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Freedom as the pursuit of self-realisation: T. H. Green and the
contemporary debate on the nature of freedom

By

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Abstract

This dissertation explores Green's theory of freedom, it discusses where it sits in the contemporary debate on the nature of freedom, and what it contributes to it. I argue that Green presents us with a nuanced notion of freedom, informed by his robust concept of the will and the good. The dissertation discusses Green's critique of hedonistic naturalism and his appropriation of the Kantian notion of the will, as a vehicle to articulate a notion of the personal good and self-realisation that is distinct from the utilitarian notion of happiness. It critically assesses these ideas and explains why they are important to understand Green's theory of freedom. Against a backdrop of dichotomies and warring camps, Green provides a refreshing example of a thinker who refuses to side with one faction or the other. This dissertation therefore presents Green as a philosopher who cannot be easily pigeonholed. It defends him against the accusation that his theory of freedom could provide the ideological underpinnings for totalitarianism by arguing that this charge is the result of the rigid and unhelpful dichotomy between negative and positive freedom, that has unfortunately provided the backdrop for most discussions on the nature of freedom in the contemporary debate. Green's theory of freedom is applied to contemporary issues such as the struggles of the Trans community and the spread of misinformation to demonstrate its enduring relevance.

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Abbreviations

PE – Green, T. H., 1883. *Prolegomena to Ethics*. Fifth Edition. Edited by A. C. Bradley. Preface by E. Caird. Oxford: Clarendon Press.

LLFC – Green, T. H., 1888. ‘Lecture on Liberal Legislation and Freedom of Contract’. In: *Works of Thomas Hill Green Vol. III. Miscellanies and Memoir*. Edited by R. L. Nettleship. London: Longmans, Green, and Co. pp.161-185.

LPK – Green, T. H., 1906. ‘Lectures on the Philosophy of Kant’. In: *Works of Thomas Hill Green Vol. II. Philosophical Works*. Edited by R. L. Nettleship. London: Longmans, Green, and Co. pp.2-154.

DSF – Green, T. H., 1906. ‘Different Senses of ‘Freedom’ as Applied to Will and to the Moral Progress of Man’. In: *Works of Thomas Hill Green Vol. II. Philosophical Works*. Edited by R. L. Nettleship. London: Longmans, Green, and Co. pp.308-33.

LPO – Green, T. H., 1906. ‘Lectures on the Principles of Political Obligation’. In: *Works of Thomas Hill Green Vol. II. Philosophical Works*. Edited by R. L. Nettleship. London: Longmans, Green, and Co. pp.308-33.

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Introduction

This dissertation locates the work of Thomas Hill Green's in the contemporary debate on freedom. The dissertation is divided into four chapters.

Chapter one, *Freedom and its Discourse: Milestones in the Development of the Modern Notion of Freedom*, traces the history of the contemporary debate on the nature of freedom with its focus on a sharp distinction between what are widely regarded to be the antithetical concepts of negative and positive freedom. The chapter opens with Constant's 1819 speech outlining the distinction between ancient notions of freedom, and a newly emerging modern notion. The chapter then guides the reader through the establishment of this modern notion, beginning with Hobbes and his theory of freedom as non-frustration. It shows how Berlin appropriates and adapts this notion to establish a theory of freedom as non-interference which pits the concepts of negative freedom against that of positive freedom. Having discussed the genesis of the contemporary distinction between negative and positive theories of freedom, a distinction that has provided the metaphilosophical framework for the contemporary debate on the nature of freedom, the chapter turns to discussing the various attempts to adapt, change and abandon Berlin's influential distinction between negative and positive theories of freedom. I introduce, first, Taylor's discussion of the neglected role of the notion of self-realisation in the contemporary debate on freedom. Second, I discuss the contemporary republicans and their attempt to establish a 'Third Way' in the negative/positive freedom dichotomy. I argue that their ambitious attempt fails because it operates within the same framework (the distinction between negative and positive freedom) which they seek to overcome. Finally the chapter introduces MacCallum's triadic theory of freedom, and his attempt to deconstruct Berlin's sharp distinction between negative and positive theories of freedom. MacCallum's theory, will be argued in chapter four, is closer to the spirit of Green's than the new republican's attempt to articulate a third way because,

rather than advancing the debate by tinkering with the negative conception of freedom, MacCallum shows that the distinction itself is not in good working order.

Chapter 2 and 3 make a long but necessary detour that takes us a long way away from the contemporary debate. The detour is necessary because unless one understands Green's theory of the will, and how his conception of the pursuit of self-satisfaction differs from the consequentialist pursuit of the greatest happiness for the greatest number, one cannot fully appreciate where he sits in the contemporary debate, and how misguided (let alone damaging) Berlin's classification of Green as a theorist of positive freedom who's theory is susceptible to abuse by tyrants.

Chapter two, *Desire and Desirability: Green's Theory of the Will as it Emerges from his Critique of Naturalism*, addresses Green's negative critique of hedonistic naturalism. Understanding this criticism is important because it shows that Green's conception of the will arises out of a close critical engagement with the hedonism which underpins consequentialist theories of the good. This immanent critique shows that the utilitarian attempt to provide a normative theory of the good fails because utilitarianism is unable to make a distinction between the idea of something being desired and something being desirable (the *is* and the *ought*) within the framework of naturalistic hedonism. For such a distinction to be possible one must have a much more robust conception of the will as having a role in the deliberation concerning the ends or goals of action, not just the means to be implemented for the actualization of desires. This immanent critique of the failures of hedonistic naturalism to defend a distinction between the good and the moral good, or the *is* and the *ought*, shows that Green's theory of the will is heavily indebted to a Kantian notion of the will and its role in practical deliberation. This immanent critique also shows that Green's endorsement of a robust conception of the will is motivated *not* by a prior commitment to a metaphysics of the split self (a higher moral self and a lower beastly self) *but* that it emerges out of an analysis of the limitations of the framework of hedonistic naturalism to

account for the distinction between what is desired and what is desirable. Green can be seen as asking, in quasi-transcendental fashion: “what are the conditions of the possibility for distinguishing between what is desired/what is desirable”? His answer to this question is that a more robust notion of the will than the one found in utilitarianism is needed to defend a distinction that utilitarian philosophers seek but fail to sustain within the framework of hedonistic naturalism. This chapter also shows the close connection that, for Green, there is between moral action and free action. For only action which is free in the sense that it is not driven by mere impulses has moral connotations. Action driven by impulses, where the will has a mere instrumental role in practical deliberation is not just unfree, but also amoral (i.e., neither good nor bad).

The relation between the good and freedom is explored in chapter three, *the Good: Self-Realisation and Mutual Reciprocity*. The first part of the chapter explains Green’s notion of the personal good and how critical reflection is essential in determining what one’s personal good is. The object of the will is the pursuit of self-realization out of which there arises a sense of self-satisfaction that is not reducible to the hedonistic pursuit of pleasure. I argue that the notion of the personal good introduces a teleological element in Green’s philosophy that is absent from Kant and which, for Green, is needed to give the will direction, even though it is a matter of debate whether the introduction of this teleological element succeeds in remedying the lack of direction Green sees in Kant. For, while Green appropriates Kant’s notion of the will he also strips it of the deontological overtones associated with the categorical imperative understood as a test for determining the moral worth of maxims. What determines whether an action contributes to one’s personal good, for Green, is not whether it passes a logical test, but whether it contributes to a lasting self-satisfaction that arises out of the pursuit of self-betterment. What self-betterment consists in, however, is not something that Green’s philosophy dictates, for it is a matter for the individual to decide what their personal good consists in. After establishing Green’s conception of the good from a personal perspective, the chapter moves on to consider it as a

common good. The chapter emphasises that for Green the personal good and the common good are not two kinds of goods but the same good seen from two points of view, that of the individual and that of society. In realizing one's personal good through, for example, becoming a good artisan, or a good lecturer, the individual also fosters the common good. This for Green, is the inevitable consequence of the mutual interdependence that ties individuals in society with one another. It has been objected, and the chapter considers this objection, that to strive to be a good artisan (just to use an example) is not to strive for a strictly moral good and that, in conceiving of the personal good in this way, Green loosens the boundaries between the ordinary and the moral good. In a way, I argue, he does, because, like Aristotle (and unlike Kant) he thinks that self-realization happens in social contexts and thus that self-betterment has to be achieved in concrete societal contexts rather than in purely abstract moral ones. Having said this, a society in which the pursuit of the personal good does not conflict with that of the common good is a society which, through its laws and institutions, fosters the pursuit of the personal good, and one in which the pursuit of the personal good does not undermine the common good. The Kantian ideas of universality and of mutual reciprocity that are captured by the first and second formulation of the categorical imperative are rethought in concrete societal terms. This chapter concludes by rebutting the objection that Green is a consequentialist. As we have seen Green introduced a teleological element (the striving for self-betterment) that is absent from Kant's moral philosophy. But while his theory is teleological, he does not have a consequentialist conception of the good. For utilitarian philosophers the good is an aggregate concept: the greatest amount of pleasure for the greatest number. Green does not think of the good in this way. The personal good is, as the name suggests, highly individual; it is not the same good for everyone. For while self-perfection is what one strives for, different people realize themselves in very different kinds of activities. A good society therefore is not one whose laws and institutions promote the greatest amount of pleasure for the greatest number, but the society whose laws and institutions *enable* individuals to have fulfilling lives through the pursuit of self-perfection. The

good society *enables* individuals in their individual pursuit of the personal good, it does not *maximize* happiness. These considerations will be mobilized in chapter four when defending Green against the charge of totalitarianism.

The final chapter, *Green's Theory of Freedom and the Contemporary Debate*, locates Green in the contemporary debate. Mobilizing the discussion of the good, in chapter 3, it argues that Green's conception of freedom as self-realization disrupts Berlin's stark distinction between negative and positive theories of freedom by showing that freedom from (on which negative theory focus) and freedom to (on which positive theories focus) are mutually intertwined since freedom to presuppose freedom from, and the constraints on which freedom from focuses, cannot appropriately spelled out unless one considers what is freedom is for. This chapter revisits the way in which Berlin's distinction between negative and positive freedom has been challenged by the new republicanism and by Taylor and MacCallum. I argue that while new republicans claim to have created a third way, they still work within the old paradigm, whereas Green undermines the distinction more in the manner of MacCallum. I also claim that it is only when one ceases to construe the distinction along Berlin's strong ideological line, can one rethink negative and positive freedom as facets of one and the same freedom, as Green does. However, I ultimately argue that Green's theory of freedom is too complicated and nuanced to be interpreted correctly within Berlin's conceptual framework of negative and positive freedom. I further argue that Green's theory of freedom embodies the synthesis of ancient and modern ideals of freedom called for by Benjamin Constant, presented in the opening chapter of the thesis. I believe that Green's theory can be better understood through Constant's framework of ancient and modern notions of freedom. The final chapter further demonstrates how this reconceptualisation of Green's theory of freedom can inform a number of contemporary issues.

Overall, I hope to demonstrate what the true nature of Green's theory of freedom is. Green is a unique figure who synthesises traditions which are often deemed to be mutually exclusive, and

who has been misunderstood and understudied. Green's idealistic yet practical approach to the issues of his time have much to teach us, as this dissertation hopes to demonstrate.

Justice is what moved my exalted Maker;

I was the invention of the power of God,

Of his wisdom, and his primal love.

- Dante, *The Divine Comedy: Inferno* Canto III 4

1. Freedom and its Discourse: Milestones in the Development of the Modern Notion of Freedom

There are few if any notions more important to the way in which we perceive and define our political, social and private lives than the notion of freedom. When contemplating freedom as a concept, we are inevitably faced with a vast array of fundamental and searching questions: how do we conceive of ourselves as conscious beings and what capacities do we entrust ourselves with? What is the free space and circumstances in which a private citizen should be able to operate unmolested and what constitutes molestation? What role, purpose and form should the state take and is there a form conducive to human fulfilment? What roles do we play as fellow citizens of a polity, what obligations and privileges do we owe to one and other? Thus when considering what does and does not constitute freedom we are establishing parameters and standards to be upheld; standards which we uphold or neglect to acknowledge. This chapter maps out historical and contemporary debate of freedom essential for understanding the modern discourse.

Firstly, this chapter will discuss Constant's pivotal essay 'the Liberty of the Ancients Compared with that of the Moderns,' which provides the first identification of a separate modern conception

of freedom distinct from that of the ancient. Secondly, Isiah Berlin's distinction between Positive and Negative liberty, which in many ways frames the contemporary discourse upon freedom. Thirdly, it will discuss the essential role of the notion of self-realisation in theories of freedom through Charles Taylor's landmark essay 'What's Wrong with Negative Liberty?', which highlights the need for a notion of self-realisation and value judgments in conceptions of freedom. Fourthly, the chapter will address and critique 'the Third Way' proposed by the contemporary republican school presenting it as one of the major modern proponents of a reintroduction of elements of the ancient conception of freedom. Finally, the chapter will critically address Berlin's distinction between negative and positive freedom through Gerald MacCallum's 1967 article 'Negative and Positive Freedom,' in particular the validity of such a distinction and his broad condemnation of positive notions of freedom.

More generally, the chapter will attempt to draw the reader's attention to the development of the predominantly negative modern notion of freedom and its evolution since Thomas Hobbes and the widening scope of actions and circumstances which could be considered as contributing to an individual's unfreedom. The chapter will also take a critical look at establishment of and attempted integration or dismissal of positive notions of freedom, from Constant's desire to see elements of his conception of ancient freedom integrated into the development of a modern notion of freedom, to the republican tradition's attempt to appropriate the perceived benefits whilst avoiding the negative aspects, of theories proposing a positive notion of freedom. This chapter ultimately seeks to present the reader with a brief history of how the concept of freedom has evolved from Ancient to Modern times¹. A comprehensive analysis would take many volumes to accomplish, but I simply wish to highlight some key philosophers, scholars and their arguments

¹ Since as Rosenthal-Pubúl states: "The contrasting failure of modern liberalism to relate its idea of freedom intelligibly to any more universal conception of the Good is at the heart of its present crisis. Excavating the classical conception of freedom will therefore be helpful in raising critical questions about the direction of the modern political order." (2016, p.36)

for a negative, individualistic and traditionally liberal conception of freedom and some of its major critics and opponents. I will highlight the extent to which subsequent thinkers and contemporaries have conceived of the scope upon which various obstacles, desires and values can be said to be freedom enhancing or restricting; with particular reference to elements of what Constant characterised as the ancient form of liberty. I will ultimately conclude that the notion of self-realisation is missing in much of the modern debate, and that the contemporary attempt to find a 'third way' in the negative/positive freedom dichotomy ultimately fails precisely because it neglects the notion of self-realisation.

1.1 Towards a Modern Notion of Freedom

1.1a Constant's Ancient and Modern Freedom

In his 1819 speech Benjamin Constant claimed that a fundamentally different form of freedom than that of the Ancients prevails, and that there has been a shift in the principles and benefits which form the linchpins of our conception of freedom. Constant's speech claims that the republics of antiquity would find our modern notion of liberty to be wholly unrecognisable and undesirable. That there are no parallels to be drawn between modern and ancient conceptions. This is because of a number of historical developments which have influenced the forms of freedom which citizens demand. Constant describes the modern conception of liberty as:

“[T]he right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals. It is the right of everyone to express their opinion, choose a profession and practice it, to dispose of property, and even to abuse it; to come and go without permission, and without having to account for their motives or undertakings. It is everyone's right to associate with other individuals, either to discuss their interests, or to profess the religion which they and their associates prefer, or even simply to occupy their days or hours in a way which is most

compatible with their inclinations or whims. Finally it is government, either by electing all or particular officials, or through representations, petitions, demands to which the authorities are more or less compelled to pay heed.” (Constant 1819, p.310-311).

In contrast, the Ancient notion of liberty for Constant is based solely upon the political participation of citizens in an assembly. The right to exercise a great degree of often arbitrary power over fellow citizens – which they are also subjugated to – in all aspects of their lives. Constant uses the term “enslavement” to describe the individual freedom of the citizens of Ancient republics, as they lacked fundamental rights such as freedom of thought, movement and religion; those which form the fundamental basis of our modern conception. This is exemplified in Roman society in which an individual possessing a private life was always viewed with suspicion and proliferated rumours, whilst the powers invested in Consul and Pro-Consuls would surely today be viewed as despotic. All power was thus centralised in the republic however, that central power formed a collective. Thus we find the incentive to submit to such a power: a share in directly exercising it: “in forming alliances with foreign governments; in voting laws, in pronouncing judgments; in examining the accounts, the acts, the stewardship of magistrates; in calling them to appear in front of the assembled people, in accusing, condemning or absolving them” (Constant 1819, p.315). He argues that humans have ultimately moved beyond a stage in which we can establish such regimes naming a number of causes for this: the growth of commerce, the emancipation of slaves both leading to the empowerment of the individual and the diminishing role of the state in providing material riches and ultimately happiness.

One of the primary things which the development of commerce did for human society was to slowly render warfare more of a hindrance than a benefit to nations. Constant theorises that ancient republics would have much more to gain from warfare and a greater need for security. Slaves, tribute, the appropriation of new lands and the glorification of military triumph were the fruits of warfare, whilst ancient republics constantly faced the threat of foreign invasion or civil

rebellion. The growth of commerce Constant argues, diminished the profitability of war and also the demands for security. Commercial activity is more often than not disrupted by war, and even the grandest of victories in modern times (particularly when we consider the French and British experiences of two World Wars) can be devastating to economies. Trade ties and the movement of labour and goods also reduce hostility between nations, further reducing the need for a modern state to promote jingoism. In addition, commercial economies begin to play a far larger role than the state in providing for people's material needs. The state which was once pivotal in promoting citizens' interest through warfare and other means has been, he argues, proven inefficient and incompetent in fulfilling the needs of the republic in the commercial sphere, which ultimately inspires 'a vivid love for individual independence' (Constant 1819, p.315). The second development was the emancipation of slavery, which after his time could be coupled with universal suffrage. The emancipation of slavery, Constant claims, led to a decrease of leisure time allotted to the average citizen, coupled with the growth of commerce as the primary means of national advancement – which Constant explains, unlike war does not afford people periods of inactivity – we find that people possess less time for the daily discussion and deliberations of matters of statehood, which Constant believes played such a large part in the lives of citizens of ancient republics (Constant 1819, p.314-315). In addition, the more people involved in the democratic process due to emancipation and the ever increasing sphere of suffrage, means the less one can experience their individual participation and the impact of that participation. Citizens of ancient republics held a larger stake in public assemblies. They were sure that their opinions mattered when deliberating upon the fate of their peers. Once that assembly has been diluted amongst the many millions of our democratic societies, that feeling of investment is dissipated. The incentive of living under the domination of one's peers is in large part removed; as one cannot feel the effects of their own domination over fellow member. Furthermore, the combination of both the rise of commercialism and emancipation have led to a vast increase of power in the public sphere. The circulation and availability of wealth has made commerce a far

more elusive and powerful beast beyond the tame of the government (Constant 1819, p.325); a point far more poignant today when one considers the United Kingdom's tax negotiations with Google (Robertson, 2016). Ultimately, Constant argues that the role of government and its relationship with the people has been radically changed, from the image of the great leviathan to a vanguard of civilisation which approaches its citizens with a lighter touch and a fundamental respect for their individual liberty (Constant 1819, p.324). This final point is essential to understanding Constant's notion of liberty and its relationship with the state.

It is essential to understand that Constant did not see this transition from an ancient form of liberty to a modern one as seamless and all positive: "The danger of ancient liberty was that men, exclusively concerned with securing their share of social power, might attach too little value to individual rights and enjoyment. The danger of modern liberty is that, absorbed in the enjoyment of our private independence, and in the pursuit of our particular interests, we should surrender our right to share political power too easily." (Constant 1819, p.326). A warning all too poignant in our Post-Brexit/Post-Trump political environment. Constant feared that the people's retreat into valuing individual liberty over the liberty of collective power sharing could fall into despotism². Constant compares the role of the politician in modern liberty to that of a steward of a landowner (Constant 1819, p.325-326). The steward is hired to manage the affairs which the owner is neither inclined or has the time to deal with, just as a politician manages the interest of their constituency. An irresponsible landowner may fall into disinterest in the steward's work and fail to properly monitor them, just as a public may be inclined to withdraw from political participation

² It is important to keep in mind that Constant wrote extensively upon the limitations of government. One of his works which predates his 1819 speech is *Principles of Politics Applicable to all governments* published in 1815, which states: "Therefore, before understanding any system at all in terms of its various prerogatives, we have to see if we can draw a line marking where the exercise of that prerogative must stop. If there is no way of drawing such a line, the prerogative itself must be nonexistent. Authority has been taken beyond its competence. For it is of the essence of that competence that it must not be without limits. Set it up without limits and you fall once again into the bottomless abyss of arbitrary rule. Set it up without limits for a single purpose and there will no longer be any security in the social order. For if the security of a single part of the social order is absent, the security of the rest vanishes. If it is not destroyed de facto it is destroyed de jure. Now, the fact is only an accident. Law alone provides a guarantee." (Constant, p.52).

and engagement. In the end, Constant far from proposing an abandonment of ancient liberty in favour of its modern counterpart, advocated a synthesis of the two notions not just grounded in fear of disengagement from the treasured political participation of the old form of freedom, but grounded in a fundamental understanding of what he saw as our collective purpose³. If you will excuse the extensive quotation, Constant concludes his speech with a passionate plea to remember what he perceives to be the fundamental purpose of political association:

“Moreover, Gentlemen, is it so evident that happiness, of whatever kind, is the only aim of mankind? If it were so, our course would be narrow indeed, and our destination far from elevated. There is not one single one of us who, if he wished to abase himself, restrain his moral faculties, lower his desires, abjure activity, glory, deep and generous emotions, could not demean himself and be happy. No, Sirs, I bear witness to the better part of our nature, that noble disquiet which pursues and torments us, that desire to broaden our knowledge and develop our faculties. It is not happiness alone, it is to self-development that our destiny calls us; and political liberty is the most powerful, the most effective means of *self-development* that heaven has given us...

