly high, the institutional arrangements it calls for may look similar to those called for by a principle like maximal equal freedom or maximin. I note the availability of this option, but as I have said, we will find this principle insufficient if we accept that freedom has non-specific instrumental value for the purpose of improving individual well-being, since holding such a view seems to mean we will think that the principle of fulfilling our interest in freedom is insatiable in practice.

3.2 Implications for the distribution of property

It is important to note from the outset that there are no simple conclusions to be reached here about the relationship between freedom and property distributions. Whether

⁴⁹ Carter (1999), p. 84.

private ownership or some form of public or communal ownership turns out to be better for freedom ultimately depends on empirical factors about how human beings act under different institutional arrangements. With some plausible assumptions, however, we can gain some ground at the conceptual level before we proceed to collecting whatever data may be necessary for drawing more firm conclusions. Given our reasons for seeing freedom as valuable as such, we will prefer a distributive principle with a maximizing element, like maximal equal or maximin freedom. Rather than argue at length for one of these, this section instead focuses on the implications of Cohen's conceptual argument about poverty in Chapter 2 for the effectiveness of different poverty-reduction strategies when combined with either distributive principle. In other words, it seeks to make some headway toward answering the question of what sort of poverty-reduction measures are likely to promote the ideal of negative freedom according to our chosen distributive principle.

If money is the primary method of distributing freedoms in a liberal capitalist society and poverty is defined as a lack of (freedom-granting) money, it seems one of our primary areas of focus in realizing the principles of maximal equal freedom or maximin freedom will be to find a way to expand the freedom of the worst-off. These methods may be classified in two broad categories:⁵⁰

Type 1: Those providing the poor with direct cash payments so they can access more goods

⁵⁰ This categorization of different types of poverty-reduction methods is obviously not comprehensive, and we could imagine certain measures which would not easily fit into either category. I do, however, think the two categories as I have defined them account for quite a lot of poverty-reduction measures, and the distinction between them is a meaningful one.

and services through the market.

Type 2: Those effectively taking a class of good or service out of the market, thus removing

interference with their use by the poor.

An example of a Type 1 program might be the sort of negative income tax notably championed by Milton Friedman,⁵¹ whereby those falling below a certain income cutoff pay no taxes and receive a subsidy in the amount of the difference between their earned income and the cutoff level. This supplemental income in turn allows people to go out and purchase the goods and services they need in the market. Type 2 programs include provision of free public education, free or subsidized public transit, and subsidized public housing. Nothing about Type 1 or 2 programs precludes our using both to expand the freedom of the worst-off, though historically the negative income tax has often been favored as an *alternative* to the sort of programs falling under Type 2.⁵² Nor must Type 1 programs necessarily be less redistributive or less effective in expanding the freedom of the worst-off just because they seek to operate within a broadly market capitalist framework while Type 2 programs can be seen as moving toward social democracy or even non-market socialism depending on the extent of economic activity which is removed from the market sphere by these measures. In theory, we could even imagine a sufficiently high income cutoff for a negative income tax yielding results broadly consistent with the maximal equal freedom principle.

⁵¹ Cf. Friedman (1962), *Capitalism and Freedom*. Chicago: University of Chicago Press.

⁵² Friedman advocated the negative income tax as a method of poverty alleviation in large part because it could cut out the bureaucratic waste of large welfare programs and reduce the size of the state.

Let me now consider a few examples of each type to illustrate how each could potentially promote negative freedom. A Type 2 program like nationalizing the rail system and offering free or subsidized ticket prices (an example that ties in nicely with my discussion of one of Cohen's examples in Section 2.2) may be motivated by a desire to expand access to transportation to the worse-off. Assuming the number of seats on the trains is fixed before and after nationalization, this effectively amounts to a redistribution of freedom to ride the train – previously held exclusively by those who had money for a ticket, but now distributed more evenly throughout the society. Such a measure would not necessarily increase the aggregate freedom of the society if we are merely replacing the old passengers with new ones in the same number of seats, but it certainly does seem to move closer to the ideal of maximal equal freedom, and provided the losses in efficiency are not so great that they reduce the number of rides the worst-off could take when the trains were privately run, it would also seem to move us closer to the ideal of maximin freedom as well.⁵³

