Classical Theories of Liberty

Lecture 1: Hobbes

§1. What is a theory of liberty?

In what sense is liberty something that ought to be promoted or respected…?

Notice that this question is neutral on whether the value of liberty is telic or deontic, as well as on who or what is supposed to be doing the promoting or respecting.

§2. Corporeal liberty

T1 ‘Liberty, or Freedome, signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion;) and may be applied no lesse to Irrational, and Inanimate creatures.’

(Leviathan, Chapter 21, T145)

I have the corporeal liberty to φ if and only if nothing external to me is physically preventing me from φ-ing.

T2 ‘…when the impediment of motion, is the constitution of the thing it selfe, we use not to say, it wants the Liberty; but the Power to move; as when a stone lyeth still, or a man is fastned to his bed by sicknesse.’

(Leviathan, Chapter 21, T146)

I have the power to φ if and only if nothing internal to me is physically preventing me from φ-ing.

<table>
<thead>
<tr>
<th>Power</th>
<th>Lack of Power</th>
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<tbody>
<tr>
<td>Healthy non-prisoner</td>
<td>Sick non-prisoner</td>
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<tr>
<td>Healthy prisoner</td>
<td>Sick prisoner</td>
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T3 ‘…a man sometimes pays his debt, only for feare of Imprisonment, which because no body hindred him from detaining, was the action of a man at liberty. And generally all actions which men do in Common-wealths, for feare of the law, are actions, which the doers had liberty to omit.’

(Leviathan, Chapter 21, T146)
P1 I lack the liberty to φ only if something external to me is physically stopping me from φ-ing.

P2 Nothing external to me is physically stopping me from driving on the wrong side of the road.

C I have the liberty to drive on the wrong side of the road.

T4 ‘...‘impediment’ or ‘hindrance’ signifies an opposition to endeavour... it is no impediment to him that the door [of the tennis-court] is shut till he have a will to play, which he has not till he has done deliberating whether he shall play or not.’

(Thomas Hobbes, Questions Concerning Liberty etc., p.80-81).

P1 I lack the liberty to φ only if something external to me is physically stopping me from φ-ing.

P2 Something external to me is physically stopping me from φ-ing only if I am trying to φ.

C I lack the liberty to φ only if I am trying to φ.

Obvious objections...

Suppose a slave has a master who just happens not to prevent him doing exactly as he pleases...

P1 In the sense in which liberty ought to be respected or promoted, the slave has much less liberty than his master.

P2 The slave has no less corporeal liberty than his master.

C Corporeal liberty is not liberty in the sense in which it ought to be respected or promoted.

T5 ‘...if wee take Liberty in the proper sense, for corporall Liberty, that is to say, freedome from chains, and prison... it were very absurd for men to clamor as they doe, for the Liberty they so manifestly enjoy.’

(Leviathan, Chapter 21, T147)

P1 In the sense in which liberty ought to be respected or promoted, we can be lacking in liberty even if we are not chained up in prison.

P2 We cannot be lacking in corporeal liberty unless we are chained up in prison.

C Corporeal liberty is not liberty in the sense in which it ought to be respected or promoted.

Corporeal liberty comes too cheap...!
§3. Natural liberty

What does it mean to say that I have a right to do something…?

I have a right to $\phi$ if and only if I have no obligation not to $\phi$.

I have the liberty to $\phi$ if and only if I have no obligation not to $\phi$.

I have the natural liberty or natural right to $\phi$ if and only if I have no obligation not to $\phi$ in the state of nature.

Our natural liberty is extensive…

T6 ‘The Right of Nature… is the Liberty each man hath, to use his own power… for the preservation of… his own Life…

(Leviathan, Chapter 14, T91)

T7 …in [the state of nature], every man has a Right to every thing; even to anothers body.’

(Leviathan, Chapter 14, T91)

P1 If $\phi$-ing will help me preserve my own life, I have the natural liberty to $\phi$.
P2 It will help me preserve my own life to kill you and nick all of your supplies.
C I have the natural liberty to kill you and nick all of your supplies.

T8 ‘…as long as this naturall Right of every man to every thing endureth, there can be no security to any man (how strong or wise soever he be) of living out the time, which Nature ordinarily alloweth men to live.’

(Leviathan, Chapter 14, T91)

Natural liberty really isn’t worth having…

T9 ‘…the life of man [will be] solitary, poor, nasty, brutish, and short.’

(Leviathan, Chapter 13, T89)

(Leviathan, Chapter 18, T 120)

§4. The liberty of a subject

T10 ‘The Liberty of a Subject, lyeth… only in those things which, in regulating their actions, the Soveraign hath praetermitted, such as is the Liberty to buy, and sell… to choose their own aboad, their own diet [etc.]’
A first pass…

I have the liberty of a subject to φ if and only if the sovereign has not commanded me not to φ.

Actually this isn’t quite right…

I reserve the liberty not to kill or imprison myself…

I also reserve the liberty not to kill other people unless it is for the sake of public order or the defence of the realm…

T11 ‘As for other Lyberties, they depend on the Silence of the Law. In cases where the Soveraign has prescribed no rule, there the Subject hath the Liberty to do, or forbear, according to his own discretion.’

(Leviathan, Chapter 21, T152)

Another obvious objection…

Suppose that the sovereign commands us not to call him a plonker…?

T12 ‘A man may here object, that the Condition of Subjects is very miserable, as being obnoxious to the lusts, and other irregular passions of him, or them that have so unlimited a Power in their hands…’

(Leviathan, Chapter 18, T128)

P1 We ought to pick the least bad option.
P2 The only options are natural liberty and the liberty of subjects.
P3 Natural liberty is much worse than the liberty of subjects.
C We ought to pick the liberty of subjects.

Why should we accept P2…?

Bibliography