Therefore, Sirs, far from renouncing either of the two sorts of freedom which I have described to you, it is necessary, as I have shown, to learn to combine the two together.

Institutions, say the famous author of the history of the republics in the Middle Ages,

³ Valentino Lumowa, drawing upon other works, explains in his essay ‘Benjamin Constant on Modern Freedoms: Political Liberty and the Role of a Representative System’, that it is essential to understand that Constant's speech was written in two very different political climates: “The first part, in which Constant distinguishes the liberty of the ancients from that of the moderns in order to underscore individual liberty as the nature of modern liberty, was written in collaboration with Germaine de Stael around 1798 (Gauchet 2009, 34; Vincent 2000, 619-620). During this period, the revolutionary government was engaged in major conflicts with several European states as it expanded its fevered campaign of revolutionary fervour against absolutism... The final part of Constant's speech, on the other hand, was written around 1819 when France was under Bourbon Restoration. During this period, the French monarchy was restored and the ultra-Royalists dominated the legislature.” (2010, p.392-3). Lumowa explains that these periods were dominated by opposing extremities, the former one of revolutionary fervour, and the latter of reactionary parties; Constant argues against each and advocates a union of Ancient and Modern conceptions of freedom.

must accomplish the destiny of the human race; *they can best achieve their aim if they elevate the largest possible number of citizens to the highest moral position.*

The Work of the legislator is not complete when he has simply brought peace to the people. Even when the people are satisfied, there is much left to do. Institutions must achieve the moral education of the citizens. By respecting their individual rights, securing their independence, refraining from troubling their work, they must nevertheless consecrate their influence over public affairs, call them to contribute by their votes to the exercise of power, grant them a right of control and supervision by expressing their opinions; and, by forming them through practice for these elevated functions, gives them both the desire and the right to discharge these.” (Constant 1819, p.327-328, Italics my own).

For Constant then, the political participation of the ancients is an essential element of human flourishing and should play a central role in moving towards a modern notion of freedom. The issues addressed in Constant’s pivotal and elegant speech still persist and frame the debate on the nature of freedom almost two hundred years following its delivery. Issues regarding the role of morality, value judgments, the frontiers of individual liberties, the need or lack of need to prescribe certain forms of governance, self-development, realisation and fulfilment. The problem of political disengagement has characterised much of the politics of the last decades. Many of these issues over the centuries following Constant speech have risen to prominence in the Victorian era, to fall after the world wars and the rise of Soviets, only to begin a resurgence in our contemporary post-Cold War era. The rest of this section will highlight two of the central figures (Thomas Hobbes and Isiah Berlin) in the rise of the predominant form of freedom which Constant formulates as the modern notion of liberty.

1.1b Hobbes: Freedom as Non-Frustration

Thomas Hobbes is generally credited as beginning the transition from the ancient form of liberty to the modern. Many argue that the roots of the strictly negative conception of freedom and elements of those roots, persists at the heart of the liberal school leading up to the contemporary debate (this is certainly the way in which modern Republicans would perceive the discourse (Pettit 1997, p.37-39 and Skinner, 2002 p.243-255)). Philip Pettit describes Hobbes's theory of freedom as one of 'non-frustration' (2011). It is commonly supposed that it is the most fundamentally stripped down characterisation of freedom in the negative sense:

“Liberty or Freedome, signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion;) and may be applyed no lesse to Irrationall, and Inanimate creatures, than to Rationall... A Free-Man, is he, that in those things, which by his strength and wit he is able to do, is not hindered to doe what he has a will to.”

(Hobbes 1651, p.162, Chapter 21).

Hobbes's claim that liberty is consistent with fear and necessity is testament to the limited range of obstacles he perceived to be obstructive to freedom (Hobbes 1651, p.162, Chapter 21). For Hobbes, an individual who consciously pursues an object out of a state of fear or coercion should still be considered free. A harsh principle when one considers the sorts of actions which can be regarded as free under this definition; such as victims of robbery and rape. As Pennock (1960, p.429) explains that in such situations as armed robbery, it is not the robber which is considered the external impediment, but the victim's own fear, which is internal. The individual adapts their will in response to their fear of being shot into handing over their possessions, in doing so, for Hobbes, the “victim” has been swayed by internal impulses (fear) and has exercised their own will. Thus neither fear nor any other impulse, constitutes as an obstruction to one's freedom as they are impulses of the self; although the source of such fear is external, the response, which Hobbes perceives to be the real obstacle, is an internal emotion. One may reasonably ask “should

not the cause of such fear and necessity be considered as a hindrance to one's freedom?" Hobbes is clear in his dismissal of such a claim through his view of determinism: "because every act of mans will, and every desire, and inclination proceedeth from some cause, and that from another cause, in a continuall chaine, [whose first link in the hand of God the first of call causes] proceed from *necessity*." (Hobbes 1651, p.162, Chapter 21). All actions for Hobbes are performed out of necessity driven by some cause, making a free act of the will as conceived by Immanuel Kant an illogicality. It is also essential here to note that Hobbes does not distinguish between human motion and that of animals and inanimate objects. Thus Hobbes's definition has been described by many scholars to be a rather rudimentary characterisation of freedom:

"The only useful basis for distinguishing free acts from unfree acts, or certainly the most fundamental basis, we can imagine Hobbes saying, is to draw the line between voluntary and involuntary acts; that is, between those where the line of causation runs through the mind and those where it does not. Something either checks me from doing what I will or it does not. If it does, I am not free; otherwise I am." (Pennock 1960, p.429).

Thus it appears that from Hobbes's perspective only conditions such as imprisonment can be classified as a state of un-freedom. Even in such a condition, if I lack the will to break from my chains or outside my cell, for all intents and purposes I am free. It is in this sense that the theory is one of non-frustration (Pettit 2011, p.695-697); I am free as long as those actions which I pursue are not obstructed. The theory does not consider internal obstacles to the will such as self-mastery and or realisation (obstacles such as addiction, struggles between higher and lower desires), the capacity to pursue such objects in light of socio-economic obstacles (such as poverty or discrimination), the number of options open to the will or the conditions upon which those options exist (for example: the consideration that the number of options open to you may be few and secured under the whims of a dominating power). It is rather odd that Hobbes recognises a great chain of causation running through all of our actions, but does not recognise this as

universally pervasive; if all actions are influenced by causation then surely our rationale is likewise constricted, if only by circumstances. Hobbes's dismissal of internal obstacles comes from this passage: "But when the impediment of motion, is in the constitution of the thing it selfe, we use not to say, it wants Liberty; but the Power to move; as when a stone lyeth still, or a man is fastned to his bed by sicknesse." (Hobbes 1651, p.162 chapter 21). It is only actions which are within my power to perform which Hobbes considers as being open to obstruction. Put simply, if two people are locked in a cell, one of them healthy and the other bed ridden by some affliction, in that moment it is only the healthy one who can be considered unfree as she alone possesses the physical strength to leave; her will to leave is now something realisable and thus in the eyes of Hobbes, and by virtue of which something which can be restricted.

The extent of Hobbes's legacy in the modern debate concerning the nature of political freedom is debatable. Although one may trace the roots of Berlin's argument to Hobbes, Berlin remains critical of him and in many ways radically develops his conception beyond Hobbes, as we shall see. It is the distinctly negative nature of Hobbes's notion of freedom, and the dismissal of obstacles which the individual is unable to perform that persists as an influence upon the modern discourse upon freedom. It is what lies at the heart of the freedom to/freedom from dichotomy.

1.1c Berlin: Negative and Positive Freedom

Isaiah Berlin is accredited with establishing at the least one of, if not the most important analysis of modern freedom in the twentieth century. His distinction between positive and negative freedom in many ways has formed the conceptual framework in which the contemporary debate has been framed, and his conception of freedom is still being argued and revised as the core concept of the modern liberal tradition. Berlin argues that the fundamental factor in an individual existing in a state of un-freedom is interference through coercion: "To coerce a man is to deprive him of freedom" (Berlin 1969, p.121). He appears to take this as a wholly uncontroversial

statement requiring no more explanation. Problems arise for Berlin when the discussion turns to asking the question: freedom from what? For Berlin freedom, as a notion, is open to the appropriation and interpretation of any number of theories. That being said, he argues there are two central 'senses' from which interpretations of freedom can be understood: 'positive freedom' and 'negative freedom.' He claims that each of the senses is concerned with answering different questions. The question that a negative conception of freedom aims to answer is: "What is the area within which the subject – a person or group of persons – is or should be left to do or be what he is able to do or be, without interference by other persons?", whilst the question that the positive freedom aims to answer is: "What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?" (Berlin 1969, p.121-122). I will first explore Berlin's conception of negative freedom and some of its implications, followed by an account of his conception of positive freedom and the three leaps in logic which Berlin accuses such theories of making:

1. Division of the self into an empirical and real will.
2. Attributing separate desires to each will.
3. Finally the establishment of a benevolent authority which works in the interest of the real will.

The chapter will end with an analysis of Berlin's theory with brief discussion of its historical application to counteract Marxist ideology, with particular reference to Bolshevism.

Berlin's characterisation of negative freedom, as its name implies, occupies itself simply with questions concerning the sphere to which people can operate without human interference: "I am normally said to be free to the degree to which no man or body of men interferes with my activity. Political liberty, in this sense, is simply the area within which a man can act unobstructed by others." (Berlin 1969, p.122). Thus Berlin's conceptualisation of negative freedom is based upon non-interference; one is free to the degree in which they are allowed to pursue their own

interest unhindered. Freedom in this sense is reduced to the absence of external interference; Berlin like Hobbes, does not consider actions beyond the individual's power to perform to be an affront to their freedom, in other words, if I am unable to walk due to a disability it cannot be said that I am unfree to walk but that it is beyond my power (Berlin 1969). This means that socio-economic obstructions to the individual's will are not counted as freedom restricting. Economic slavery for Berlin, is not a factor when determining the extent to which an individual is free: a free citizen of a Dickensian dystopia remains free, despite lacking the ability to pursue the liberties she possesses. Including such factors into a conception of freedom, for Berlin, is to conflate a number of perhaps equally noble, but nevertheless distinct notions, such as: freedom, justice and equality. Joining a union in pursuit of fairer wages and working conditions, for example, is a sacrifice of freedom in pursuit of equality. However noble and just such pursuits may be, Berlin claims, they can never be seen as freedom-enhancing, despite the fact that they may enable people to pursue certain freedoms they would be unable to enjoy without such sacrifices. Such actions are always a sacrifice of one virtue in favour of another, in other words one would be giving up a little liberty to gain a little security. Thus for Berlin freedom in the negative sense is always freedom *from* political interference, and never freedom *to*. The minimalistic nature of Berlin's conception of freedom seeks to ensure that there is minimal interpretation of the kinds of lives and societies which are described as being free. The concept only concern itself with freedom from political constraint. It is built upon the understanding of society's plural ever shifting conceptions of what it is to exist in a positive state of freedom. It seeks to avoid prescribing or restricting the actions of individuals contained within any notion of freedom; favouring instead to confine the conception to concerning oneself exclusively with what political sphere of freedom can one operate unhindered.

Freedom in the positive sense for Berlin, is the desire to achieve self-mastery (Berlin 1969, p.131-134), such as the Kantian theory of the will: the absence of external but also internal impulses directing one's will. The freedom of rational self-direction. The freedom of the subject and human

over the object and animal, of self-conscious, rational deliberation. The freedom of self-realisation. He states that upon hearing such a characterisation one may think that there is little between the two conceptions, aside from eloquent phrasing; however, these concepts, have diverged in historical development – and have come into direct conflict with one and other. Berlin argues that there are a number of leaps in logic contained within the thesis of positive freedom. These leaps broadly lead to the manipulation of our concept of free will and lead to questions concerning what kind of state enables the achievement of true freedom.

The first perilous leap in logic Berlin accuses the proponents of the positive conception of freedom of, is that of seeking to establish freedom as freedom from nature, or ‘unbridled’ passions, base, animal desires (Berlin 1969, p.132). Our passions are derived from either our ‘higher’ and ‘lower’ natures. Freedom of self-mastery. My will can either strive to achieve my higher nature – those ends dictated by reason which strive towards the realisation of some end worth pursuing – or I can debase myself in the indulgence of my lower nature, those things which I desire simply because I desire them. This, Berlin argues, sows the seeds of the fractured self, a fission of the will into a ‘real’ and ‘empirical’ will. Underlying theories of the divided will is the metaphysical belief that there exists a coherent rational whole. A teleological end which humanity should strive to realise. Empirical wills are latent illogical manifestations of humanity’s ultimate end: a rational and coherent world. Out of this, Berlin claims, emerges a sleight of hand and our second jump in logic in which a higher order may interfere with the empirical will, the will as it exists in space and time, in the interest of fulfilling the wishes of the real will. A’s empirical will A1 wishes to do X, B knows however that A’s real will A2 would actually want to do Y, B overrides the will of A1 and forces A to do Y instead of X in the interest of achieving the will of A2. To provide a simple example: I have a will and a real will. My will is to eat pizza; however, my *real will* is to exercise and become healthy. A friend knowing my real will forces me to stop eating pizza and exercise, bypassing my will, in the interest of my real will (which I may not be aware of). Berlin states that it is one thing to be coerced into doing something which is for my own good,

something which I have been unable to realise myself; it is another thing entirely to coerce someone *and* claim that they have in fact willed it (Berlin 1969, p.134). Berlin argues that philosophers of positive freedom claim that our empirical wills – in all their irrational and short-sighted manifestations – are the origins of all conflict and misguided desires, from whence the justification for political cohesion is derived (Berlin 1969, 141-144). Once the individual overcomes their irrationalities, incoherent character and goals they achieve self-realisation: “If the universe is governed by reason, then there will be no need for coercion; a correctly planned life for all will coincide with full freedom – the freedom of rational self-direction – for all.” (Berlin 1969, p.147). This being the freedom to which positive theories aspire: self-realisation and self-mastery. A state in which the individual is able to control and direct their rational will towards desirable ends.

The third and final step is the establishment of an authority that is the self-elected representative of your real will. The dominating force professes to have a greater understanding of the common good, the end to which all individuals seek to strive. Subsequently the consent of empirical wills (those which do not align with the realisation of the ultimate good) become mere obstacles obstructing the march of progress. The authority has no need for democratic governance which it sees as the mere aggregate of blind wills. Such a process tells little of what really matters which is the true wishes of the people:

“Paternalism is despotic, not because it is more oppressive than naked, brutal, unenlightened tyranny, nor merely because it ignores the transcendental reason embodied in me, but because it is an insult to my conception of myself as a human being, determined to make my own life in accordance with my own (not necessarily rational or benevolent) purposes, and, above all, entitled to be recognized as such by others.” (Berlin 1969, p.157).

The individual living under such systems of control pursue liberty through a form of political Asceticism; “And if your right hand causes you to stumble, cut it off and throw it away. It is better for you to lose one part of your body than for your whole body to go into hell.” (Mathew 5:30). To rid oneself of troublesome or unobtainable desires instead of appeasing them. Berlin dubs this;

‘The retreat into the inner citadel’ (Berlin 1969, p.135-141). He claims that all “political isolationism, all economic autarky, every form of autonomy, has in it some element of this attitude” and that “it is no very great distance to the conceptions of those who, like Kant, identify freedom not indeed with the elimination of desires, but with resistance to them, and control over them” (Berlin 1969, p.136).⁴

The danger of the former claim for Berlin is the undermining of the individual’s self-determination; he levels this charge at six major thinkers – including Rousseau, Fichte and Hegel – in his book *Freedom and its Betrayal: Six Enemies of Human Liberty* (2002). Through such theories the public comes to be treated as a body to be moulded by varying degrees of coercion, towards a good higher than themselves or than what they simply desire. We see this process in the Marxist ‘dictatorship of the proletariat,’ particularly in its Bolshevik strand. Before one reaches a state of communist utopia, the people must erect a coercive government to socially engineer a communist society. Once such a state is achieved there is no longer any need for political coercion; until then an enlightened political establishment works in the interest of real wills. Berlin goes on to attack the paternalism of the utilitarians, accusing them of proposing to undermine individual autonomy through the employment of public policy in pursuit of the ultimate good, with an additional footnote reference to the Bolshevik leader Nikolai Bukharin:

⁴ Despite making the latter claim, Berlin firmly appropriates Kant as a theorist of negative liberty, a philosopher of “[a]utonomy, not heteronomy: to act and not be acted upon... its political implications are clear, and it enters into the tradition of liberal individualism at least as deeply as the ‘negative’ concept of freedom” (Berlin 1969, p.138-139).

“But to manipulate men, to propel them towards goals which you – the social reformer – see, but they may not, is to deny their human essence, to treat them as objects without wills of their own, and therefore to degrade them.” (Berlin 1969, p.137).

Berlin is claiming that positive forms of freedom oppose the fundamental claims of negative forms. Freedom is to do as one wants. The pursuit of negative freedom being the liberation of options and eradication of boundaries and constraints. Positive freedom, by contrast, is portrayed as being ascetic in nature. It is the freedom from “natural” impulses which oppress our rational will through the deprivation of such desires. For Berlin, the purpose of analysing these two senses of freedom needs to be understood within the historical context: the Cold War and the rise of totalitarian communist states primarily through Bolshevik inspired uprising⁵.

There are a number of important contributions which Berlin made to the modern debate concerning the nature of political freedom. Whilst adopting elements of Hobbes’s conception of freedom, Berlin introduces an essential consideration when assessing the freedom of an individual. He asks to what extent should an individual be able to operate without interference from a political agency. Berlin, therefore, moves beyond the constrictive nature of Hobbes’s theory of simple frustration, to a theory of freedom which encompasses a wider variety of obstructions to individual freedom. Berlin’s characterisation of two senses of freedom which has framed the contemporary debate and highlighted the possible dangers of positive notions of freedom. A good deal of the modern debate concerning freedom and its many senses has been conducted in Berlin’s shadow. Whether attempting to deconstruct the perceived dichotomy between negative and positive freedom, or highlighting important ideas and notions missing from Berlin’s notion of freedom, Berlin’s work in many ways set the scene for the contemporary debate. The theories the remainder of this chapter discusses were, in one way or another, developed in response to Berlin’s two concepts of liberty.

⁵ Refer to discuss above on page 30, on the nature of Bolshevism.

1.2 Two Concepts of Liberty?

1.2a The Neglected Role of Self-Realisation in Theories of Freedom

Charles Taylor in his article 'What's Wrong with Negative Liberty?' (1979) formulates an important critique of Berlin's conception of freedom and those similarly grounded in the Hobbesian notion, for its value neutrality and detachment from any notion of self-realisation. He seeks to remove the blanket assumption Berlin makes regarding the totalitarian nature of theories of positive freedom, arguing that not all positive theories are tied to a metaphysical partition of the self into higher and lower natures, and the subsequent justification of an authority figure bent on liberating individuals from themselves. Ultimately, Taylor believes that any modern notion of freedom which does not acknowledge some conception of self-realisation and the existence of deeper and more profound desires, is lacking a fundamental notion essential to understanding freedom; the notion that "[f]reedom is important to us because we are purposive beings." (Taylor 1979, p.183). Taylor's article is essential for at the very least two reasons: firstly it contests Berlin's assumption that all theories of positive freedom necessarily entail a notion of the split-self and the totalitarian implications of such a conception; secondly, it demonstrates the importance of the role of self-realisation when considering theories of freedom.

Taylor broadly agrees with Berlin's distinction between negative and positive freedom: negative freedom is simply the freedom from external obstacles positive freedom takes into account internal obstacles to the realisation of the self or some greater sense of fulfilment. However, Taylor disagrees with Berlin's blanket characterisation of positive freedom as necessarily entailing 'Rousseau's paradox' of forcing individuals to be free. Taylor contests Berlin's assumption that at the heart of every positive notion of freedom there lies a division of the self into higher and lower desires (as discussed above). He presents us with a number of traditions which defend a positive notion of freedom but which do not hold such convictions, claiming further that such a characterisation would be a little too harsh even when applied to 'official Marxism' (1979, p.175-

176). Taylor further condemns Berlin's Hobbesian/Benthamian characterisation of negative freedom for completely ruling out any notion of self-realisation and fulfilment. According to Taylor the problem with Hobbes and Berlin's notion of negative freedom, is that the theory lacks a fundamental understanding and incorporation of internal obstacles to the realisation of one's ends. Taylor argues that self-realisation and self-fulfilment is an essential condition when assessing individual liberty. "Thus the modern notion of negative freedom which gives weight to the securing of each person's right to realise him/herself in his/her own way cannot make do with the Hobbesian/Benthamian notion of freedom: The moral psychology of these authors is too simple, or perhaps we should say too crude, for its purposes." (1979, p.176). Thus Taylor thinks Berlin's conception prevents the development of a more sophisticated understanding of freedom espoused by the notion of self-realisation, and that ultimately what Taylor sees as the Hobbesian/Benthamian underpinnings of Berlin's negative theory of freedom prevent it from really engaging in a sensible discussion of liberty.