To take a different example of a Type 2 program that is not a natural monopoly like railways, consider the effect on freedom of government provision of free or subsidized public housing. In this case, people with the least money will still have the option to shop for housing on the private market, but they may find the only option they are able to afford is the public one. In some cases, the subsidizing of public housing units may be the only reason some have the freedom to live anywhere at all. This example

⁵³ That is obviously not a small assumption to make, but it might seem less unreasonable if it is the case that when the trains are privately run, the worst-off lacked the money required to be free to take the train even once, so that redistribution of rides will afford them the freedom of taking *at least* one ride.

differs from the previous one in that the provision of public housing appears to *create* new freedoms rather than simply transferring existing freedoms from the better-off to the worst-off. Of course, this public housing will have to be financed, likely through taxation of higher income levels, thus reducing those people's freedom. While it would be difficult to say definitively on a value-neutral conception of overall freedom that provision of public housing increases societal freedom in the aggregate, it does seem to move us in the direction of the ideals of maximal equal and maximin freedom, particularly if we consider that the worst of the worst-off lack the money to purchase housing on the private market and would likely face homelessness.

However, it could be objected that a Type 1 policy providing the worst-off with money to spend on housing in the private market would both considerably improve the condition of the worst-off while maintaining private incentives to provide low-cost housing. Such a program also seems to have higher upside for expanding the freedom of the worst-off, since cash payments allow consumers to potentially purchase housing in a wider range of locations than is typically offered by public housing. In housing as in many other domains, though, it will ultimately be an empirical question as to whether a Type 1 or Type 2 solution is most appropriate from the standpoint of freedom.

Another Type 1 policy might be grants to students to pursue post-secondary education. This could be seen as an alternative to a public university system if the existing system were entirely made up of private universities, or alternatively, in a mixed public and private university system like that existing in the United States, the grants might apply only to the public universities or even to private ones as well. In addition to expanding the freedom of students in where they can go to school (since the barrier of

cost has been removed), such grants would also expand the range of job opportunities for which they are eligible to apply. Whether opening job opportunities that were previously unavailable due to a lack of credentials should be seen as a matter of increasing negative freedom, it is certainly clear that many of these jobs would entail higher salaries (and therefore higher overall freedom) in the long-term.

The basic point I have tried to make in this section is that there is a clear conceptual case that poverty-reduction measures can promote negative freedom by moving us closer to the ideal set out in our distributive principles for freedom. Each of these measures, however, involves certain tradeoffs – typically, the (freedom-granting) money of some is taxed and redistributed to those with less money. Whether these sorts of redistributive measures ultimately increase societal freedom in the aggregate is a more complicated question, but Cohen’s counterexample to Steiner discussed above ought to make us think it is at least conceptually possible. It may be that redistribution will lead to more people acting on freedoms (since the best-off likely act on a lower proportion of their great number of freedoms than the worst-off due to time constraints if nothing else), but this is not the same thing as there being more societal freedom in the aggregate.

As to the basic question raised by this chapter of whether poverty-reduction measures promote the ideals of negative freedom on a suitable distributive principle, however, the answer suggested by the examples in this section seems to be that they can in many cases. At the very least, we have found no reason to think poverty-reduction measures *cannot* increase negative freedom. No poverty-reduction measure increases freedom by definition, since the effectiveness of any policy is dependent on how individuals will react to it. As Cohen argues when discussing the relative merits of

capitalism and socialism as social systems in promoting freedom, how institutional change affects freedom is in no small part a self-fulfilling prophecy.⁵⁴ For example, we may be able to show conceptually that nationalizing a particular industry would bring us closer to realizing, say, the principle of maximin freedom, given the assumption that individuals' will react in line with their rational self-interest. However, historical experience shows us that such measures have often triggered capital flight in amounts clearly disproportionate to the significance of the institutional change. A strong ideological commitment to market capitalism on the part of investors, for example, may lead them to take greater losses than necessary by moving capital offshore, thus decreasing the income of the country and its people (and quite possibly most people's freedom, since their purchasing power with respect to foreign goods will likely decline as a result). All this to say that no amount of conceptual argument can ever be sufficient for showing a policy will absolutely promote negative freedom without some amount of empirical work on how people are likely to react. This is obviously not to suggest, though, that such conceptual work is not worthwhile, since it provides us with a vision of how much freer we might be *if people believed differently*. The task then becomes convincing others of the viability of that vision so that the policies can have the effects we have shown they can have against a background of more favorable attitudes about their efficacy.