Taylor highlights what he sees as the fundamental theoretical differences between the two notions of liberty: theories of positive freedom are based on an "exercise concept" of freedom; whilst negative notions are based on an "opportunity concept" of freedom. Taylor defines the exercise concept as the pursuit of exercising control over one's life: "On this view, one is free only to the extent that one has effectively determined oneself and the shape of one's life." (1979, p.177). By contrast Taylor defines the opportunity conception as the pursuit of proliferating options open to an individual: "Freedom [in this view] consists just in there being no obstacle. It is a sufficient condition of one's being free that nothing stand in the way." (1979, p.177). An opportunity conception of freedom believes it sufficient that the opportunity be open to the individual, regardless of the obstacles which stand in their way. For example: an opportunity conception of freedom would require simply that an individual could legally attend a university course, for them to be considered freed to do so; whilst an exercise conception would require that it be finically viable for the individual to attend the course for them to be considered free to

do so. There are two important factors, argues Taylor, which the exercise conception takes into account while the opportunity concept does not: the measure of significance of certain pursuits and desires and the recognition that those desires may form internal obstacles in our pursuit of freedom. Both points are necessarily framed in a conception of self-realisation. Taylor argues that those who propose an exercise conception of freedom have a broader notion of what it means to be free. Conceptions which necessarily entail a wider desire for control, not just in the form of options open to individuals, but in a deeper and wider sense in which individuals or a collective effectively determine oneself and the shape of one's life (Taylor 1979, p.193). What this essentially entails is that opportunity concepts of freedom do not consider those pursuits which are beyond the abilities/power of the individual to perform to be an obstacle to freedom. This stands for the Hobbesian notion of freedom which in turn informs Berlin's conception of freedom; if we think back to the example which Hobbes provides of the two individuals trapped in a prison cell⁶. Taylor's exercise conception is contesting this and in doing so a large number of factors and obstacles come into the picture. What Taylor argues is at the heart of his and many others who hold a positive conception of freedom, namely that it is simply not enough to pursue freedom only to the point in which individuals have a plethora of options open to them free from political obstacles. Because it does not take into account the range of options which are actually within the power of the individual to commit: because we are purposeful beings, we work towards the realisation of specific ends relating to a wider idea of ourselves we seek to actualise. Our ability to achieve this matters when considering whether an individual is free or unfree. Exercise conceptions of freedom acknowledge this and in doing so call for a higher demand for self-determination in pursuit of some notion or ideal of oneself.

Self-realisation for Taylor, springs from the notion that we have first and second order desires which we experience as qualitatively different: we possess desires which vary in significance,

⁶ See p.24

nobility, integrity and goodness (1979, p.184). At the heart of this is the acknowledgment that there are some elements of ourselves which we identify with some wider purpose and identity which we seek to embody, but also that there are some which run counter to those purposes and identity. For Taylor we have impulses which obstruct those ideals which we seek to embody. He provides an example of someone with an irrational fear of public speaking which is preventing them from pursuing a job which they would find fulfilling (1979, p.185). In such cases we find someone who is not obstructed by any external force, but a fear which hinders the ideal self which they seek to realise. Taylor proceeds to present a number of other passion-charged scenarios which highlight this fundamental conflict of ideals, emotions, aims and identities which we all encounter facing major transitions and crisis in our lives, and even to a more trivial extent every day. The battle of internal impulses waged across the numerous purposes, ideals and characteristics one seeks to embody. A desire to eat pizza against the pursuit of a desired body type, the desire to play video games against the desire for academic success, or fighting petty inclinations which endanger a relationship. The recognition of those impulses which we wish to be liberated from as constituting an obstacle in the pursuit of some personal notion of self-realisation, argues Taylor, is essential to constructing a sensible characterisation of freedom. The fundamental point which self-realisation embodies is that one *can* rank freedoms and that failing to do so results in an arbitrary theory of freedom. To illustrate the point, Taylor uses driving restrictions and religious restrictions as examples of interference in the life of the individual. He claims that under Berlin's interpretation of freedom both of these restrictions have equal impact upon the freedom of the individual. Taylor argues that one experiences traffic restrictions more often in day-to-day life in London than a citizen of Albania may experience religious restrictions:

"After all, only a minority of Londoners practice some religion in public places, but all have to negotiate their way through traffic. In sheer quantitative terms, the number of acts restricted by traffic lights must be greater than those restricted by a ban on public

religious practice. So if Britain is considered a free country, why not Albania?" (Taylor 1979, p.183)

In the negative conception of freedom frequency of interference therefore becomes synonymous with a greater degree of un-freedom. Taylor argues that Berlin's theory of freedom as non-interference is unable to take into account the significance of restrictions on the life of the individual. Berlin's theory does not account for the fact that religious restrictions may be more important and far less trivial than traffic restrictions. Importance should instead be measured by the impact of restrictions on the self-realisation of the individual. Taylor therefore sees self-realisation as essential to any theory of freedom. If seen in these terms religious constraints are far more harmful to freedom than traffic restrictions. Taylor argues that this highlights the limitations of theories of negative freedom which exclude notions of fulfilment of capacities and self-realisation. Thus, Taylor argues, "[t]he first step from the Hobbesian definition to a positive notion, to a view of freedom as the ability to fulfil my purposes, and as being greater the more significant the purposes, is one we cannot help taking." (Taylor 1979, p.193). One must appreciate that individuals possess purposes of varying degrees of significance and that freedom must be judged in accordance with the degree to which one can fulfil those purposes. A conception of freedom which does not subscribe to any deeper notion of human flourishing cannot accommodate such criteria and, as a result, appears arbitrary in its application.

Taylor's argument is essential to understanding the key role that self-realisation plays in establishing an effective notion of freedom. A characterisation of freedom without an underlying notion of human fulfilment, as Taylor demonstrates, appears arbitrary when we consider its practical application. One must recognise that freedom is always freedom to do/not do something and the nature of that something has drastic implications for the theory of freedom in discussion. Taylor seeks to maintain the negative/positive conceptual distinction whilst also trying to liberate the discussion of the nature of political freedom from certain pervasive prejudices concerning

theories of positive freedom; in particular the view of the negative/positive distinction as forming an unbridgeable dichotomy. The result is a more constructive discussion of theories of freedom that can work towards incorporating the ancient notion of freedom which Constant was at pains to rescue, but also the essential point that not all theories of positive freedom entail troubling metaphysical underpinnings and the negative connotations associated with it. Another critique of Berlin which professes to reintroduce those ancient notions treasured by Constant comes from the republican tradition. Unlike Taylor, the republican tradition does not subscribe to a notion of self-realisation and believes that a solution to many of the discrepancies voiced by positive theorists can be remedied without committing to an exercise conception of freedom. The following section looks at the republican tradition and its attempt to create a 'third way' in the negative/positive freedom debate.

1.2b The Republican Tradition

The ancient conception of freedom has undergone a revival in the Republican Tradition. The Republican tradition or as it is alternatively called – most notably by Quentin Skinner (2002) – the Neo-Roman tradition, is a school of thought which derives its origins from a number of historical and contemporary philosophers. Its origins, development and contemporary form is debatable but Skinner and Pettit's interpretation is certainly the most popular. Quentin Skinner and Philip Pettit (1997) are generally credited with having expressed the notion mainly associated with the revived ancient tradition: freedom as non-domination. They maintain Berlin's distinction between negative and positive freedom but they see their notion of freedom as a third concept of liberty or 'third way', fixing many of the problems they perceive in Berlin's negative conception of liberty whilst avoiding the perils Berlin warns against in positive liberty. They argue it is a negative conception which is able to combat what they perceive to be a major affront to freedom neglected in the Hobbesian, strictly negative notion of freedom that has been espoused

predominantly (if not entirely) by the liberal tradition. They see their theory of freedom under the banner of contemporary republicanism as something distinct from both the liberal tradition and positive theories. This distinction is primarily built upon the scope of their theory of non-domination. The concept of non-domination, they argue, fixes the serious limitations of Berlin's negative conception, whilst including many of the advantages several scholars perceive within positive theories. Furthermore, the concept of non-domination, they believe, remedies the pitfalls of the negative conception of freedom without appealing to what they take to be the problematic concepts of self-realisation and of the common good. They argue that a broader conception of freedom can be established without the need to invoke the 'freedom to' conception of freedom, or in Taylor's definition, an exercise conception of freedom. The solution, for them, is an opportunity conception combined with what they call a non-domination theory of freedom. Skinner who prefers the label 'Neo-Roman' tradition, (because he believes many of its historic champions would have whole-heartedly rejected the label of Republican), has explored the origins of the notion of non-domination; whilst Pettit is generally regarded as the concept's primary proponent.

In his lecture, 'A Third Concept of Liberty' (2002), Skinner proposed that the Republican theory of freedom had found an answer to many of the problems perceived in Berlin's conception of positive and negative liberty. Skinner broadly agrees with Berlin's negative/positive distinction but argues that Berlin's conception of freedom does not go far enough; that there is a weakness in Berlin's theory which comes from its drawing on Hobbes's conception of freedom; with particular reference to his belief that one is neither free nor unfree if one lacks the ability to perform an action, in other words it is only external obstacles which constitute a state of unfreedom (Hobbes 1651, p.162 chapter 21). The same principle is clearly articulated by Berlin when he states: "if I am prevented by others from doing *what I could otherwise do*" (Berlin 1969, p.122, Skinner's italics). Skinner believes that the same notion persists in almost every other recent statement of negative liberty and results at best in confusion and at worst in a kind of mockery of freedom (Skinner

2002, p.246). Skinner's issue is that he feels that the distinction is arbitrary, why should the individual who is legally allowed to do something, but is prevented by social, physical and economic factors, not count towards an individual's freedom or un-freedom? Skinner attempts to answer the question of why this constrained and feeble notion has come to dominate our thinking about freedom. He identifies the origin in Hobbes and argues that Hobbes' notion of freedom as non-frustration, is articulated as it is, because of the prevailing political climate of the British Civil War and the Glorious Revolution: the historical background against Hobbes' theory of freedom is articulated explains Hobbes' privileging of a negative conception of freedom. Skinner draws on a source utilised in the critique of Absolute Monarchy at the time: *The Digest of Justinian*. Within this text Skinner identifies a notion of freedom as non-domination. Through the resurrection of the principle of non-domination and importantly the recognition of the importance of social status, Skinner proclaims to have established a third concept of liberty or a third sense or 'Third Way'. As queried by Berlin: "would it be natural or desirable to call the demand for recognition and status a demand for liberty in some third sense?" (Berlin 1969, p.158-162). Berlin ultimately dismisses the former statement as he does with other ideals such as equality or egalitarianism; ideals which may even be equally noble but are not to be confused with freedom (despite sharing similar notions and relations). The contemporary republicans affirm Berlin's questions instead of dismissing it as a separate ideal, as he does. In other words, they take into account an individual's pursuit of a better social, economic or political position – their status in society. Put simply, the third way, considers socio-economic issues (their status in society) as forming obstacles to an individual's pursuit of freedom. Skinner believes that the contemporary republican notion of freedom as non-domination constitutes an affirmative answer to Berlin's expressed consideration of a third concept in his conceptualisation of freedom, that the condition upon which one's freedom exists tied into their status be a primary consideration in conceiving of freedom as a principle. Non-domination – along with a number of other concerns expressed by proponents of positive theories of freedom – fulfils this consideration and

introduces a wider range of factors and principles into the republican conception which Skinner feels constitutes a distinct 'third way' in thinking of freedom.

Pettit proposes that freedom is the absence of domination *and* arbitrary interference. I am free when I am no longer subject to the whims of a power which holds dominion over me, who can interfere in and shape my affairs at their own leisure. When the conditions by which I choose to operate are not subject to arbitrary change or withdrawal. Just as Hobbes's freedom could be obtained through the adaptation of the will, so for Berlin, Pettit claims, freedom can be achieved by ingratiating oneself with the principles of a dominating power. For example, I live under a totalitarian dictatorship and support the government whole heartedly and as a consequence I am granted a large degree of freedom, as characterised by the non-interference conception.

However, the government maintains the right to withdraw this freedom at their own discretion.

Pettit claims this highlights a fundamental flaw in the conception's reasoning, he states "As freedom cannot be won by adaptation, so it cannot be won by ingratiation" (Pettit 2011, p.705).

Ingratiation being the adaptation of one's desires, will or any aspect of one's identity as to appease a master; for example, joining the communist party in the USSR as a means of achieving a greater degree of freedom as non-interference. Someone exercises a position of dominance for Pettit (1997 p.52-58), to the extent that;

1. "they have the capacity to interfere": The form of the interference can vary greatly from manipulating the number or nature of options open to an individual, to a shopkeeper refusing to sell an item to a specific person, or sell to them at an inflated price. The essential point being that for all the multifaceted forms of interference one individual or group can impose upon another, they do actually possess the *ability* to.
2. "on an arbitrary basis": The agent with the capacity to interfere is able to do so (or not to do so) upon their discretion, done without reference or consultation of the interests of

the party being interfered with. Treating oneself or other persons as exceptional in a deliberation to the detriment of the individual or group.

3. “in certain choices that the other is in a position to make”: This final clause is to clarification of extent. One does not need be to a slave owner to dominate an individual. Holding dominion over a certain sphere or decision in someone’s life is enough: an employer who possess the ability to fire an employee at whim holds dominion over them.

There are two additional characteristics of non-domination which Pettit addresses in his definition: 1) that it must be more or less intentional (one cannot accidentally dominate another) and 2) that his definition – here at least – is un-moralised (depending upon culture and context).

One of the primary advantages which Pettit believes his characterisation of freedom has over non-interference is its acknowledgement that one can have interference without domination, and domination without interference (1997 p.63-66). Interference without domination can generally be understood as interference from a publically sanctioned body (more upon the specifics of this later), for example: the lawful interference of a democratic government. One could dominate through the tacit acknowledgment of supremacy, the individual being dominated changes their behaviour in compliance with the assumed wishes of the dominating power. For example: it is widely understood that a street gang controls a certain neighbourhood and Reece avoids this neighbourhood without ever having engaged with the gang; Reece has done this due to a tacit acknowledgment of the gang’s domination over the neighbourhood and has adapted his behaviour without the need for the gang’s interference (in any direct sense at least). The authoritative party does not need to interfere with its subject to exercise domination, there only needs to be knowledge – which never needs to be overtly expressed but only tacitly acknowledged by both parties – that such a state of affairs exist between them. When a domineering husband is not chastising and beating his wife the condition of domination does not disappear; it a constant condition under which the wife lives. Such a condition can prevail for

years or even decades without any need for the husband to assert his dominance, yet there will remain a constant knowledge that such a state exist between them. The relationship does not even have to be one which has included violence or chastisement, only that both parties tacitly acknowledge that a relationship of dominance prevails. Skinner identifies this as one of the principle harms related to domination and not requiring interference in its affliction (2002). Under a state of domination Skinner argues, there will be a recognition that there are many things which one cannot say or do and many things one must abstain from (2002, p.258-259). Skinner claims that such conditions lead to a reluctance to exert oneself in order to avoid conflicting with one's master's wishes, requiring the subject to contort and adapt their wishes and practices, ultimately leading to sluggishness, torpor and a slavish mentality amongst those subjected (2002, p.258-259). In other words, domination exerts a profoundly negative influence on those subjugated without the need at all physically to interfere in their lives. Domination promotes a culture of appeasement and adaptation, something which is ruinous for the individual being subjected to it. Thus both Skinner and Pettit argue that one achieves freedom in the sense of non-domination when the parameters in which I am free to act are not subject to conditions which can be arbitrarily changed. Consider, for example, the freedoms granted by a benevolent dictator: you may enjoy the right to a good degree of freedom of speech and movement either by their discretion or even in formalised laws; however, the dictator reserves the right to reverse or repeal their stance or the law. Non-domination they feel, builds upon the negative conception by establishing non-domination as a goal to be achieved. Pettit argues that his form of freedom is more demanding as it acknowledges not just an act of interference, but also as the conditions upon which one possesses the capacity for arbitrary interference.

Pettit also discusses situations in which one body can interfere with another and yet not dominate. Non-arbitrary acts of interference perpetrated by sanctioned bodies such as the police,

courts or to a degree, politicians, are not forms of domination⁷. Such conditions need to be sanctioned by the people, essentially the public possess the right to challenge and form such conditions and thus possess the power of recourse. Through the recognition and integration of social status – the third sense of liberty which Berlin questions – into the republican notion of freedom, a third concept of liberty is born which is able to recognise deeper and more profound forms of unfreedom imbedded in social status (those traditionally associated with positive forms of freedom). This third conception recognises the pursuit of status as a third sense of freedom, in doing so the condition upon which our freedom as expressed as non-interference is secured is taken into consideration along with a whole host of social and economic obstacles to freedom. In Pettit's theory, achieving a state of freedom becomes a social and psychological good (1997, p.66-73). For Pettit the freedom of non-domination is an immense positive power in an individual's life providing confidence and personal strength:

“It means that the enjoyment of non-domination in relation to another agent – at least when that agent is a person – goes with being able to look the other in the eye, confident in the shared knowledge that it is not by their leave that you pursue your innocent, non-interfering choices, as of publicly recognised rights. You do not have to live either in fear of that other, then, or in defence to them... You are a somebody in relation to them, not a nobody. You are a person in your own legal and social right.” (Pettit 1997, p.71).

Equally, existence under a state of domination is a source of great psychological harm. His discussion of the writings of Wollstonecraft (1982) demonstrate this well⁸. He accuses theorists

⁷ Drawing back to Constant, we see here his characterisation of ancient freedom. The power that the Roman senate exercised over its members would be considered intolerable by today's standards; as discussed. However, the power they derived from their participation in the assembly was much greater; they held equal sway over the lives of their fellow citizens and in doing so were themselves empowered. Hence, one can be subject to a great degree of interference without domination. We see now why Skinner prefers the name 'Roman Tradition'.

⁸ “It is vain to expect virtue from women till they are, in some degree, independent of man; nay, it is vain to expect that strength of natural affection, which would make them good wives and mothers. Whilst they are absolutely dependant on their husbands they will be cunning, mean, and selfish. (Wollstonecraft 1982, p.299).

supporting freedom as non-domination such as Berlin, of seeing freedom only as an instrumental good (Pettit 1997, p.72). This is because he asserts, that freedom as simple non-interference can conceivably sanction abhorrent social and political inequality. Additionally, Skinner claims: “We cannot claim that a mere awareness of living in a state of social or political dependence has the effect of restricting our options and thereby limiting our freedom.” (Skinner 2002, p.256). Non-interference, Pettit argues, does not take into account the inherent restrictive impact upon one’s options and ultimate freedom which an inferior social or political status results in; for example, the impact of poverty and racial discrimination upon the choices which restrict one’s options to fulfil one’s desires or ideal of one’s self, through an inability to afford a university education or rejection from a desired career due to social status or skin colour. Such restrictions, argue Pettit and Skinner, should be considered limitations to one’s freedom as they have a drastic impact upon the options open to us⁹. Through the recognition of status as a third sense of freedom, Pettit sees the republican theory incorporating a number of other goods – those of which Berlin dismisses as perhaps equally noble but ultimately not contained within his conception of freedom – principles such as justice and equality: “the conception of freedom as non-domination allows us to see all issues of justice as issues, ultimately, of what freedom demands... “Justice is freedom, freedom justice.” (Pettit 2014, xxii-xxiii). Freedom then for Pettit and Skinner incorporates a large number of other principles which they view as indistinct from freedom.

The contemporary republican tradition then, is largely at the forefront of a reinvigoration of those ancient principles laid out by Constant. They profess to have established a conception of freedom which dispenses of the need for weighty metaphysics and complex theories of humanity’s pursuit of some greater value and truth, whilst retaining the benefits of the positive conception of

⁹ Spitz describes here the manifestation of this central Republican ideal in state institutions: “A crowning idea in this republican conception is that public institutions can be legitimate only if they endeavour to promote as far as possible this kind of equality. It is only then that such a thing as a *res publica* can exist and that citizens may come to see the political institutions as truly theirs and deserving of respect. When the public institutions promote equality, it is evident that they are not instruments for the powerful to maintain their domination, but rather guarantee freedom for all by providing the largest possible amount of primary goods in order that citizens can fulfil their ends.” (Spitz 2004, p.55).

freedom. Benefits such as freedom incorporating other obstacles and factors than just political ones to include issues of social and economic equality, through to the incorporation of wider principles into the fundamental demands of a concept of freedom. In a sense then this third conception is presented as “the best of both worlds” so to speak, it fuses the cautious and interference minimising aspect of negative freedom¹⁰, with the egalitarian and wide encompassing nature of positive freedom.

1.2c A Third Way?

But has the republican tradition been genuinely successful in establishing non-domination as a third way of approaching freedom? Many have questioned the claim that the republicans have found a viable alternative to the theories which they critique. Much of the criticism facing the Republican notion of freedom focusses on questioning the extent to which the tradition has been able to distance itself from the “Liberal Notion,” of liberty as non-interference. As we have discussed the republican tradition claims to have modified the traditional notion of negative freedom to take into account domination and socio-economic status as obstacles to freedom: in sense, they feel they have made the best of both worlds. There are two main criticisms of the Republican theory of freedom which seek to contest the claim that the Republican theory has departed sufficiently from the negative conception of freedom to justify speaking about it as providing a third way between negative and positive freedom. The first is that the Republican theory does not represent a break from the Liberal tradition; the second is that it is a poor form of liberal theory. The first centres upon the claim that it has not in fact distinguished itself as a ‘third way’ in thinking about freedom. The second is that it is in fact an ineffective form of liberalism (Larmore 2001 and 2004, Saenz 2008, Kramer 2008 and Carter 2008).

¹⁰ I hope to ultimately demonstrate that Green’s theory of true freedom does not conflict with freedom as non-interference, and that ultimately there is still some conceptual value in this notion when; not perceived as a rigid dichotomy. Issued addressed section 4.2b.

Critics of Republicanism have sought to demonstrate that the Republican attempt to appropriate the notion of freedom as non-domination exclusively for their tradition is built upon an uncharitable and overly strict reading of the traditional notion of non-intervention. Saenz names a number of liberal theorists who are concerned with domination as counting potentially as a form of interference: Dudley Knowles, Erin Kelly, John Christman and Roger Boesche (2008, p.270), seek to demonstrate that the concept of non-interference proposed by Berlin does not have a monopoly on liberal theories of freedom. Elements of Pettit's theory such as socio-economic domination through the recognition of inferior status as an obstacle to freedom, Saenz claims, is better pursued and achieved by egalitarian liberals such as John Rawls, and that Pettit's metaphor is too vague to bear theoretical weight (2008, p.271). In fact, she accuses Pettit of diminishing the possible egalitarian and communitarian implications of his theory, by claiming it seeks structural and not material egalitarianism whilst distancing itself from the positive elements of freedom such as self-mastery which other republicans promote. As a result Pettit's characterisation of the good which is too weak and collapses into a form of liberalism (2008, p.271-273). In other words, those elements of a positive conceptions of freedom such as the notion of self-mastery, self-realisation, a notion of some underlining common good communitarianism or telos, which are missing from the republican theory mean that Republicanism does not distance itself sufficiently from liberalism to constitute an alternative to positive freedom. Alternatively Mathew H. Kramer argues that both historical and modern negative liberal thinkers take domination into account through an alternative rationale, hypothetical interference (Kramer 2008, p.38). He believes that Skinner and Pettit are lead astray by a distorted and narrow interpretation of liberal freedom, by arguing that the liberal tradition only takes force and patent coercion as sources of unfreedom. Possibility and probability of interference inherent in a position of domination allows for the condemnation of such relations of power through theories of negative freedom; in other words, the prospect and probability of interference is taken into account in a number of liberal theories and not just interference which is acted out. This would mean domination would be a concern to

such liberal theories. Carter's piece 'How are Power and Unfreedom Related?' (2008) goes further to demonstrate that it is not simply the existence of power between two parties which causes domination and in turn interference; it is social relations which increase the probability of interference which should be counted a domineering, not just one party existing placidly in a position of power greater than another. Finally, Larmore argues that Pettit's claim to have established a distinct conception of freedom is highly dubious, that Pettit appeals and ultimately belongs to the very liberal tradition which he believes he transcends (2001, p.235). This is largely down to his haphazard appropriation of various thinkers which Larmore demonstrates as inconsistent; suggesting that any definition of liberalism which accommodates Hobbes but not Locke is to be questioned (2001, p.236). Larmore believes that Pettit's construction of a "grand opposition" between the republican and liberal schools is detrimental to the understanding of both and is ultimately confusing.

For these critics, Skinner and Pettit have failed in their attempt to establish a distinction between the Republican and Liberal traditions. Even worse, these critics accuse Skinner and Pettit of constructing an ineffective form of the liberal conception of freedom. This is largely due to Pettit's claim that there are some forms of interference – certain interferences from certain states – which do not constitute domination. These critics claim that the Republican conception of freedom is in danger of moralising freedom, squashing and giving a nod to oppressive forms of government. Larmore critiques the view that domination is so only when the interferer has the capacity to do so upon an arbitrary basis. His issue with the clause is: who decides and how, what counts as arbitrary? Pettit, as we have discussed, proposes that the basis of such interference can only be derived from the political deliberation of the citizens themselves, he proposes a process of public consent and accountability which such interference must undergo and conform to, whilst leaving its specific nature unspecified. It is the implementation of a political system and the development of the process to achieve this, which Larmore questions. Such a system would require two further normative political prescriptions, with a notion of respect for all citizens at the

centre. If the justification for just laws is to be based upon not power bargaining but its appeal to each citizen's reasoning, then Larmore claims such deliberations are not based upon whether the outcome is beneficial to its subjects, but on the notion that each citizen is an end in themselves and should be respected as such. Larmore identifies the principle of respect for all citizens as the central tenet of Pettit's notion of liberty, and as such:

“[I]f such interests form part of the definition of what is to count as the absence of domination, then Pettit is hardly right to assert that the republican notion of freedom can serve as the supreme political value. We are not, either in society at large or in operations of the state, unless we rely upon the notion of respect for persons.” (Larmore 2001, p.241).

In addition, Larmore contends that this is a central liberal principle disputing further Pettit's supposed separation from liberalism. Ultimately Larmore contends that Pettit's theory articulates an effective criticism of the notion of freedom as non-interference and elements of the liberal school of thought such as Bentham, but that it is liberal principles such as that of respect for citizens which Pettit relies upon to prevent his notion of freedom from slipping into totalitarianism through the dangerous association of liberty through the state.

Saenz offers an additional criticism of Pettit's definition of what constitutes arbitrary interference – particularly his view that interference from a publically sanctioned body and law does not constitute interference – claiming it leads to paternalism and justifies domination from the state. Saenz believes that Pettit's process where by an action is determined to be not one of domination through it being conducted on behalf of their interests, tracking the relevant ideas and interests of those affected and such individuals sharing relevant ideas and interests is problematic (Saenz 2008, p.274). Firstly, it contradicts uncontroversial policies such as imprisoning offenders as such act would be against the individuals (Saenz 2008, p.275). Secondly, there are many cases which

one can conceive of in which actors believed to be interfering in the best interests of the citizenry which can be counted as domination, such as apartheid in South Africa:

“It has been recently and repeatedly argued in favour of apartheid in South Africa, that racial segregation was in the best interest of the segregated population because a regime led by white people was politically and economically more stable and thus was leading to better life conditions than one led by blacks.” (Saenz 2008, p.275).

Saenz argues that the notion of governmental interference not constituting interference is vulnerable to politics of oppression in the worst of cases, but the theory at its best is a form of paternalism, which she accuses of being paradoxically domineering. Furthermore Larmore argues that Pettit’s belief that democratic self-government aligned with the fundamental understanding that freedom can only be achieved in a political society through the rule of law, is the only course for achieving freedom as non-domination is too restrictive a vision of freedom which undermines notion such as non-interference: “Some laws, however just they may be... may require me to give up some of my freedom to do so as I please which I may reasonably regret having to surrender, even if on balance I judge it to be for the best.” (2001, p.234). The freedom to do as I wish without external obstruction is, Larmore argues, a value neglected by Pettit’s theory. This being a critique which Berlin levelled against positive notions of freedom, that one should not confuse freedom with – perhaps equally noble but nevertheless distinct – values such as justice and equality. It is not that those theorists who adopt a negative theory of freedom value equality and justice any less than those promoting a positive theory, they simply argue that they are distinct values which sometimes come into conflict. For example: employment laws which force employers to hire an ethnically diverse staff are a restriction upon freedom in favour of justice and equality. Berlin’s fundamental claim which really sits at the heart of his notion of negative liberty is that egalitarianism, justice, social mobility and a fair market economy are all great things, but they are principles which are separate from freedom. One could give up liberties for such principles and

one may very well be justified in doing so, but it is always at liberty's expense. It is the collapse of this distinction which many modern liberal thinkers accuse Pettit of endangering. The general fear is that once one begins to conflate freedom with a number of other principles and values establishing them as one and the same, the nature of freedom moves beyond that of preventing interference by government bodies and comes to include government interference not as a hindrance or threat, but a promoter and enabler of freedom. Once this happens there then needs to be a process to decide what constitutes this notion of freedom and to what extent is the public willing to sanction its promotion. A process which main liberal critics are sceptical of.

What has been highlighted by these two criticisms of the supposed Republican 'Third Way' is that, through its attempt to establish itself as something distinct from both negative and positive notions of freedom, it distances itself from the cautious and sceptical elements so praised and treasured in negative theories of freedom, whilst at the same time failing to – due to its reluctance to commit to any solid notion of moralised freedom – embody the substantial positive dimension of the theory which are required to adequately justify prescribing forms of governance and ideals. An alternative to the republican's attempt to transcend Berlin's positive/negative distinction by arguing for a third way is to be found in the work of Gerald MacCallum who, instead of arguing for a third way seeks to collapse the distinction altogether.

1.2d Contesting Two Forms of Freedom

Another prominent alternative to Berlin's conception of negative freedom is Gerald MacCallum's attempt to collapse what he sees as a false dichotomy. Instead of attempting to transcend the distinction as the republican tradition seeks to, MacCallum opts to undo the positive/negative dichotomy and redeem positive theorists from the blanket assumption that all such theories result in paternalism or totalitarianism. MacCallum was one of the first scholars seeking to contest Berlin's distinction between positive and negative freedom. His argument is still seen as the

primary driving force behind attempts to collapse Berlin's distinction in favour of a more unified conceptual framework for theories of freedom. His 'Negative and Positive Freedom' (1967) is a pivotal essay in the contemporary debate concerning the nature of freedom and I believe an essential scholar in this dissertation's discussion of the concept of freedom. MacCallum's contribution to the discussion is twofold. Firstly, he questions the validity and usefulness of Berlin's dichotomy between negative and positive freedom. This point is directed at the way in which the debate has been framed in the wake of Berlin's distinction. MacCallum argues that the terms of the contemporary debate prevent the discussion from addressing the fundamental and underlining issues which inform the distinction between theories of freedom. Second, he disputes Berlin's argument that all notions of positive freedom necessarily involve his 'three leaps of logic:' firstly, claiming people have an empirical and real will, secondly, associating separate desires to each will and thirdly, promoting the establishment of a political body which can interpret and implement people's real wills (as discussed above). MacCallum argues that such a description prevents proper engagement and understanding of such theories; that even archetypical conceptions of freedom such as the one held by orthodox Marxists do not follow all of the steps in Berlin's logic jump. Ultimately MacCallum argues that the negative freedom (freedom from)/positive freedom (freedom to) distinction is based upon a false dichotomy stemming from a common confusion in scholars' thoughts concerning the nature of freedom, which forms the origin of these two false assumptions.

MacCallum argues that the modern discussion of freedom is constrained and distorted by such distinctions, obstructing the path to a constructive debate by compartmentalising philosophers and various social ideals. MacCallum argues that freedom should be understood as a triadic relationship between the agent, the constraint and the aim:

"Whenever freedom of some agent or agents is in question, it is always freedom from some constraint or restriction on, interference with, or barrier to doing, not doing,

becoming or not becoming something? Such freedom is thus always *of* something (an agent or agents), *from* something, *to* do, become, or not become something; it is a triadic relation. Taking the format “**X** is (is not) free from to do (not do, become, not become) **z**,” **x** ranges over **agents**, **y** ranges over such “preventing conditions” as constraints, restrictions, interferences, and barriers, and **z** ranges over actions or conditions.” (MacCallum 1967, p.314).

MacCallum’s characterisation of freedom has two distinct features which he claims unifies the opposite poles of the contemporary discussion concerning the nature of political freedom. The first is that to define something as concerning freedom that thing needs all three elements of MacCallum’s formula; it needs to be freedom of some agent/agents from some obstacle to do/not do something. As all three elements are required to speak of a distinction between *freedom from* and *freedom to* in his analysis becomes void, as all actions or notions concerning freedom must incorporate both elements. The second distinctive feature is purpose. A free or unfree action is always something regarding liberty to do/not do something, as such MacCallum acknowledges that freedom is a value which is part of a purpose and wider expression of identity¹¹. It is in this latter element that MacCallum claims there lies the real bone of contention between theories of freedom:

¹¹ Berlin replies to MacCallum’s claim by stating: “This seems to me in error. A man struggling against his chains or a people against enslavement need not consciously aim at any definite further state. A man need not know how he will use his freedom; he just wants to remove the yoke. So do classes and nations.” (Berlin 1969, p.36 – Footnote 1). This contention rests on a difference of assumptions regarding the fundamental nature of “acts of freedom”. MacCallum in the establishment of his triadic notion of freedom, discusses a singular free action which is being frustrated: A is prevented from doing Y by Z. If MacCallum were arguing against Hobbes – who espouses a notion of non-frustration (see section 1.1b) – he would be correct. Freedom is a triadic relationship when understood as individual actions directed towards a desired end and not a *condition* as Berlin seeks to argue. However, MacCallum’s argument is saved, I argue, when interpreting freedom as self-realisation, as this thesis seeks to: true freedom being the pursuit of some notion of oneself. Seen as such, the condition of existing in any state/condition is necessarily a positive expression. They may not have to ‘aim at any *definite further state*’, their freedom to pursue actions and live a life embodying the gender, sexuality or religion they choose without interference is necessarily directed towards some positive notion of oneself. The condition of simply existing as a specific type of individual may be – as often it is – the problem; whether you express yourself or not. The interpretation I have provided here however, strays into a further critique of MacCallum triadic theory of freedom and Green’s notion of true freedom laid out in Thomas Baldwin’s article: ‘MacCallum and the Two Concepts of

“The differences would be rooted in differing views on the ranges of the term variables- that is, on the (“true”) identities of the agents whose freedom is in question, on what counts as an obstacle to or interference with freedom of such agents, or on the range of what such agents might or might not be free to do or become.” (MacCallum 1967, p.319).

Despite setting aside the false dichotomy of freedom from and to, MacCallum still contends that there are real differences between negative and positive theories of freedom and that issues between the two theories lie within three main characteristics: Firstly, that negative freedom theorists propose that only the *presence* of something can make one unfree, whilst positive theorists argue that the *absence* of something can also make one unfree; secondly, that the former only consider arrangements made by other persons to be obstacles to freedom whilst the latter have no such restrictions; third and finally, that the former only considers agents “identifiable as Anglo-American law would identify “natural” (as opposed to “artificial”) persons” whilst some theories of the latter hold different views as to how such agents are to be identified, in other words, some theories of the latter hold notions which distinguish between real and empirical wills and desires (MacCallum 1967, p.320-421). What MacCallum’s theory highlights that there are a large number of multifaceted notions, principles, ideals and identities which formulate the kinds of obstacles, agents and desires feeding into theories of freedom. This vast array of characteristics renders the notion that they can be divided comfortably into two conceptions of freedom (negative/positive) rather absurd. MacCallum highlights this point further by arguing that even archetypical representatives of each conception (for example Locke and the Marxists) fit poorly into each respective characterisation (MacCallum 1967, p.322).

Freedom’ (1984). Baldwin defends Berlin’s distinction between negative and positive freedom, claiming that theories of positive freedom necessitate a commitment to a form of ethical naturalism. Baldwin further claims that Green himself, through his conception of true freedom, commits his theory to a substantive notion of freedom directed towards specific moral ends (p.138-41). While Green does subscribe to a form of ethical naturalism, this thesis will demonstrate that this does not commit his theory to prescribing specific and/or substantive moral ends.

MacCallum argues that his conceptual framework for the analysis of theories of freedom allows for a constructive dialogue and addresses the real issues regarding the underpinning identity of the agents in question, their desires and purposes, and ultimately what the former two points mean for the scope and nature of obstacles which may obstruct them.

“(a) What is to count as an interference with the freedom of persons?

(b) What is to count as an action that persons might reasonably be said to be either free or not free to perform?

(c) What is to count as a legitimate interference with the freedom of persons?

(d) What actions are persons best left free to do?” (MacCallum 1967, p.333)

These questions, MacCallum claims, should form the basis of a more constructive dialogue on the nature of freedom. MacCallum’s establishment of a revised conceptual framework for assessing notions of freedom is essential to understanding the complex nature of many theories and the inability to describe them as a member of one of either two diametrically opposed camps. His approach also draws attention to an issue which plagues many disciplines and fields of study; the temptation to make rigid distinctions and labels which often can prevent constructive dialogue and reflection¹².

MacCallum’s primary point concerns the way in which the debate has been framed by Berlin’s pivotal essay. In particular the way in which Berlin’s framing may be restricting penetrative analysis. His argument is important to consider when addressing or readdressing conceptions of

¹² Skinner’s article later dismisses the pursuit of Gerald MacCallum and his follows in establishing freedom as a single triadic conception. Skinner claims that these are all principles implicit within the negative conception of freedom (Skinner 2002, p.237-239). Skinner dismisses MacCallum’s triadic formula upon the grounds that positive notion of freedom such as those proposed by Bernard Bosanquet and T. H. Green hold a conception of freedom which is not viewed as the absence of constraint, but a freedom of “a condition in which someone has succeeded in becoming something” (Skinner 2002, p.242). Thus removing one of the three cruxes of MacCallum’s formula: that freedom is necessarily always from something, that freedom is always *from* something as well as *to do* in the face of some *obstacle*. Skinner interprets Green’s theory of freedom as not necessitating one of the three factors (freedom from).

freedom. One must always be sceptical of broad categorisations of a vast multitude of complex theories. The view that such theories are concerned either with *freedom from* something or *freedom to* do something is too reductive. Of course paradigms and lenses are one way in which we come to rationalise and ultimately understand the discussion, whilst Berlin's warning that certain theories have dangerous and manipulative implications, is definitely justified and understandable since the World Wars and the rise of totalitarianism. We must also however be cautious of broad dismissal and the natural tendency to let those paradigms and lenses distort out perception of individual scholars and the intellectual landscape as a whole. What MacCallum seeks justifiably to do is to reduce the impact of broad characterisation and bring the issue back to those values and principles of each theory which constitutes the real nature of their theories of freedom.

1.3 Conclusion

In conclusion, hopefully this chapter has provided the reader with a helpful overview of the development of the debate on the nature of freedom and the many issues which surround the distinction between negative and positive freedom. The chapter began by outlining Constant's 1819 speech on the distinction between the ancient notion of freedom and the newly emerging modern notion, with his cautionary plea for remembrance and integration of elements of the ancient form into the modern. The Chapter then traced the emergence of the modern notion of freedom as non-interference to Hobbes, it considered how this notion was appropriated by Berlin, and how it informs Berlin's influential distinction between negative and positive freedom. Having done this we turned to Taylor and his argument for the essential role of notions of self-realisation in theories of freedom. Then we discussed the contemporary republicanism's attempt to chart a third way in the discourse between negative and positive freedom. We saw that the ambitious attempt of contemporary republicans, such as Skinner and Pettit, to chart a third way has come

under heavy fire. Critics of republicanism's attempt to chart a third way argue *either* that contemporary republicans are too close to the liberal tradition to justify the claim that they have charted a different path, *or* that they cannot succeed in their avowed goal without importing more substantive moral assumptions concerning the nature of the self. Finally, we addressed MacCallum's triadic theory of freedom and his critique of the negative/positive liberty as constituting a dichotomy. In the following chapters we will turn to the work of Green and consider whether he can succeed in articulating a positive conception of freedom that is not open to the stock objections which are often raised against it and whether he might be more successful than the new republicans in overcoming the dichotomies that plague the current debate. Chapter 2 will consider how Green's conception of the self emerges from his critique of hedonistic naturalism and chapter 3 will provide an account of his positive conception of the good so that, in chapter 4, we will be in a position to locate him in the context of the current debate.

2 Desire and Desirability: Green's Theory of the Will as it Emerges from his Critique of Naturalism

Chapter 1 provided an overview of the contemporary debate concerning the nature of freedom. I will return to this debate in chapter 4. In the intervening chapters, chapter 2 and 3, I introduce Green's moral and philosophy so as to be able to locate him in the context of the distinction between negative and positive freedom when I return to this discussion in chapter 4. This chapter (chapter 2) is primarily concerned with outlining Green's conception of the will and how it emerges from of his critique of naturalistic hedonism. Although a discussion of Green's theory of the will and his critique of hedonism may appear to be very removed from the discussion of political freedom in chapter 1, outlining Green's conception of the will is necessary in order to be in a better position later, to understand his account of freedom and how its sits in the contemporary debate.

Hedonism is a branch of naturalism which claims that all ethical and/or psychological motives either are or should be derived from the pursuit of pleasure and the mitigation of pain (Moore 2013). Instead of drawing on metaphysical, transcendental or rational universal principles, one simply appeals to natural impulses thus creating a moral philosophy without the need to appeal to anything beyond nature. Green thinks that the hedonist notion of the good, based as it is on the maximisation of pleasure, threatens to undermine our understanding of good and free action. He argues that doing the right thing sometimes requires us to do something which goes beyond our simple desire for pleasure; that we can be persuaded to act by moral obligations which cannot be adequately captured by the simplistic desire for pleasure posited by hedonists. Green argues that the moral value of such actions is not adequately captured by the hedonist notion of the good. There is more to such actions than the desire for petty pleasure; such actions are desirable

in virtue of something more than being simply desired. This is what he ultimately argues is lacking in hedonism: a substantive notion of value, or of the desirability of a course of action that is distinct from that which is simply desired. Green's main bone of contention with naturalistic hedonism, then, is its inability to sustain a distinction between the good (what is desired) and the moral good (what is desirable or ought to be desired). As I will show, Green believes that naturalistic hedonism fails to sustain a distinction in kind between the good and the moral good because naturalistic hedonism operates with an impoverished notion of the will. In order for a distinction in kind between the good and the moral good to be possible, Green argues, one must adopt a more robust conception of what it means to will something. Green's argument, therefore, is that the conceptual apparatus of hedonism does not allow it to make the distinction between a generic notion of the good and the moral good or between what is desired and what is desirable. When such a distinction appears to be made within the framework of hedonism, it is *either* a very weak distinction that is not worthy of its name, *or* it is made at the price of moving beyond what can be strictly said within the confines of hedonism. To understand Green's claim that hedonism is unable to sustain a robust (in kind) distinction between the good and the moral good (or what is desired and what is desirable), it is helpful, so as to avoid confusion, clearly to label the distinction as it *can* be made within the confines of hedonism, and as it is understood by Green. Throughout this chapter I will therefore refer to the kind of desired/desirability distinction that can be made within the framework of hedonism as a type 1 distinction and to the desired/desirability distinction that Green is after, as a type 2 distinction.