3.3 Conclusion

If Cohen's argument analyzed in Chapter 2 gave us *prima facie* reason to think certain poverty-reduction measures might promote negative freedom, this chapter has

⁵⁴ Cohen (2011), "Capitalism, Freedom and the Proletariat," p. 165.

attempted to show in greater detail how this is the case. I laid out a number of distributive principles and explained how our reasons for valuing freedom play an important role in our choice of distributive principle for freedom. Given the reasons offered in Chapter 1 for seeing freedom as having value as such, we will want to choose a principle with a maximizing element. As I argued, however, purely aggregative maximization principles face certain problems, so we will be better off opting for a distributive principle with a maximizing element so as to adequately acknowledge each individual's equal interest in having a certain amount of freedom. Of these principles, maximum equal freedom and maximin freedom seem plausible candidates. I then discussed a challenge raised by Steiner to the effect that negative freedom is not the sort of good which can be increase, let alone maximized, and I presented Cohen's tool-sharing example as a limited but suggestive counterexample to this view. The next section turned to the practical upshot of this discussion for poverty-reduction policies. I identified two different sorts of poverty-reduction strategies we might pursue (individually or in tandem) and gave examples which seem to suggest the potential for such measures to promote negative freedom on the maximal equal freedom or maximin freedom principle. While further empirical evidence is necessary for us to draw any firm conclusions about the effectiveness of potential policies, I concluded that we have good reason to pursue certain poverty-reduction measures as a means of promoting negative freedom.

4. Conclusion

My primary aim in this thesis has been to build the case that poverty is a constraint on negative freedom and that certain poverty-reduction measures may increase the freedom of the worst-off. In Chapter 2, I attempted to show how money functions to distribute freedoms and how the limit of money's power to fulfil this function is contingent on the extent to which goods and services are distributed through buying and selling. In a society where most goods are distributed in exchange for money, lack of money (poverty) can significantly constrict one's overall freedom relative to those with more money. Money is therefore freedom-granting, even though it is not always necessary nor always sufficient to remove interference with one's access to goods and services. Lack of money may become less of a constraint on freedom as money's centrality in distributing freedoms wanes, say because individuals become much more altruistic and more goods are distributed voluntarily by the well-off to the worse-off on the basis of need. I conceded that, conceptually, there is nothing about such a hyper-altruistic society that is particularly objectionable from the standpoint of negative freedom so long as the altruistic social norm was highly stable, settling for the conclusion that the firm instantiation of such a social norm was sufficiently implausible that we can settle for the conclusion that redistribution of money to the poor may be the most practical solution for alleviating the unfreedom they suffer.

I built on this *prima facie* support for the efficacy poverty-reduction programs in promoting freedom in Chapter 3. The conceptual conclusion of Chapter 2 had to be supplemented with a normative principle for how freedom should be distributed for it to have any influence over which poverty-reduction measures we ought to pursue. I

explained that, given the non-specific instrumental value I attributed to negative freedom in Chapter 1, we have reason to choose a distributive principle with a maximizing element, and I argued the maximal societal freedom principle will be problematic if we think freedom is non-specifically instrumentally valuable for the purposes of increasing individual well-being as opposed to pursuing a broader social goal. The principles of maximal equal freedom and maximin freedom each seem to be more in line with these reasons, though further argument is necessary for determining precisely which one is best. I addressed Steiner's argument that negative freedom is fixed in supply at the societal level such that maximizing principles for freedom are incoherent, and I explained how Cohen's example of joint ownership of tools between neighbors seems to offer at least suggestive evidence against this 'zero-sum' thesis, though again, further argument is necessary to demonstrate this conclusively at the societal level. Finally, I examined two different sorts of poverty-reduction measures, one aimed at giving money directly to the poor so they can spend it in the market, and the other aimed at rolling back the extent of the market so that lack of money becomes less freedom-restricting. Whether we ought to pursue programs of either or both types will ultimately depend both on their relative effectiveness in promoting freedom and whether the state action necessary to carry them out is acceptable to us. The basic point, however, is that one need not support the kind of sweeping redistribution of property that would be necessary to realize a full-blown egalitarian distribution of property to see that redistribution of property to the poor can in many cases increase the overall freedom of the recipients and often societal aggregate level of freedom while bringing us closer to fulfilling a principle for the distribution of freedom like maximin or maximum equal freedom.

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