Type 1 (relative) distinction. Hedonistic naturalists can make a distinction of a sort between an end/activity that is desired and one that is desirable. I shall call the sort of desired/desirable distinction that is within the power of naturalistic hedonism to make, a weak type 1 distinction. To illustrate this type 1 distinction let's consider the following example: I may desire a bar of chocolate but also desire to lose weight. If the pleasure that I get by contemplating my slim figure in the mirror is higher than the pleasure that I get from eating the bar of chocolate, then I could say that I "ought" to refrain from eating the chocolate bar even if that is what I desire it. For the hedonistic naturalist the notion of desirability or of an "ought" is captured by invoking the desire that produces the greatest amount of pleasure. The distinction between eating chocolate and staying slim is a distinction in the *degree* of pleasure that the attainment of these goals gives rise to, not a distinction in *kind* between different types of goals.

Type 2 distinction. The desired/desirability distinction that Green wants to defend, by contrast, is a distinction in kind rather than a distinction of mere degree. What makes an activity desirable, for Green, is that it is seen as contributing to one's personal good; it is the result of a reflection on what kind of person one wants to be. The desirability of a goal, therefore, is not a mere function of the pleasure that it brings about in virtue of being desired. I shall call this more robust distinction a type 2 transcendental distinction.

It is the second distinction that, according to Green, enables us to understand how is moral action possible. It is the question of how moral action is possible that Green addresses in his critical engagement with hedonism, and which we will consider in this chapter. The question that this chapter seeks to answer, therefore, does not relate, in the words of Green, to anything that we are obliged to do, but to the nature of the obligation to do anything (LPK 104). In other words, this chapter seeks to explain in what, according to Green, does the moral nature of action consist, what is the relation of the will to moral action, why the notion of a moral good necessarily eludes naturalist theories of the will, and how one must think of action in order for it to deserve the label "moral". The discussion the chapter engages in then, is one regarding the possibility of moral action through the ability to distinguish between that which is desired and that which is desirable; the establishment of a moral ought.

The chapter is divided in two parts. Part 1 introduces the three key hedonistic theorists which Green engages with: Jeremy Bentham, John Stuart Mill and Henry Sidgwick. Having done this part 2 introduces Green's critique of naturalistic hedonism and argues that Green's notion of the will emerges from an immanent critique of hedonism and the inability of hedonistic naturalism to support a notion of a moral ought or obligation that cannot be collapsed into the naturalistic conception of the good as the mere object of desire. The chapter concludes with some reflections on whether or not Green is a determinist. This question is essential in the reconceptualization of Green towards applying his theory to the contemporary debate on the nature of freedom; as it plays a central role in understanding Green's nuanced notion of true freedom presented in the final chapter. For if Green's will is governed by a complex determinism – as I seek to argue – how must we then view his theory of freedom?

2.1 Hedonism

In order to understand Green's critique of naturalism it is essential to first explore the naturalist theories which Green engaged with. The section looks at three utilitarian philosophers: Jeremy Bentham, John Stuart Mill and Henry Sidgwick. Our exploration of these ideas focuses on their conceptions of the will including the role which such theorists allocate to desire and reason, and the ways in which utilitarianism has attempted to make value distinctions; particularly with regards to John Stuart Mill's (1861) attempt in *Utilitarianism* to distinguish between different kinds of pleasure. The ability to distinguish between that which is desired and that which is desirable, or between the moral and the non-moral good, is of particular importance to Green, because it is the ability to make a distinction between these kinds of desires or motives which Green believes to lie at the roots of freedom and morality. Green ultimately thinks the utilitarians are unable to defend any substantive type 2 distinction within the naturalistic framework in which they operate. He argues that they are incapable of doing so due to an impoverished notion of the will. The reader may wonder how our discussion has made the transition from a critique of naturalism to a discussion of utilitarianism. Utilitarianism was the form of naturalism which Green critiqued in his philosophical writings. Utilitarianism is a branch of hedonism, which in turn is a branch of naturalist philosophy. Hedonism derives its name from the Greek word for pleasure. In the words of David Sobel hedonism "is the thesis that pleasure is the only intrinsic benefit and pain the only intrinsic harm an agent's well-being can receive. Hedonists maintain that unlike those who hold preference-satisfaction views, only states of mind can affect an agent's well-being (2002, p.240). Any deeper level of fulfilment or realisation, any notions of an afterlife or any other conceivable ways in which humans may be rewarded or punished, have no *intrinsic* value. Only pleasure has intrinsic value. If other notions such as virtue, honour, benevolence, have value for the hedonist it is because of the pleasure they ultimately produce. Other virtues possess only instrumental value equitable to the happiness/pleasure that they ultimately produce. There are two main branches of hedonism: psychological and ethical. The former makes a descriptive

psychological claim that pleasure and displeasure *are* the only factors which motivate human action. The latter makes a normative moral claim that pleasure and displeasure *should* be the motivation behind any moral consideration. The three prominent hedonistic philosophers which Green critiqued were Jeremy Bentham, John Stuart Mill and Henry Sidgwick. Each of these will be discussed in turn, addressing their primary contribution to utilitarian philosophy and how they sit in relation to each other.

2.1a Jeremy Bentham

Bentham has generally come to be considered to be one of the first major proponent of early Utilitarianism and is both a psychological and ethical hedonist as voiced in his extensively quoted opening passage to his pivotal work *An Introduction to the Principles of Morals and Legislation*:

“Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it.” (Bentham 1789, p.1).

Bentham sought to establish a system of morality built on foundations mimicking those of the natural sciences. He aimed to construct a moral system for the age of enlightenment which would dispense with theories based on the so-called law of reason, theology and the transcendental. He believed that moral concepts could be thoroughly accounted for on hedonistic grounds with no need to appeal to transcendent ideas. He claimed that the attraction of some imaginary paradise or the fear of a notion of hell which provide the motivation for religious belief, crippling the moral progress of humanity just as centuries of mystic medicine had damaged the physical strength of the people. According to Bentham, even codes of morality which appear to promote asceticism

and seem to fly in the face of hedonism, are still bound by those sovereign masters of pleasure and pain. For Bentham: "A thing is said to promote the interest, or to be *for* the interest, of an individual, when it tends to add to the sum total of his pleasures or, what comes to the same thing, to diminish the sum total of his pains." (Bentham 1789, p.3). An action can therefore be said to be moral if it increases the overall happiness/pleasure (utility) and or diminishes the overall sorrow/pain of an individual/individuals. For Bentham utility of an action is calculable through the consideration of the intensity, duration, certainty/uncertainty, propinquity/remoteness, fecundity, purity and extent (Bentham 1789, p.30), of the action's tendency to result in either pleasure or pain for each of the individuals in consideration to produce a total tendency or inclination for an action to favour either pleasure or pain its totality. Through this process one can determine empirically (without appeal to transcendent notions) the moral worth of an action. For Bentham an action which tends to produce pleasure can be regarded as good whilst those actions tending to produce pain can be regarded as evil. An action is simply praiseworthy or condemnable on consequentialist grounds based on its sum total of a relative utility.

Bentham's account of the will has its origins largely within the empiricist theories of Bacon, Locke and Hume: this is important to understand as it lays the foundations of what it means to desire something, and to deliberate between competing desires. For Hume, who lays the foundations for Bentham, rationality is instrumental in relation to the realisation of our desires, it has little to no creative function.¹³ Its role is not to determine what we desire, or generate desires, but to work

¹³ Like Hume, Bentham believed that all knowledge was derived from sensations and that it was simply the role of reason to establish truth and falsehood in relations of *cause and effect* and matter of fact. For example, I believe that taking vitamin C tablets will have the effect of preventing me from getting the flu, I encounter new information (experience) from a scientific journal disputing the relation of cause and effect, which through the employment of my reason I am able to correct my understanding and disassociate the two; or in the case of matter of fact, previous experiences have lead me to believe that the world is flat, new experiences come into dispute with my current understanding and through my reason I change my understanding that the world is in fact round. The importance of this for our present inquiry is the fact that for Hume, there can be nothing in rational thought which has not been derived from ultimately basic sensations.

out a way of obtaining the object of our desires. Reason does not drive the will in this sense then, its role is merely to guide it once a desire has been assigned to it. As Bentham states in the opening to *An Introduction to the Principles of Morals and Legislation*, the will is essentially determined by the causation of pain and pleasure: They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it." (Bentham 1789, p.1). As Hume explains, the 'will' for the empiricists is: "nothing but *the internal impression we feel and are conscious of, when we knowingly give rise to any new motion of our body, or new perception of our mind.*" (Hume 1738, p.399). That is the extent of the significance of willing something on the Humean understanding of the will. For a motion to become an act of the will one simply has to 'knowingly give rise to it.' There is no creative function of conscious rational reflections. Rationality then has no practical role in motivation, only in deliberating between motives and how set about pursuing them. Reason has no practical role in evaluating the worth of that which is being pursued. In Bentham's philosophy the goodness, or desirability of an action, hinges purely on the pleasure that it generates or the displeasure that it alleviates. For example: saving someone's life is a morally good action, in that it alleviates the pain of death and provides the potential for future pleasures, the pain which this person's death would cause has been avoided and a vessel for the actualisation of pleasure has been preserved. The pleasure/pain which the action will go on to proliferate is the standard by which the goodness of the action is measured. It is the only thing which marks it as good or bad, since nothing is inherently good: such as saving a life. Here, as well as highlighting the relative nature of the good for Bentham, we also see the *instrumental role* which rationality plays in moral deliberation. Let us say that we have £1,000 and we are deciding how to best spend the money to maximise the good in Bentham's sense. We could A) donate the money to a homeless shelter, or B) to a charity working to save the rainforests. The pleasure which will be produced from each action is for reason to calculate; its role is instrumental in working out pre-established ends – the pursuit of the maximum amount of pleasure. What Bentham has provided us with, is a calculus which can

rank desires according to the degree of pleasure they will yield if satisfied, but which offers no judgment on whether a desire has any *intrinsic* worth. Desirability is nothing other than the desire with the greatest potential to enhance happiness and the moral good is nothing but the enhancement of pleasure rather than a good that is distinct from pleasure. Bentham's hedonistic philosophy does provide some criteria for acting on certain desires rather than others and as such it may be said to be able to distinguish between a goal being desired and its desirability. But such a distinction, as we have seen, ultimately boils down to a distinction in degree between the amount of pleasure that the satisfaction of different desires yields, not to a distinction in kind between the good (understood as the object of desire) and the moral good (understood as something which has worth independently of whether it is desired). Benthamite hedonism can only defend a very weak (type 1) desire/desirability distinction. It cannot accommodate the kind of distinction Green is after because it operates with an impoverished empiricist conception of the will which downgrades the role of reason to that of the mere slave of the passions.

2.1b John Stuart Mill

Another essential figure who attempts to establish a distinction between desired and desirable ends (or between the moral and the non-moral good) on hedonistic foundations is John Stuart Mill. Mill is the main figure Green engages with. Building on Bentham's theory, Mill introduced a number of quite radical developments; one particularly relevant to our discussion is the distinction between higher and lower pleasures. This development was introduced in his pivotal work *Utilitarianism* (1863) largely in response to Thomas Carlyle's claim that Utilitarianism is a philosophy 'fit only for a swine' (1850). The problem many saw in utilitarianism was that its commitment to hedonism downgraded humanity by celebrating the pleasures of gluttony and lust. Utilitarianism, so its critics claimed, has no place for the notions of self-perfection or self-development or benevolence. Mill argued that there was a place for self-development in

utilitarianism and he believed that it could be justified without abandoning a commitment to the fundamental principles of Benthamite hedonism. Mill agreed with Bentham “that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain, by unhappiness, pain, and the privation of pleasure.” (Mill 1863, p.137). He argued, however, that “Human beings have higher faculties more elevated than the animal appetites, and when made conscious of them, do not regard anything as happiness which does not include their gratification.” (Mill 1863, p.138). As a result, Mill claims that human happiness requires the fulfilment not just of the desires for sex, drugs and rock n’ roll, but also the engagement of higher faculties. Humans need to have their intellectual faculties engaged by thought provoking literature, complex drama and sophisticated music; in other words, they need to experience higher pleasures in order to achieve happiness.

Mill’s distinction between higher and lower pleasures arguably smuggles in a more robust distinction (type 2) between the good and the moral good into utilitarianism’s hedonistic framework. He seeks to introduce this more robust type 2 distinction without disrupting the naturalistic framework within which hedonism operates by arguing that once humans have had the experience of higher pleasures they will chose them over lower pleasures: “Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling or moral obligation to prefer it, that is the more desirable pleasure.” (Mill 1863, p.139). Mill, in other words, tries to justify the distinction between higher and lower pleasures within a naturalistic framework by arguing that higher pleasures are preferred by those who have experienced them, thus endeavouring to avoid any appeal to the notion of an “ought” that invokes a distinctively moral good. But whether Mill can *consistently* introduce the distinction between higher and lower pleasure *and* remain within the framework of hedonistic naturalism is another matter altogether. Since, for Mill, the superiority of the higher pleasures is not based on any quantitative analysis, it is hard to see how the Benthamite hedonistic calculus (to which Mill swears allegiance) can yield the conclusion that higher pleasures are to be preferred even when

they generate a smaller quantity of pleasure overall. Mill says that “[N]o person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce, or the rascal is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he, for the most complete satisfaction of all the desires which they have in common with him.” (Mill 1863, p.139). But it is difficult to see how the conclusion that there can be no quantity of lower pleasures which could surpass a higher pleasure can be consistent with the hedonistic calculus. To hold on to a distinction in kind between higher and lower pleasures Mill would have to ascribe to reason a meatier role than the one it fulfils within the naturalistic framework he is so reluctant to abandon. As we shall see, it is precisely Green’s claim that in order to deliver Mill’s desideratum one must reconsider the role of reason in practical deliberation and operate with a notion of the will that is no longer compatible with Mill’s empiricist starting point.

Mill claims that it is better to be Socrates dissatisfied than a fool satisfied (Mill 1863, p.140). As Long (1992, p.285) puts it “Mill thus seems to be stressing the choice, not between particular Socratic pleasures and particular swinish pleasures, but rather between being a Socrates and being a pig.” (Long 1992, p.285). But what, may we ask, if you happen to prefer Justin Bieber over Schumann? Mill might claim that because you lack adequate experience or nobility of character to judge in favour of the latter. Yet, the introduction of the notion of (a nobler) character, just as the introduction of a distinct kind of pleasure, sits uncomfortably within the hedonistic framework from which Mill is reluctant to part. Mill’s moral philosophy wants to hang on to the claim of psychological hedonism according to which happiness is simply that which is desired and “[n]o reason can be given why general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness.” (Mill 1863, p.168). But this commitment to psychological hedonism (as Green believes and as I have tried to show here) is ultimately inconsistent with Mill’s desideratum to distinguish between higher and lower pleasures. The inconsistency at the heart of Mill’s utilitarianism has been exposed by Henry Sidgwick. Sidgwick is

credited with formulating one the most sophisticated utilitarian theories with a couple of very significant changes from Bentham and Mill. It is to Sidgwick's brand of utilitarianism that I shall now turn.

2.1c Henry Sidgwick

Henry Sidgwick's *Methods of Ethics* (1884), still stands as one of the greatest and widely influential works of moral philosophy. He is generally credited with having devised one of the most sophisticated and compelling defences of hedonistic moral philosophy, and with being the last authoritative figure of traditional utilitarianism (Albee 1901, p.358). Sidgwick's position is one he calls 'enlightened self-interest:' "If, then, when any one hypothetically concentrates his attention on himself, good is naturally and almost inevitably conceived to be pleasure, it does not appear how the good of any number of human beings, however organised into a community, can be essentially different." (Sidgwick 1884, p.33). The fundamental claim of utilitarianism and of ethical hedonism thus sits at the heart of his moral philosophy: that people desire happiness (pleasure) and that it follows from this that the ultimate good is greatest good for the greatest number. Sidgwick praised the Hedonistic theory for creating a standard value to apply to moral considerations. The hedonistic calculus guides action by providing a single value for measuring the moral worth of actions. It is the standard by which one judges all pursuits, including virtue. Sidgwick is generally credited with providing the most comprehensive and convincing defence of the hedonistic underpinnings of utilitarianism. As Schneewind (1977, p.316) says, "Sidgwick gives a more sophisticated analysis of pleasure than that of the earlier hedonists." Sidgwick's notion of pleasure and desire is in one sense more complicated and in another, more vague than other versions of utilitarianism and, although he builds on the work of Bentham and Mill his version of utilitarianism, differs in some important respects from that of Bentham and Mill.

Firstly, as Schneewind (1977) states, Sidgwick disagrees with the claim that there is a fundamental difference between desiring something and finding it pleasurable. He avoids conflating the two by making a relative (type 1) desire/desirability distinction; something, for Sidgwick, is not desirable simply because it is desired. There are innumerable things which one desires, many of which will not bring pleasure on being attained. For example: I often crave takeaway food, but I rarely feel satisfied with the taste and the way it makes me feel – seemingly I never learn. Sidgwick’s brand of utilitarianism identifies the good not with the object of desire but with the notion of *enlightened self-interest*. There often is, he claims, a large disparity between the happiness we anticipate from the realisation of certain desires, and the actual happiness which their attainment produces. Sidgwick goes further than simply stating, like Bentham, that we should be ruled by our desires. As the name “enlightened self-interest” suggests, the desires and ends which are genuinely conducive to pleasure are not brute emotions; they require rational deliberation and reflection. What this suggests is that reason, even if it remains a purely instrumental faculty, has a greater role to play than that assigned to it by Bentham¹⁴.

Sidgwick does not attempt to prescribe a vision of what experiences and pursuits constitute a contribution to pleasure or happiness within his brand of utilitarianism. Discovering the desire which will lead to the greatest intensity of happiness is left to us to reason:

“I cannot, then, define the ultimately good or desirable otherwise than by saying that it is that of which we should desire the existence if our desires were in harmony with reason, or (to put it otherwise) with an ideal standard from which our actual desires are found more or less to diverge.” (Sidgwick, 1884, p.108).

For Sidgwick, as for Mill, there are many different pursuits which might lead to a happy life. Unlike Mill, however, he wishes to draw no distinction in kind between the many types of activities

¹⁴ A greater enthuses upon the *fundamental role* in which reason plays in the pursuit of desires, however, an *instrumental role nevertheless*.

which lead to a happy life. In fact, Sidgwick is explicitly critical of Mill's claim that there are different kinds of pleasure (higher and lower) and that one can consistently rank virtue above vice within a hedonistic framework. Sidgwick argues that goods such as virtue or justice are purely instrumental goods: "Although the goodness of such gifts and skills may be recognized and admired instinctively, reflection shews us that they are conceived as essentially relative to some Good which they contribute to produce and maintain." (Sidgwick 1884, p.393). That Good being pleasure.

Virtue and justice then, are valued due to the sheer *quantity* of happiness they produce or manage for the recipients. In this respect Sidgwick, unlike Mill, is a consistent utilitarian who does not seek to establish absolute (type 2) distinctions that cannot actually be made within the framework of hedonistic naturalism. Sidgwick therefore avoids many of the accusations of inconsistency which are levelled at Mill and is generally considered to have produced a more consistent form of utilitarianism.

Sidgwick's brand of utilitarianism differs from that of Mill in another respect, for he does not take the hedonistic calculus to provide an algorithm to solve moral problems. He takes it to be more of a general principle or guide to action but eschews the view that it can be applied with mathematical precision. This indeterminacy, Schneewind argues, works to the benefit of his theory since it avoids common criticisms levelled at utilitarianism, such as this one by Little:

"The conflict, which one may go through, between thinking that utilitarianism is nonsensical and thinking that there must be something in it, results, from the endeavour to make it too precise. So long as it remains vague and imprecise, and avoids the use of mathematical operations and conceptions such as 'adding' and 'sums total', there is something in it; but it becomes nonsensical if it is pushed too hard in the attempt to make it an exact scientific sort of doctrine." (Little 1957, p.55).

This indeterminacy in the application of the calculus has been one of the subtle benefits of Sidgwick's notion of the good, and perhaps one of the major factors which has contributed to the longevity of his brand of utilitarianism. This advantage notwithstanding Sidgwick's brand of utilitarianism does not succeed in establishing a robust distinction between what is desired and what is desirable and thus is ultimately unable to distinguish the good from the moral good. One advantage of Sidgwick's theory is that, since the notion of enlightened self-interest does not claim virtue to be a distinctive kind of good to be chosen irrespectively of its consequences, he does not go beyond what can consistently be said within the theoretical framework of hedonistic naturalism. But while Sidgwick's notion of enlightened self-interest, unlike Mill's concept of higher pleasures, is consistent with naturalistic hedonism, this still does not allow Sidgwick to make a distinction in kind between what is desired and what is desirable. Such a distinction eludes naturalistic hedonism; when self-professed naturalists claims to be able to make it they make this claim only at the price of inconsistency.

The inability of hedonistic naturalism to make a robust distinction between what is desired and what is desirable, the good and the moral good, is the impetus behind Green's revision of the empiricist notion of the will and the allocation to reason of a greater role in practical deliberation, as we shall see in the second part of this chapter.

2.2 Green's Critique of Naturalism

One may wonder why it is necessary to go to such lengths to establish the limitations of naturalistic hedonism for the purposes of understanding Green's theory of the will. For the purposes of this chapter this is quite important because Green's conception of the will emerges from an engagement with hedonism and an understanding of its limits. Understanding what claims hedonism can and cannot make is also important because it shows that Green's commitment to a more substantive notion of the self and of the will is dialectically motivated: it is

endorsed at the end of an argumentative process which seeks to avoid the problems inherent in the position which he critiques. Green has been accused of establishing a metaphysics of the split self, for endorsing an ontological dualism of a higher and a lower self¹⁵. This supposed commitment to a metaphysics of the split self is also regarded as the platform from which he launches his critique of utilitarianism. Reconstructing Green's criticism of utilitarianism's commitment to the framework of naturalistic hedonism shows that there is at least another way of understanding the motivation behind Green's positive views concerning the self. For his critique of hedonism suggests that his views concerning the nature and role of the will in practical deliberation may not be the result of a dogmatic commitment to a metaphysics of the split self, but rather that they are motivated by the need to make conceptual distinctions, such as that between a broader and a moral conception of the good, that can only be drawn if one abandons the philosophical standpoint from which utilitarian thinkers sought to articulate a conception of the moral good. This of course would not show that there are no substantive metaphysical claims in Green, but that there is a different way of reading him: i.e. as attempting to show how certain conceptual distinctions, which elude the framework of hedonistic naturalism, can be made if only one were willing to adopt a different set of assumptions about the nature and role of the will in practical deliberation. This reading seems at least to be compatible with Green's claim that questions of morality and value judgments, or what he calls 'the application of ideas to life' "belong as little to the domain of natural science, strictly so called, as to that of dogmatic theology." (Green PE, 1). They belong to philosophy. They express something beyond the realms of strictly empirical observation and yet cannot be resolved through the dogmatic speculations of religion. To be clear, I am not saying that there are no metaphysical commitments in Green, that he cannot be interpreted as being committed to dualistic account of the self, but only that by emphasizing how he arrives at his claims concerning the nature of the self and the will through an immanent critique of hedonistic naturalism, one puts the spotlight on Green's attempt to defend

¹⁵ See section 1.1c on Berlin.

conceptual distinctions rather than a *metaphysical* one. In the following section I will therefore endeavour to show what are Green's reasons for arguing that the conception of the will to which hedonistic theories are wedded is only able to support an anaemic version of the desired/desirability distinction, one which cannot do justice to a distinction in kind between the *is* and the *ought*.

2.2a Green's Critique of Utilitarianism

Firstly, as we have already seen, Green questions the claim that all action aims at maximizing pleasure and minimizing pain. He believes that people do perform actions with the anticipation of great pain and hardship in cases of self-sacrifice (Green PE, 159). Actions which require self-sacrifice, Green argues, are unintelligible from the perspective of naturalistic hedonism because, as he puts it "Such desire for virtue is clearly not determined by any antecedent imagination of pleasure." (Green PE, 169) Green is aware that one might try and rebut his objection by arguing that some might pursue virtue because it produces pleasure: "It is of course open to anyone to argue that what is called desire for virtue is really desire for pleasures that are to be obtained in a certain way" (Green PE, 169) but dismisses this way of responding to his criticism by reiterating the point that the standpoint of hedonism makes the concept of disinterested action unintelligible and cannot therefore explain how the distinction between self-centred and selfless actions is possible: if virtue were desired because of the pleasure one gets in performing virtuous acts then what one desired would not really be virtue but something else. Secondly, Green believes that utilitarianism can escape Thomas Carlyle's famous criticism that it is 'a doctrine worthy of a swine' only at the price of internal inconsistency. He agrees with Sidgwick that Mill's attempt to meet this criticism by invoking the distinction between higher and lower pleasures fails, because the distinction between higher and lower pleasures, in so far as it is a qualitative distinction, cannot legitimately be drawn from the perspective of hedonistic naturalism. To be a consistent hedonist,

as Bentham and Sidgwick, one must renounce the view that higher pleasures, or the ideas of a virtuous character, are preferable even if choosing lower pleasure generates less pleasure overall.

Green is explicitly critical of Mill's attempt to justify the distinction between higher and lower pleasures within the framework of hedonistic naturalism. He attacks Mill's claim that everyone acquainted with both higher and lower pleasure would prefer the former and asks how Mill might respond if confronted with a person who has experienced both higher and lower pleasures, but has opted for the lower pleasures in spite of having had a taste of the higher ones (Green PE, 164). If, for example, someone genuinely derives more pleasure from a bottle of White Lightning than from the works of Shakespeare, then from where are they to derive any motivation to pursue anything other than this self-destructive drinking habit? Pleasure, Green argues, is inherently subjective and cannot provide the foundation for an objective theory of the good. Since different people find different activities pleasurable, it is difficult to see how utilitarianism's emphasis on pleasure could possibly ground an objective account of the moral good. Green's claim is captured by Kai Nielsen who, in a paper entitled 'On Ascertaining What is Intrinsically Good' (1976), argues that a theory of desirability based on hedonism inevitably falls into individual subjectivism because the only test for whether something is objectively good is "the fact (if that is a fact) that people sincerely believe something to be intrinsically good." If so, Nielsen argues "then it may very well be the case that all "judgements" of intrinsic goodness are so essentially contested and so unavoidably *subjective* that there can be no moral knowledge at all." (Nielsen 1976, p.138). If the desirability of particular goods depends on the pleasure individuals experience when they satisfy their desires for them, then the notion of the good that utilitarianism is committed to is ultimately subjective. Thus, if pleasure is relative to the individual then one cannot extrapolate that something is intrinsically desirable or even desirable for anyone other than the individual. If this is the case then there can be no real intrinsic notion of that which is desirable from a hedonistic framework.

Finally Green argues that even if one conceded, for the sake of argument, that the conceptual framework of naturalistic hedonism is able to support an objective notion of the good, this still leaves hedonistic naturalism open to the objection that one *cannot* derive the claim that higher pleasures are more desirable than lower ones from the claim that those who have experienced higher pleasures in the past have also chosen them over lower pleasures. For such descriptive empirical claims about how people chose in the past can at best tell how people chose, not that they ought to have so chosen. This inference from an *is* to an *ought* is just another example of the naturalistic fallacy, i.e., the attempt to derive a normative claim from a descriptive claim about human psychology, which is often raised against moral hedonism. Resorting to the notion of character in order to justify the distinction between higher and lower pleasure does not help Mill in the least because, as Green argues, “it is altogether against Utilitarian principles that a pleasure should be of more value because the man who pursues it is better. They only entitle us to argue back from the amount of pleasure to the worth of the man who acts so as to produce it.” (Green PE, 164).

Hedonists, Green argues, “seem always somewhere to avail themselves of a distinction between the desirable and the desired (to assume a practical consciousness of the desirable as distinct from actual desire for pleasure), to which they are not entitled.” (Lectures on the Philosophy of Kant 104). But in attempting to make such a distinction hedonists inevitably run counter to Utilitarian principles (Green PE, 164). This is what we see in his critique of Mill’s attempt to establish such a distinction within a naturalistic framework. Without a notion of the will that gives a central function to reason in the establishment of what goals are worthwhile pursuing, the distinction that Mill wished to achieve cannot be achieved.

Green’s argument exemplifies what can be achieved with the tools of immanent critique. His immanent critique of utilitarianism shows that utilitarianism cannot get *there* (achieve its avowed goal of establishing a distinction between an *is* and an *ought*) from here (its hedonist starting

point). And if one cannot, philosophically speaking, get *there* from *here*, then one must look for a different starting point, and begin again from a different theoretical framework. Green's immanent critique of utilitarianism also provides a glimpse of what the new starting point should be. If one is to avoid the problems that utilitarianism faced in establishing a robust notion of desirability or of the moral good one must abandon the empiricist notion of the will. It is through conscious reflection on the goals of action that, as Green states, one can form the idea of that which *should be* as distinct from that which *is*; a world of practical reasoning as distinct from a mere series of spatio-temporal events. This is ultimately why hedonistic naturalism is unable to establish *within its theoretical framework* any worthwhile distinction between what is desired and what is desirable. As Green states, "It is this consciousness which yields, in the most elementary form, the conception of something that *should be* as distinct from that which *is*" (Green PE, 86). The conception of desires and motives one finds in hedonism, lack the human spirit, the conscious, rational and self-perceiving will, and as such reduce us to the passive facilitators of mechanical desires. It is the ability to rationally deliberate upon ends for Green that creates the possibility of free and moral action.

2.2b Green's Theory of the Will as it emerges from his Critique of Naturalism

Green's theory of the will is expressed primarily in the first two books of the *Prolegomena to Ethics*, but also in his *Lectures on the philosophy of Kant* (LPK). In fact Green's strongest articulation of his theory of the will and his critique of naturalism is to be found in his lectures on Kant. There are two important aspects which are key to understanding Green's theory of the will: the ability to consciously reflect on the goals of action and the ability to identify which desires constitute part of one's personal good. The personal good, for Green, is the result of conscious deliberation where reason does not merely have an instrumental role in determining which course of action is best suited to deliver goals which are set by desire but also has a key role in

deciding which goals one should pursue, what kind of person one wants to be, or one's personal good. Green begins to construct his theory of the will through a question he poses in the second book of the *Prolegomena* is: what makes the will free? In the third book, he addresses an additional question which he ultimately believes to be in essence the same: what makes the will good? These questions, for Green, are closely related because only action that is free can be said to be moral. When Green claims that moral action is essentially free action he uses "moral" in a very specific sense, where "moral" is to be contrasted not with "immoral" but with "amoral". What he means then, when he claims that there is a very close relationship between free and moral action (or between freedom and morality) is not that free action is morally good action and that unfree action is morally evil. He means rather that action which is not free cannot have any moral qualities, be this moral or immoral. Unfree action cannot be either good or evil. It is only free action that can be described as morally good or bad. The possibility of moral action, then, where "moral" is contrasted with amoral, lies with the ability of the will to consciously reflect and decide on the goal of action. Action which lacks this element of conscious reflection is animalistic or mechanistic and it is not so much immoral as amoral.

Through the process the nature of the desire is fundamentally changed from that of something innate and animalistic, to an act of human autonomy. What is essential for an action to be considered moral – desirable – is this process. The nature of an action changes when an individual consciously reflects upon it as their own personal end:

"It is only as they become through the reaction of the self-seeking self upon them, and through its formation to itself of an object out of them - only as they merge in an effort after a self-satisfaction to be found in this object, - that they yield the motive of the act of will, properly so called." (PE, 104).

An action which has not been presented to the self and contemplated as a desired end – as embodying one's personal good – has no moral element, nothing representing personal value in

the performance of that action. As Maria Dimova-Cookson calls it, it is a transcendental theory of human practice (2001, see chapter 1). Transcendental in the sense that an act of the will or motive, changes in its fundamental character – transcends – from the animalistic desire, the stimulus of nature one might say, and becomes an action which is willed and thus human, thus moral. The essential ingredient in this process being conscious reflection and identification of the desire as one's own personal good: "It [a desire] only becomes a motive, so far as upon the want there supervenes the presentation of the want by a self-conscious subject to himself, and with it the idea of a self-satisfaction to be attained in the filling of the want." (Green PE, 88). Without this process of reflections actions are neither moral nor immoral, they are simply amoral. As Green says: "Concentration of will does not necessarily mean goodness, but it is a necessary condition of goodness." (Prolegomena 105). Acting without any form of reflection would be a little like reaching for food in the grip of crippling hunger. This kind of action, Green says, "would not be moral but instinctive. There would be no moral agency in it. It would not be the man that did it, but the hunger or some 'force of nature' in him." (Green PE, 91). Ultimately for Green:

"[I]n order to become a spring of *moral* action (an action morally imputable, or for which the agent is accountable, an action to which praise or blame are appropriate), the animal desire or aversion must have taken a new character from self-consciousness, from the presentation of oneself as an object, so as to become a desire or aversion for a conceived state of oneself. It is because the moral agent is thus conscious of himself as making the motive to his act, that he imputes it to himself, recognises himself as accountable for it, and ascribes a like accountability to other men, with whom he could not communicate unless they had a consciousness with his own." (Green LPK, 113)

Moral action (where "moral" is contrasted with "amoral", not with "immoral") requires a process of self-identification with the object of desire. The object needs to be recognised as a personal good in order for it to be pursued by an act of willing. Actions then, which are performed without

undergoing this process of self-identification and reflection are for Green, actions which one could not attribute to the individual in any moral sense as it is not an act of the will properly understood. This is the fundamental transcendental element within Green's philosophy, this is the spring of both free and moral action. And this is the element which fundamentally distinguishes his theory of the will from that espoused by naturalist philosophers. The nature of a willed end transcends that of a mere instinctive desire. Its value is something wholly above that of something which is merely desired. It is in this sense that the desire becomes something of which one can say is desirable in a sense that cannot be captured within the framework of naturalistic hedonism within which utilitarianism operates. This explains why Green finds the hedonistic position so untenable. For Green the kinds of desires and actions which the hedonist argues have moral worth, have value, are simply not so much immoral as amoral, and cannot properly be attributed to the individual. Utilitarianism is not a moral theory. For to even begin to articulate a conception of what is morally good as opposed to what is morally evil one must first of all distinguish between action that is mechanical (and therefore not different from a reaction) and action proper.

Green's critique of the empiricist conception of the role of the will in practical deliberation mirrors his critique of empiricist epistemology. Just as our experience of objects requires an act of unification or epistemic synthesis, so the identification of a desire as a motive requires recognizing that desire as part of one's personal good. In the closing paragraph of the introduction to the *Prolegomena* Green asks: "Can the knowledge of nature be itself a part or product of nature, in the sense of nature in which it is said to be an object of knowledge?" (Green PE, 8). In other words, does our understanding of nature as a connected whole require something other than the raw epistemic experiences we derive from it? Green's answer, as indeed Kant's, is that knowledge of nature is not part of nature. He inherits the fundamental Kantian notion that 'understanding makes nature' (Green PE, 9-11), and that consciousness plays an integral role as a

synthesising and unifying principle.¹⁶ Just as Green rejects empiricist epistemology on Kant's grounds, so he rejects the empiricist theory of the will which informs hedonistic naturalism for very similar reasons: a desire counts as a motive rather than as an instinct only if it is identified as part of one's personal good. In Green's theory of the will, therefore, the will has a creative/generative role in determining which desires we should adopt as motives, a role that it lacks in the hedonistic framework: "It is this consciousness which yields, in the most elementary form, the conception of something that *should be* as distinct from that which *is*, of a world of practice as distinct from that world of experience of which the conception arises from the determination by the Ego of the receptive senses." (Green PE, 86). It is the role that the will has in transforming a mere desire into a motive that makes action free, moral and distinctively human. As Tyler states: "the link between the 'human soul' or 'human spirit' and ethics springs from the nature of the will and, in particular from its expression in 'distinctively human action', and in its contradistinction to 'animal' or 'mechanical' existence." (2010, p.89). For without practical reason allowing us to consciously and rationally deliberate upon the worth of our desires, there is no such thing as moral, immoral and ultimately free action.

Now it may be objected that most human actions are not as Green describes them. It is not always the case that before acting we go through a process of examining our desires as a result of which we consciously adopt some of them as our motives. But Green's point that moral action requires conscious reflection need not be construed as stating that we constantly subject our desires to scrutiny. He is making rather the more general point that the life of a moral being (where "moral" is to be contrasted with "amoral") cannot be an unexamined life, that the unexamined life is not 'distinctively human'. Just as for Kant the transcendental unity of apperception is something that must be capable of accompany our representations of an object,

¹⁶ For a discussion see Lamont (1934, p.38).

so for Green actions which can be said to be moral are such that one could, if asked, be able to explain why they are part of their personal good.

To sum up what we have seen so far: Green's account of the will as having an important role in deliberating about the goals of action rather than being merely at service of desire emerges from a critical engagement with the hedonistic naturalism within which utilitarians articulate their moral theory. The need to ascribe the will a more robust role in practical deliberation arises out of the observation that the weaker conception of the will which naturalistic hedonism embraces cannot yield a notion of an ought, of desirability or of a moral good, that is sufficiently robust to do justice to the concept of virtuous action, i.e., action that is pursued for its own sake, not for the sake of something else or out of enlightened self-interest. Many have assumed that because Green rejects the hedonistic naturalism that utilitarian philosophers are committed to, then he must do so because he embraces a form of supernaturalism, i.e., he must think of the will as something that transcends (metaphysically or ontologically speaking) the empirical self. My argument is that Green seeks to deliver the aspirations of some utilitarians (especially Mill) but points out that such aspirations cannot be achieved within the framework of naturalistic hedonism. This reading enables us to look at his moral philosophy as advancing a conceptual claim about how we have to think about the process of practical deliberation, or how we have to reconceptualise the notion of the will, rather than reading him as having a prior ontological commitment to a metaphysics of the split self.

2.2c The Question of Determinism and Moral Responsibility

Green's account of the will has a very strong Kantian flavour. As we have seen, it is the ability of the will consciously to reflect on a person's desires and to adopt them as motives that gives it a role in practical deliberation that is radically different from the one it has within the framework of hedonism. Given this Kantian account of the will one might naturally expect Green to connect

moral responsibility with free will (the ability to choose otherwise in any given instance). This is not, however, what Green actually claims. In his view we do not have direct control over our desires. We have however indirect or mediate control over them through our character. Raw desires are merely given to us, but desires can be moulded by changing the kind of character and thus the kind of person we are in line with our ideal of the personal good. Green is a very complex philosopher whose thought is difficult to pigeon hole because he brings together insights from philosophical traditions which are often deemed to be irreconcilable. His conception of the sense in which we may be said to be free is a clear example of his synthesis of ideas drawn from Kant's and Aristotle's moral philosophy. From Kant Green takes the idea that the will has a robust role in practical deliberation and its corollary that beings who do not scrutinize the goals of their actions are not moral (in the sense contrasted with amoral). From Aristotle, on the other hand, Green takes the idea that the task of achieving the personal good requires working on our desires to bring them into line with the conception of the personal good towards which the will seeks to steer us. As it is well known, in the *Nicomachean Ethics*, Aristotle claimed that virtue is a settled disposition to act and far from being natural, is the sedimentation of past deliberations. As a settled disposition virtue is not something that can be produced or changed overnight. Green, as Aristotle, believes that character exercises a form of determinism over the will, a determinism which might be referred to as "soft" (Simhony 1999, p.5) because it is quite different from the "hard" determinism based on the laws of nature.

Soft determinism differs from the kind of determinism that arises out of the view that everything which happens can be either predicted or retrodicted through the application of the laws of nature together with knowledge of antecedent conditions (hard determinism) because it does not conceive of character as something that we have by nature and which cannot be altered.

Character, for Green, does define who we are, but character is something that we are responsible for through the repeated exercise of the will over time. The moulding of character is a process

though which our desires are shaped in such a way that will dispose us towards the personal good. As Green says:

“By character, as that to which moral predicates are ultimately relative, we mean the way in which a man seeks self-satisfaction. The will is always an effort after self-satisfaction (as explained above, a presentation of some state of oneself or of an object determined in thought by relation to oneself, as to be attained or realised in preference to any other), and character depends on the direction which this effort takes, on the nature of the state or objects in which this self-satisfaction is sought.” (Green LPK, 122).

Character is our present state; it is the embodiment of past exercises of the will. Green’s injection of an Aristotelian account of the habituation of desires and the development of character within a theory of the will that is heavily influenced by Kant, has given rise to the question as to whether Green is cosying up to a form of determinism that sits uncomfortably with his Kantianism. And if he is a determinist, what kind of determinist is he? This is the question to which we shall now turn.

Let’s begin by considering what Green himself says in answer to the question: “has man power over the determination of the will?” (Green DSF, 14). Unsurprisingly given the dual influence of Aristotle and Kant on his thought Green’s answer is not a straightforward “yes” or “no”. The answer, he says is both yes and no.

No, in two senses:

1. Because we are effectively our will; one cannot claim to have power over the will, since the will is what constitutes us: “he is not other than his will, with ability to direct it as the will directs the muscles.” In this sense the individual is the will itself, therefore to suggest that one could have ‘power over’ oneself is nonsensical. Because decisions which we make are determined by character “given the man and his object as he and it at any time are, there is

no possibility of the will being determined except in one way, for the will is already determined, being nothing else than that the man is directed to some object.”

2. Secondly, for the general admission that one is determined by circumstances which they do not always create or choose.

Yes, also in two senses:

1. Because the factors which determine us are internal and not external: It is one's own character which constitutes the force of determination (*internal*), and not *external* factors: “that nothing external to him or his will or self-consciousness has power over them [Green referencing to muscles or more broadly the self].”
2. Because one's character is determined by the man or will just as much as the man or will by one's character.

Green also states that: “The fact that the state of the man... is a result of previous states, does not affect the validity of this last assertion, since (as we have seen) all these states are states of a self-determination except through the medium of self-consciousness, is excluded.” (DSF 14, 1886).

According to Green character embodies the will's deliberations hitherto and should not be conflated with the process of willing as it directs it. Character is the present state of ourselves and the sedimentation and embodiment of past preferences. Given the relationship holding between the will and character the question arises as to whether there can be any such thing as free will since in any one instance we could not have decided to do otherwise than that which our character compels us to do? If the context in which a decision is being made is grounded in the personality of the individual and the context in which one finds oneself, then what grounds are there to claim that one could have chosen to act otherwise?

Green anticipates the objection that his conception of the relation between the will and character could lead to determinism and threaten the claim for moral responsibility, but dismisses it as

unfounded. Rather than seeing his account of character and circumstances as a hindrance to any notion of moral responsibility, he views it as an essential prerequisite of it:

“The view, then, that action is the joint result of character and circumstances, if we know what we are about when we speak of character, does not render shame and remorse unaccountable and unjustified, any more than, in those by whom it is most thoroughly accepted, it actually gets rid of them. On the contrary, rightly understood, it alone justifies them. If a man’s action did not represent his character but an arbitrary freak of some unaccountable power of unmotivated willing, why should he be ashamed of it or reproach himself with it?” (Green PE, 110).

To illustrate what Green is saying I will use an incident from my childhood when my loving and mild-mannered aunt once following a minor altercation with my cousin, burst into a torrent of disproportionate anger sending me to bed without dinner. She later tearfully explained that she was not being herself and that it was the misdirected manifestation of built up stress. This is the kind of instance to which Green is referring to: how could she be blamed for such an uncharacteristic outburst? In this sense she cannot because *her character was not in her action*.

One important attempt to save Green from the accusation of determinism has come from Geoffrey Thomas and has been developed in the context of his self-interventionist theory. Thomas’s self-interventionist theory accepts that individuals are determined by circumstance and character in any one deliberation. Put simply, according to Thomas, I could not have chosen otherwise in any one moment of deliberation because my circumstance and character conspire to push me in one direction only. The point at which we can intervene on the will is through the construction of our character. Thomas argues that we can influence and shape our character over time. He provides an example of this process within *The Moral Philosophy of T. H. Green* (1987, p.172). A woman he calls Isabella is weaning herself off the habit of taking sugar in her tea. In the first instance she cannot resist using sugar, gradually as she acquires more information regarding

the dangers of sugar to her health first through hearsay and then through research, she embarks on a programme of gradually reducing or replacing sugar in her tea. From taking honey instead of sugar, to buying different brands of tea which are more palatable without sugar, eventually she is able to diminish her desire until the point in which she can resist it. The reasoning then, is that in any one individual instance, there is no scope to say we could have chosen to do otherwise.

Isabella in the first instance in which she does not resist the desire to put sugar in her tea, and she could not have done otherwise. However, with each instance in the process of a gradual change of character and circumstance, she is able to intervene and change each element so as next time she finds herself in such circumstances her behaviour is different¹⁷. Like changing the course of an

¹⁷ This is very much a kin to the form of moral responsibility Aristotle talks of in the second book of the *Nicomachean Ethics*. Firstly Aristotle establishes the definition of a non-voluntary/involuntary and voluntary action:

- 1) Non-voluntary/involuntary: "Every act done through ignorance is non-voluntary" Aristotle distinguishes this from involuntary, which is performed out of compulsion, but also "when it causes the agent subsequent pain and repentance." (Book II, 1110b, 15-20). So, when one is either compelled to perform an action or performs it out of ignorance, and is then remorseful and realises their error, this Aristotle counts as involuntary. He further states that non-voluntary action is out of a "*particular* ignorance, i.e. of the circumstances and objects of the action; for it is on these that pity and pardon depend, because a man acts in ignorance of such detail is an involuntary agent." (Book II, 1111a, 1-5).
- 2) Voluntary: "If an involuntary act is one performed under compulsion or as a result of ignorance, a voluntary act would seem to be one of which the *originating cause lies in the agent himself, who knows the particular circumstances of his action.*" (Book II, 1111a, 20-25. Italics my own).

In this sense then, actions which are the result of drunkenness or ignorance or involuntary. However, these actions are the result of a 'bad moral state,' they are a result of one cultivating a bad character: "people get into this condition through their own fault, by the slackness of their lives; i.e. they make themselves unjust or licentious by behaving dishonestly or spending their time in drinking and other forms of dissipation; for in every sphere of conduct people develop qualities corresponding to the activities that they pursue." (Book II, 1114a, 5-10). One does have the capacity to gradually reform – in the manner in which Thomas describes – according to Aristotle: "The bad man, if he is being brought into a better way of life and thought, may make some advance, however slight, and if he should once improve, even ever so little, it is plain that he might change completely, or at any rate make very great progress; for a man becomes more and more easily moved to virtue, however small the improvement was at first. It is, therefore, natural to suppose that he will make yet greater progress than he has made in the past; and as this process goes on, it will change him completely and establish in him a contrary state, provided he is not hindered by lack of time." (*The Categories*, 13a, 23-13a 31) This is thrown into a degree of doubt, or at the very least considerable challenge, by another of Aristotle's statements: "it is unreasonable to suppose that a man who acts unjustly or licentiously does not wish to be unjust or licentious; and if anyone, *without being in ignorance*, acts in a way that will make him unjust, he will be voluntarily unjust; but it does not follow that he can stop being unjust, and be just, if he wants to – no more than a sick man can become healthy, even though (it may be) his sickness is voluntary, being the result of incontinent living and disobeying his doctors. There was a time when it was open for him not to be ill; but when he had once thrown away his chance, it was gone; just as when one has once let go of a stone, it is too late to get it back" (*Ethics*, Book II, 1114a, 10-20. Italics my own). It appears that reform is possible, however not when one is in ignorance, and there are limitations, one can be too far gone.

ocean liner, we cannot abruptly change its direction, but we can gradually steer it onto another course. Just as Aristotle claimed that virtue can be habituated and that we can exercise mediate control over our desires initially by acting contrary to our wants, until that time when we stop having the desires which conflict with our judgements, so Thomas defends Green by arguing that while we have no direct control over our character we can influence our character by exercising our will and making choices that will gradually transform us into the kind of person that matches our notion of the personal good.

Another attempt to rescue Green from the charge that the introduction of an Aristotelian notion of character in what is essentially a Kantian account of the will threatens the possibility of freedom and moral responsibility comes from David O. Brink. Brink acknowledges that Green's indebtedness to the Aristotelian notion of character does have certain deterministic overtones but argues that ultimately Green can be exonerated from the charge of hard determinism by invoking the notion of 'epistemic responsibility' (Brink 2003, see chapters 8 and 9). Epistemic responsibility is the conscious recognition of desires as being true to one's conception of the self and the personal good. It requires the ability to assent to certain desires as true to one's self or reject them as alien to one's self-conception. Ultimately, Brink argues, Green's determinist streak is of no threat to what he terms 'epistemic responsibility' but is, on the contrary, a prerequisite for moral responsibility. The epistemic process is absolutely integral to understanding why Brink thinks this is so. Firstly, everyone approaches an experience with different degrees of knowledge and a character. This, then, is the extent to which one is determined: no one person is an island to claim there is no determinism so would require having a conception of the self as completely detached for its past and circumstances. It is the subsequent process of interpreting one's impulses, and choosing to "sanction" them, that Brink argues lends an act of the will its transcendent value. As he explains: "brutes accept the way things appear to them – their doxastic impulses. If they reason, they do so only instrumentally to satisfy their desires, but they do not reason about their appearances." (Brink 2003, p.20). It is in this that the true meaning of Green's

claim that understanding makes nature, can be gleaned. Desires are not generated ex-nihilo by the will. The self is not causally responsible for the desires it finds; but the self is nonetheless responsible for the choices it makes out of the materials (desires) which it does not itself create. To understand and assent to desires which are natural in their origin is to deploy one's practical reasoning. Action that is not the result of practical deliberation (in the strong sense rather than in the merely instrumental sense) is just a sort of mechanical/animalistic doing, that is not even worthy of the name "action", as have previously discussed in the context of Green's critique of hedonistic naturalism.

Brink's defence echoes Cookson's interpretation of Green as advancing what she calls a 'transcendental theory of human practice'. Dimova-Cookson argues that Green's theory of the will is transcendental in nature, that desires which are willed take on a distinctly transcendental character from desires which are merely given to us by nature. She therefore rejects the view that character exercises a strong deterministic grip on the will. Dimova-Cookson argues that far from exercising a deterministic grip on the will character is, on the contrary the channel for the expression of one's agency: "Green does claim that there is no act undetermined by the spiritual nature of the agent, undetermined by the fact that in all her desires, a person is an object to herself. But it is this 'determination' that makes human experience possible; it is the very condition of rational and unified experience. This 'determination' does not deprive the person of her 'agency': it *is* her agency." (2001, p.52). As Green states numerous times, a man is his own object to himself, the object by which we are determined yes, but determined as an object to ourselves (1906, 1). As already stated, according to Green without determination by character, moral responsibility would be undermined because if the action did not embody our character than one could not properly call it their own (Green PE, 110). In sum, instead of seeing Green's theory of character as deterministic, Dimova-Cookson embraces Green's Aristotelian notion of character and claims that it is required for self-determination.

Not everyone, however, has been persuaded by the view that the soft determinism at work in the notion of character does not endanger the possibility of moral responsibility. Prominent amongst these sceptics is Colin Tyler.

Tyler argues that Green has two contradictory notions of the will which he terms: 'self-interventionist' (after Thomas' account) and 'spiritual determinism.' Tyler thinks the latter interpretation of the will has greater credibility and fits better with Green's overall philosophical project. Spiritual determinism is the view that character is the concrete expression of agency in the world, which is inevitably incomplete, incoherent and often inconsistent. This character locked in circumstance and driven by itself is seeking realisation: "the drive for harmonisation is an attempt to overcome the feelings of alienation which must arise from the recognition of present disharmony in the manifestation of an ultimately self-harmonised being." (Tyler 2010, p.129). It is an acknowledgment of flaws in our situations which we are striving to overcome working towards the actualisation of individual notions of harmony, which we fail to achieve due to our inadequate knowledge. Tyler also argues that Green is unable to present a coherent notion of personal responsibility. The problem with the self-interventionist interpretation advanced by Brink is that it seems to either partially or totally undermine the notion of personal responsibility. One's self-reflection (what Brink calls the process of epistemic responsibility) depend ultimately on the state of one's character. Hence any given deliberation is constrained and largely determined by one's character, which in large part, Tyler claims, is the result of prior choices. Just as one who acts out of character is unaccountable for such an action, so too are the results of uncharacteristic choices/actions. Since Green argues that acting in character is essential for moral responsibility he walks straight into a notion of determinism which undermines the very notion of responsibility that he seeks to defend. Tyler therefore contests Thomas's notion of self-interventionism on the grounds that it leads to an infinite regress, and ultimately, argues that Green's notion of the will as self-interventionist should be abandoned along with notions of moral responsibility (Tyler 2010, p.124). Tyler argues that under what he terms the "spiritual

determinist” interpretation of the will¹⁸, Green holds that: “the evil human is an imperfect manifestation of her essence. Evil actions are the result of the disharmony necessarily entailed by imperfection.” (Tyler 2010, p.130). He provides an example of a racist who is driven by an incoherent notion of what constitutes personhood. Such as a Hutu’s misguided perception of a Tutsi. Thus the notion of personal responsibility under such an interpretation is obviously brought under some contention.

Tyler’s reading of Green has come under strong criticism at the hands of Simhony who claims that Green’s soft determinism (Simhony 1999, p.5) need not collapse into a form of hard determinism. In a review of Colin Tyler’s *Thomas Hill Green (1836-1882) and Philosophical Foundations of Politics. An Internal Critique* (1997), Simhony distinguishes three types of determinism: hard determinism, soft determinism and self-determinism. Hard determinism she states, holds that determinism is incompatible with human freedom and responsibility as it holds that free actions are uncaused actions; soft determinism states that determinism is true but is not incompatible with notion of freedom and responsibility. Finally self-determinism rejects the claims of determinism arguing that both are incompatible positions for freedom and responsibility (Simhony 1999, p.5). Simhony agrees with Dimova-Cookson in claiming that Green is a soft determinism. This is because, as Green states, character is the aggregate of previous states, states

¹⁸ Tyler states that the spiritual determinist line, acknowledges the determinist nature of Green’s theory of the will, specifically in relation to knowledge: “Green has demonstrated that every process that relies on the determinate expression of thought – necessarily including all objects of desire and all willing – requires and is fundamentally structured by human nature as that has been made explicit as the particular consciousness of the particular individual at the particular time.” (Tyler 2010, p.131). In this sense, we are determined by the latter three elements – so much can be said as a recognition of Green’s Aristotelian influences. Although one is determined and defined by these elements, it is consciousness and acceptance of one’s nature that makes the difference: “Determinate Intellect and Desire are self-conscious aspects of the agent’s imperfectly harmonised self. The agent’s self-consciousness changes the essential nature of her desires and her associated actions... More specifically, it means that as the agent recognises her particular actions as her own, she is formally free... In this way, her actions become moral and imputable, rather than simply or essentially natural or instinctive... On this spiritual determinist view, an act is imputable to the agent because it expresses the interaction of the agent’s true being with her understanding of the circumstances in which she is acting rather than being merely the expression of some whim or accident.” (Tyler 2010, p.131). Again we see links between Aristotle’s notion of determinism – that consciousness of the forces that direct one this way and that, is essential in imputing agency to one’s actions.

which are internally constituted and inseparable from the will and notion of self: “all these states are states of self-consciousness from which *all alien determination as from outside* – all determination except through the medium of self-consciousness – *is excluded* (Green PE, 114; Simhony’s emphasis). Simhony states: “Green recognizes that one’s state of character (which determines one’s object pursuit) is caused by previous states, but the causes, he insists, are internal to the agent and hence the relevant actions are free.” (Simhony 1999, p.6). Thus one is determined, but determined by one’s own character and force of will. Simhony critiques Tyler’s spiritual determinist interpretation and the accompanying call for the abandonment of a notion of personal responsibility. She states:

“This result is particularly damaging since Green himself levels a similar charge of determinism at the ethical naturalism of his day and since his ethical thought rests on a deliberate effort to rescue human agency (and action) from the natural reductionism and determinism. It would, therefore, be both ironic and problematic to his own ethics if it can be show that, after all, his account of human agency mounts to the same thing.” (Simhony 1999, p.3).

Green, Simhony reminds us, wants to rescue the will from being appropriated by the naturalist framework of hedonism because he feels such naturalistically anaemic notions of the will undermine the possibility of freedom and morality. If Tyler were correct in interpreting Green as a spiritual determinist Simhony argues, then Green’s philosophical mission would be put into jeopardy.

This debate highlights the difficulties involved in Green’s attempt to bring together a Kantian conception of the will with an Aristotelian conception of the formation of character. Ultimately if it is not possible for the will to decide on a course of action that is not in character, i.e., if it is not possible consciously to deliberate to do something out of character, then it is difficult so see how character could be moulded in a different direction through individual exercises of the will.

Consciously to choose certain actions out of character seems precisely to be what is required for character to be changed through individual exercises of the will. For this reason, while agreeing with Simhony and Dimova-Cookson's claim that Tyler's interpretation of Green as a determinist would jeopardize Green's project, I share some of his scepticism concerning the coherence of the notion of soft-determinism and the possibility of appealing to it in order to avoid a harder notion of determinism as presented by Tyler.

2.3 Conclusion

This chapter has sought to demonstrate, explain and critically engage with a number of key facets of Green's theory of the will and how it emerges from his critique of naturalism. Green, I have argued, seeks to show, by using the tools of immanent critique, that it is not possible to make a distinction between the good and the moral good, or between what is desired and what is desirable, without ascribing to the will a more robust role in practical deliberation than the one it can enjoy within the framework of naturalistic hedonism. I have done this by considering Green's engagement with Bentham, Mill and Sidgwick and by arguing that in order to be a consistent utilitarian one cannot help oneself to a distinction in kind between types of pleasure and that, when one so does, as in the case of Mill, one has gone beyond what can be said within the framework of naturalistic hedonism. If, as I have argued here, Green's conception of the will is the result of a dialectical engagement then his critique of naturalism need not be understood as being motivated by a commitment to supernaturalism or to a metaphysics of the split self, but by the desire to defend conceptual distinctions which at least some utilitarian philosophers would have liked to make, but which they could not make.

Having presented Green's conception of the will I turned to consider a fairly recent debate as to whether Green is a determinist. Such a claim, we have seen, may appear odd, given the heavy influence that Kant exercises on Green's conception of the will. But, as we saw, Green is a

complex philosopher who attempted a synthesis of Kant's conception of the will with Aristotle's view of character. In his view, as indeed that of Aristotle, character can only be changed indirectly, and each individual exercise of the will is also the result of one's character. Since character constrains our deliberations what scope, we asked, is there really for freedom and is Green perhaps a determinist despite himself? The discussion turned first to Green's own writings on the issue. As we saw, Green claims that a certain kind of determinism born out of the fusion of character and will, far from diminishing moral responsibility serves to enable it. An individual cannot be held responsible for an action if their character is not in it, an argument that has been defended by scholars such as Dimova-Cookson and Simhony through an appeal to the notion of soft determinism. We saw however that the attempt to rescue Green from the criticism by invoking the concept of soft determinism is not without its problems because the ability to choose to act out of character seems to be precisely that which is required in order to change one's character and make a new beginning.

While this chapter has taken us a long way from the discussion of freedom and the way in which the distinction between negative and positive freedom has dominated the contemporary debates, it is essential for it lays the foundations for Green's conception of political freedom, as will be discussed in the next chapter.

We see that every city-state is a community of some sort,
 and that every community is established for the sake of
 some good (for everyone performs every action for the
 sake of what he takes to be good)

– Aristotle *The Politics*, 1252a.

3. The Good: Self-Realisation and Mutual Reciprocity

What has been established so far is that Green leans heavily on Kant's notion of the will. In doing so he is able to make a robust type 2 desired/desirable distinction. We have discussed the role of the self-conscious, rational will and how it emerges from his critique of hedonistic naturalism.

Most of the aspects of Green's philosophy discussed so far have been negative, or borne from his negative critique. The present chapter focuses upon the positive aspects of Green philosophy. It addresses his own conception of that which is desirable. For Green, good actions are both moral and free actions and something to be held in common with others. In other words, any action which one can truly call 'free', is also desirable and thus moral. The moral nature of Green's theory bears upon the modern debate on freedom, as will be demonstrated in the final chapter.

The present chapter is divided into two parts: 'Part 1: The Personal Good' and 'Part 2: The Common Good'. From the beginning the reader should bear in mind that these are not two separate notions, the personal good *is* the common good. The personal good and the common good should be viewed as different facets/aspects of the same ideal. The first part explores Green's theory of the good from the perspective of the individual, asking what the good is for them; how does one go about discovering one's personal notion of the good; how and why the good for Green is fundamentally grounded in the individual and not in society at large. Whilst

exploring these aspects of the good, I will explain how the Kantian will – discussed in the previous chapter – informs Green’s positive claims in this chapter. It should provide the reader with a working understanding of Green’s conception of the personal good, finishing with a critical dimension which asks whether Green’s conception of the personal good remains too vague to provide adequate action guidance especially in the light of the fact that Green appropriates Kant’s notion of the will without espousing his deontology. The second part of the chapter introduces Green’s notion of the common good. The common good lends Green through his Aristotelian influences, a teleological element and grounds his theory in a real community. The significance of this is to demonstrate that individuals, despite devising of their personal notion of the good through critical self-reflection, is still very much grounded in the community in which they live.

By the end of the present chapter one should have a comprehensive understanding of Green’s theory of the good. His theory of the good is fundamental to understanding his theory of freedom, which in nearly all aspects is the same thing. It is essential to understand from the beginning of this chapter that Green does not distinguish in practice a truly moral action from a truly free action; they are one and the same for him. So much as already been hinted at in the previous chapter, that no moral action can be performed without self-conscious reflection, without a will. But it will also be established that moral and free action is fundamentally communal in value for Green; that truly good ends must be devised and pursued by the individual, but that this pursuit has common value. Both these aspects of Green’s philosophy play a pivotal role in his theory of freedom and are essential notions in the contribution Green has to make in the contemporary discourse upon freedom.

3.1 The Personal Good

This section addresses Green’s notion of the good as a personal good. What is the good of the individual (self-perfection): how does one identify it (self-objectification) and pursue it (self-

realisation)? We shall first explore the underlining process which allows for the pursuit of the good: self-objectification. This first aspect draws on much of the content of the previous chapter; Green's notion of the will. Once it has been re-established that an individual can identify something which is desirable in the type 2 sense, we shall then establish the goal to which this process is directed: self-perfection. We shall run through some fundamental criteria of Green's notion of self-perfection. We then come to the pursuit of perfection as self-realisation, further discussing the process as a whole. Finally the section turns to a critique of Green's notion of the good, asking whether it provides adequate action guidance.

3.1a Self-Objectification

To begin our discussion of Green's notion of the good, we must first view it as a personal good, asking; what is the good of the individual for Green? Put simply: it is the pursuit of *self-realisation*. We discussed in the previous chapter, that for Green moral/free action or indeed any human action, is one which has been willed, through a process of self-conscious reflection. This forms a prerequisite for all moral action in Green's theory of the good. Green further borrows Kant's pivotal conception of the Categorical Imperative; all truly moral actions are also categorical imperatives for Green in the sense that they embody the idea of a non-instrumental ought or of an imperative which is not hypothetical in nature. The first line in Green's essay on the nature of freedom entitled 'On the Different Senses of Freedom as Applied to the will and the Moral Progress of Man,' states that: "Since in all willing a man is his own object, the will is always free." (Green DSF, 1). To begin then, for Green all actions which are willed are free actions. They are free actions – in what Nicholson terms the 'formal sense' ¹⁹ – in virtue of them being self-consciously conceived. They are self-determined human actions as opposed to mechanical animalistic actions:

¹⁹ "Formal freedom is simply the freedom of will of moral agency. To be a moral agent is to be a will. It is a mistake to think of a man being free because he has power over his will; that is to be misled by the

“The individual's conscience is reason in him as informed by the work of reason without him in the structure and controlling sentiments of society. The basis of that structure, the source of those sentiments, can only be a self-objectifying spirit; a spirit through the action of which beings such as we are, endowed with certain animal susceptibilities and affected by certain natural sympathies, become capable of striving after some bettering or fulfilment of themselves, which they conceive as an absolute good, and in which they include a like bettering or fulfilment of others.” (Green PE, 216).

There is a close relation between the notion of *self-objectification* and that of personal betterment. Put simply, what Green is saying is that we have an ability to consciously reflect upon ourselves and hence will specific ends; when so doing we form a notion or conception of ourselves we are willing to actualise: we can conceive of that which *should be* as distinct from *that which is* (Green PE, 86) a fundamental expression of his idealism. Thus: “Will is the capacity in a man of being determined to action by the idea of a possible satisfaction of himself. An act of will is an action so determined.” (Green LPO, 6). For Green then, acts of will are actions which are driven by some notion of self-satisfaction. The true good for Green is a categorical imperative *in the sense that* it should be pursued for its own sake, it is an absolute good which the individual identifies as forming a part of their own self-betterment, and part of the realisation of a notion of self-perfection, discovered through this process of self-objectification. This notion forms the basis of our present investigation; what kinds of actions – for the individual – does Green believe to be not just desired but desirable in themselves?

metaphor of freedom, which in its primary usage means a relation between one man and others. Rather, the man is the will, and is necessarily free.” (Nicholson 1990, p.117).

3.1b Self-Perfection

To begin, in section 27 of the *Prolegomena to Ethics*, Green states the famous opening to Kant's foundation of *Metaphysics of Morals*: "Nothing can be conceived in the world, or even out of it, which can be called good without qualification, but a Good Will." As shown in the previous chapter, Green borrows the central tenet of Kant's theory of the will; that an action cannot be considered moral or immoral if it is not willed. Where Green departs from Kant is in the account of the object of that which is willed. What is willed for Green is a lasting sense of self-satisfaction. One is realised in the ends which one wills because they contribute to our *self-perfection*. But what criteria does Green provide to suggest what such an object would constitute? How do we know when a desire contributes to our self-perfection? Green gives four broad criteria:

- 1) that the perfection of human character... is for man the only object of absolute or intrinsic value;
- 2) that this perfection consisting in a fulfilment of man's capacities according to the divine idea or plan of them, we cannot know or describe in detail what it is except so far as it has been already attained;
- 3) But that the supreme condition of any progress towards its attainment is the action in men, under some form or other, of an interest or will;
- 4) and that the same interest... must be active in every character which has any share in the perfection spoken of or makes any approach to it, since this perfection, being that on an agent who is properly an object to himself, cannot lie in any use that is made of him, but only in a use that he makes of himself (reference for all; Green, PE 247).

Here Green spells out what he means by the satisfaction found in the pursuit of self-realisation, this constitutes the *form* of his notion of the good; there are a number of issues to unpack and explain;

(1) 'The perfection of human character' – Intrinsic value for Green, can be found in ends which possess 'a positive power or capacity of doing or enjoying something worth doing or enjoying' (Green PE, 370-71); goals which are in themselves desirable and not just simply desired. Green's second point is that such ends possess such a capacity as they contribute to the perfection of our own human character. The specific condition of each personal notion of perfection is broadly non-prescriptive. There are theoretically any number of notions; Green specifies a few examples such as: 'the good workman, the good father or the good citizen' (Green, PE, 247), but in actuality it could be anything from a good painter, good friend, good student, good teacher, the good caretaker and many other multifaceted examples. The essential idea is that there are as many conceptions of this intrinsic value as there are people; the object is personal to the individual and as such holds its own nature formulated by and around the individual's character.

(2) 'We cannot know or describe in detail what it is except so far as it has been already attained.' – Despite this, Green believes that there are certain capacities which we possess which push us in the direction of a specific notion of self-perfection which is dictated by a 'divine plan.' Green at time speaks of self-betterment as consisting in the fulfilment of certain capacities in accordance with a divine plan, suggesting that the perfection of one's character thorough the exercise of the will follows a pre-established path. While there are clearly theological readings of what self-betterment that would be fully justified, there is also, as we shall see in part II (on the common good) secular ways of understanding the concept of self-betterment.

(3) 'Interest or will' – This expresses the fundamental *personal* nature of the good for Green and relates to Kant's expression that nothing that there can be no good without qualification except for the *good will*. The criterion highlights two key features characteristic of the nature of Green's good:

1. No one can be forced to be good/free.
2. The good manifests itself in individuals.

Both of these points play an important role when we will discuss how Green's notion of self-realisation is informed by his notion of the common good, and the relationship between the two concepts. This point cannot be stressed: the object of good/free action for Green is fundamentally personal, it relates to and concerns theoretical and real communities, but always remains an essentially personal notion.

(4) 'Must be active in every character which has any share in the perfection spoken of' – This final point pertains to the previous one with the clarification of how and where the good of the individual is being manifested. The answer for Green is in the individual's character. Desires formulate our character according to Green, through repeatedly seeking self-satisfaction in a particular set of desired ends. Green describes this process in his *Lectures on Political Obligation*: "A state of will is the capacity as determined by the particular objects in which the man seeks self-satisfaction; which becomes a character in so far as the self-realisation is habitually sought in objects of a particular kind." (Green LPO, 6). Seeking self-realisation then, is about habitually pursuing not just desired ends, but ends which are desirable as they conform to our personal notion of self-perfection. As Green states:

"[A] passing desire for revenge against a person who has insulted one, simply in itself, is neither good nor bad. The man who experiences it is (or tends to be) good or bad according to the mode in which the set of his character (the nature of his dominant interests, of the objects in which he has come to seek self-satisfaction) leads him to deal with it; whether to keep out of the other man's way and distract himself with occupations till the desire has passed away, or to seek occasion to gratify it." (Green 122, LPK).²⁰

Character then is a composite of the objects in which we habitually seek self-satisfaction, it is informed by and in turn informs actions of the will. Hence character for Green plays an essential

²⁰ One can draw parallels here to Aristotle's notion of character development; that the habitual pursuit of certain desires tends to change the character of the person. This the cultivation of a good/bad character can be found in the habitual pursuit of good/bad ends. See footnote p.80.

role in grounding an individual's "essence" or nature. This notion will also play an essential role in the refutation of Berlin's sweeping assumption that all 'positive' theories of freedom are necessarily susceptible to abuse by tyrants.

3.1c The Pursuit of Self-Realisation

We know that we are supposed to pursue goals which contribute to a personal notion of the perfect self, but how should we think of the process of self-perfection in more concrete terms? In answering this question Green leans more heavily on Aristotle than on Kant. In order to put some flesh on the notion of self-perfection Green invokes the idea of a judgment that the individual makes about what action promotes lasting self-satisfaction, just as Aristotle's virtuous person exercises phronesis to deliberate about what action is conducive to the attainment of eudaimonia. This judgment is highly personalized to the individual and the circumstances in which it is made. While Kant sought to provide moral guidance by introducing a logical/formal test for assessing the moral worthiness (or otherwise) of principles of actions, Green does not shackle the will to an algorithm for making moral choices (Kant's universality test). Thus, while Green fully subscribes to the Kantian notion of the will as requiring self-conscious reflection, he eschews the deontological aspect of Kant's ethics and turns instead to an Aristotelian account of moral deliberation.

W. H. Fairbrother in his book *The Philosophy of T. H. Green*, explains in a particularly informative manner Green's method of ethics – how such action guidance is provided – which he states distinguishes itself from other "methods" in what he terms 'three distinct references:' Faculty, Operation and Content (Fairbrother 1896, p.61):

Faculty

The faculty of the good is reason. It has two functions in formulating the pursuit of (the faculty under discussion here) and the good itself (the content as the final reference). As already stated: “we cannot know or describe [the divine plan] in detail what it is except so far as it has been already attained” (Green PE, 247). The objects in which we will find self-realisation are not immediately apparent to us; it is something we have critically reflect upon. Reason is the instrument which we use to work out in which desire or end will we achieve self-realisation: “It renders us conscious of wants, of capacities for development beyond a present state into a better; from which again we rise to the conception of a possible “best,” in which alone final satisfaction may be found” (Fairbrother 1896, p.61). Reasoning allows us to conceive of our self as *should be* as distinct *as it is*. Thus desired moral ends are rational ends, categorical imperatives. The essential idea to take from this is the Green’s underlying belief that moral/free action is rational action.

Operation

The operation or process of reason is in self-conscious self-objectification: “For good or ill we must, with Plato and Aristotle, listen to reason as our best guide – the only guide worthy or trust in the part of being such as we believe ourselves to be. It operates always in the same way – by analysis of the subject-matter at hand” (Fairbrother 1896, p.62). This process then, is a personal experience in which each of us must reflect upon the ends which are desirable to us as individuals: “Self-reflection is the only possible method of learning what is the inner man or mind that our action expresses... Judgments so arrived at must be the point of departure for all enquiry into processes by which our actual moral nature may be reached.” (Green PE, 94). The specific nature of the good for Green – the teleological element of his moral philosophy which he believes is absent in Kantian

deontology – is a kind of virtue ethics like that espoused by Aristotle and his conception of eudaimonia:

“Aristotle... could find no better definition of the full true good for man than the full exercise or realisation of the soul’s faculties in accordance with its proper excellence, which was an excellence of thought, speculative and practical... The philosopher had not to bring before men an absolutely new object of pursuit, but to bring them to consider what gave its value to an object already pursued.” (Green PE, 254).

Hence the individual ends which we are to take upon ourselves to pursue, in which we find the greatest fulfilment of our self-satisfaction, is to be sought not in the application of universal law or in the application of a calculus, but to be found within the character of the individual. In this sense then, no one can tell another what the true good is for them. This is because – as stated by the four criteria previously provided – “we cannot know or describe in detail what it is except so far as it has been already attained” (Green, PE 247). In this sense then, discovering one’s personal good is not like sitting down to decide which degree course to pursue, but a constant process of critical self-reflection.

Content

Finally the content of which the object of the good ultimately consists of, put simply; that which we actually ought to do. Fairbrother explains that “[a]t any given moment an agent, possessed of definite capacities, is in relation to an environment exhibiting certain definite qualities. The relation so established must be actualised. Reason reveals these capacities and relations by analysis of the self and its surroundings, and so deduces the true [ergon], or function of this or that kind of man (not man in the abstract) under the given conditions.” (Fairbrother 1896, p.64). Ends for Green are rational. They conform to an element or shade of reason in its totality. In other words there is a perfect self for all of us and definitive desires which are inherently desirable as they conform to this ideal

character however, we only ever discover and strive for an incomplete version of this. This is because we have insufficient knowledge to make the absolute right decision, we are incapable of seeing the whole and must rely on our partial knowledge. This ultimately means that for Green no one – except for Jesus Christ – has ever properly obtained a state of self-perfection, we can only really know of this condition by the glimpses of self-satisfaction we derive from its pursuit:

“[B]ut this satisfaction, otherwise called peace or blessedness, which consists in the whole man having found his object; which indeed we never experience in its fullness, which we only approach to fall away from it again, but of which we know enough to be sure that we only fail to attain it because we fail to seek it in the fulfilment of the law of our being, because we have not brought ourselves to ‘gladly do and suffer what we must.’ (Green DSF, 1).

As Fairbrother states, the good here is not in the abstract, but under given circumstances as Green states ‘we must take men as we find them’ (Green LLFC, p.375). We discover here an element of pragmatic fatalism in Green; there is an absolute good but we cannot know what it is. All we can do is strive to realise some approximate notion of the good which we believe to be a partial representation of the absolute good in its totality.

What we have established so far is that Green’s notion of the good is centred on the pursuit of lasting self-satisfaction, which can be found in the pursuit of self-perfection. It is Kantian in the sense that this process of self-realisation requires a self-conscious act of the will; since there are no deontological rules at work in this notion, the pursuit of self-satisfaction remains fundamentally personal. Through this Kantian notion of self-consciousness, we discover in critical self-reflection what our personal notion of the good is. However, in abandoning the deontological element of Kant, Green leaves himself vulnerable to the accusation of lacking action-guidance.

3.1d The Issue of Action Guidance

So far it has been established, that the good for Green consists in the lasting self-satisfaction to be found in the pursuit of a personal notion of self-realisation, towards self-perfection. However, one would still be entitled to ask: what *specific* ends/actions should I be pursuing? What *exactly* am I to do to be good? Questions such as these raise the issue of action guidance in Green's theory of the good. This is a problem that Green sees in Kant, and which he seeks to redress by claiming that the will is directed towards the self-satisfaction that is found in self-betterment. Yet, ironically, Green's attempt to remedy what he deems to be a lack of teleological direction in Kant, by introducing the concept of self-satisfaction, has been criticised for failing to provide an adequate to solution to the very problem it is supposed to solve. For, so it is argued, Green's notion of self-betterment is too vague to direct the will and he fares no better than Kant. Does Green's introduction of the notion of self-perfection remedy the lack of teleological direction he believes to be plaguing Kant's moral philosophy or is he vulnerable to the same criticism he levels against Kant? We shall try to answer this question later in this section. But let's see first why Green believes Kant's theory of the will fails to guide action: Green claims that

“If, on being asked for an account of the unconditional good, we answer either that it is good will or that to which the good will is directed, we are naturally asked further, what then is the good will? And if in answer to this question we can only say that it is the will for the unconditional good, we are no less naturally charged with ‘moving in a circle’.”
(Green PE, 194).

If there is no non-circular way of defining the relationship between the will and the good then a theory which seeks to define the good in terms of the will is bound to remain uninformative and, as a result, fail to guide action. Now, whether or not Kant is guilty as charged is questionable since it could be argued that Kant found its way out of the circle by connecting the “ought” of the categorical imperative to the results of a universality test which could identify maxims as either

morally unacceptable (e.g. a maxim of lying) or as morally worthy (e.g. telling the truth). If one were to ask Kant to find a way out of the circle he could answer that the right action should conform to the so-called formula of universal law ("I ought never to act except in such a way that I could also will that my maxim should become a universal law" (Groundwork, 4:402) or to a more intuitive version of this law, the so called formula of humanity ("Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end never simply as a means.") Be that as it may Green is not satisfied with this answer, *not* because he wishes to question either of these formulae, *but* because he feels that Kant's moral philosophy lacks teleological direction because it fails to prescribe a positive goal for the will. It is in this sense then, that Green charges Kant's philosophy with failing to guide action. His objection is slightly different from the traditional charge of emptiness, which claims that the universality test fails to discriminate between moral and non-moral maxims on the grounds that many maxims with immoral content can pass the test. Green's objection is that Kant's moral philosophy fails to guide action because it does not ascribe the will a positive goal of its own.

Dimova-Cookson calls the problem which Green identifies in Kant the 'Phenomenological Circle.' The problem, she claims, arises because a moral agent does not aspire to be a moral agent, but to realise some good which she believes it is important to realise (Dimova-Cookson 2001, p.69). Hence the need for a determinate end without which moral theories are unable to provide action-guidance. The circle, she claims, is a prevailing issue in moral theories, and it is a problem which Green himself faces.

She argues that Green provides us with two definitions of the nature of moral action in an attempt to escape the circle: a formal and a substantive one. The formal being his description that of the good will being the only good (which has been addressed in this section); the substantive refers to Green's notion that the perfection of human character is the good end to which we must direct ourselves (to be addressed in the next section). These definitions approach the issue from

different perspectives which although they cannot be employed simultaneously, can be used to explore the subtle nuances of Green's notion of the good: "When 'the good character' is referred to in the sense of a 'moral disposition for action', we should refer to the 'good action' as something different from it – as something that derives from, but not coincide with, the perfect character itself." (Dimova-Cookson 2001, p.72). In this way the internal composition of the good is left to the individual to define and pursue – in the formal sense – while the substantive definition lends object value to the ends in which the individual finds lasting self-satisfaction in. This is an interesting solution to both the circle and the position in which Green finds himself in between valuing the will and ends. Viewing Green's theory of the good through Dimova-Cookson's formal and substantive definitions provides insight to some of the issues that are debated today. In particular, the stance explains well how one can place intrinsic value in the object of one's self-realisation without reducing the intrinsic value of the individual themselves. The risk of declaring the realisation of one's perfect self as the true good – Dimova-Cookson explains (Dimova-Cookson 2001, p.72-76) – puts one in jeopardy of undermining the value of individuals who have not realised, or realised to a lesser extent, their ends. The formal perspective Dimova-Cookson argues, allows one to place intrinsic worth in the good will of all individuals, whilst the substantive element gives form and functions to the good will. In this way, Dimova-Cookson believes, Green is able to propose a way out of the circle. This substantive approach to the good is largely derived from the integration of Aristotelian elements – as will be demonstrated in the next section.

To sum up what we have seen so far: this section has established Green's notion of self-realisation as a personal good. We have established three fundamental principles of Green's theory of self-realisation:

- 1) That distinctly human action aims not at pleasure but at the self-satisfaction which is to be found in the perfection of human character.

- 2) That the level of satisfaction derived from various desires depends on the extent said desires conforms to the nature of one's rational being, and further contribute towards one's self-realisation.
- 3) That actions which do not tend towards one's self-realisation are not considered to be truly good actions.

Green's notion of the personal good is heavily indebted to Kant's concept of the will. Green, however, does not adopt Kant's strict deontology and provides no algorithm for determining what action is moral. He divorces Kant's theory of the will from his deontological commitments and, in making the lasting notion of self-satisfaction the goal toward which the will is directed, he introduces a teleological element which is absent in Kant. We also discussed the problem of the phenomenological circle and asked whether Green can find a way out of it, particularly in the light of the fact that, unlike Kant, he does not connect the deliberations of the will to a strictly rule-based system of morality. A possible way out of the circle, as advanced by Dimova-Cookson, has been introduced. In the second part of this chapter we consider the notion of the common good. As we mentioned at the very beginning, the common good is not another kind of good: the personal good and the common good are facets or aspects of the same good.

3.2 The Common Good

This second part addresses Green's theory of the Common Good. In his discussion of the common good Green's rethinks the Kantian will, and grounds the search for self-satisfaction in a social context. It will be argued that societal institutions play a central role in Green's philosophy in enabling individuals to fulfil themselves and that Green's conception of the common good is largely influenced by Aristotle.

3.2a The Common Nature of the Good

Green describes those ends which are desirable (free/moral ends) in his essay 'Liberal Legislation and Freedom of Contract' as possessing the following characteristics:

- 1) "[S]omething to be so highly prized, we mean a positive power or capacity of doing or enjoying something worth doing or enjoying.
- 2) [S]omething that we do or enjoy in common with others.
- 3) [A] power which each man exercises through the help or security given him by his fellow-men, and which he in turn helps to secure for them." (Green LLFC, p.370-71).

Objects of self-realisation then represent a positive power or capacity within the individual which is worth doing or enjoying in itself. As discussed in the section upon self-realisation, this can mean a whole multifaceted number of things which is left open for the individual to discover through a process of critical self-reflection. The essential element is that is a positive 'power' or 'capacity' for doing something, such as the examples given in the previous section: the good teacher, the good student or even good builder. The pursuit of such ends then, is done so through one's own capacities, its manifestation is present within habitual pursuits and our character. Secondly, it is something which we do in common with others; not only in the direct sense that we do such things in the company of others, but also that the good of the end is necessarily held in common with others. The implication here being that all such acts which contribute to one's own self-realisation and the moral good, are acts which have a communal value. Finally, the reciprocal nature of the all true good actions. This last characteristic in many ways is essential to understanding the underlining communal nature of the good for Green.

For Green, talk of a moral or free individual is almost nonsensical outside of a society; actions which are desirable necessarily possess a social dimension. This is because all actions which are truly good, contribute to one's self-realisation. Green recognises a fundamental truth within such powers; that they require a political society to obtain and cultivate them. Green states:

“In one sense no man is so well able to do as he likes as the wandering savage. He has no master. There is no one to say him nay. Yet we do not count him really free, because the freedom of savagery is not strength, but weakness. The actual powers of the noblest savage do not admit of comparison with those of the humblest citizen of a law-abiding state. He is not the slave of man, but he is the slave of nature. Of compulsion by natural necessity he has plenty of experience, though of restraint by society none at all.” (Green LLFC, p.371).

The underlying assumption of Green’s statement is difficult to refute; what could anyone (even if endowed with exceptional natural qualities) do outside of a society? We all benefit from the fruits of civilised society (albeit to drastically different degrees), we benefit by our material possessions, time allotted to us for leisure and study, by the wealth of knowledge we inherit from our predecessors. Green’s argument here highlights two central truths of our dependency upon political society:

- 1) Firstly, society providing a fuller notion of freedom than the power to indulge any passing inclination.
- 2) Subsequently, that this fuller notion of freedom entails the realisation of one’s capacities through society.

The first point speaks of the futility of the isolated individualistic freedom of Henry David Thoreau (1854). The romantic idea of self-reliance, of retreating into the woods to escape the constrictions of civilisation. As Green states, the individual who finds herself outside of a society is subject to constraints much more encompassing and wholly without the enabling forces which one’s community provides; the constraints of nature. The constant search for food, shelter and warmth; these are the basic necessities which society – should at the very least – provide. Society in fact provides us with much more than that, since it gives us with the tools to realise ourselves through

a great number of pursuits as we have discussed. Because of this interdependence members of one's community possess a stake in the actions of its members. The Aristotelian link here is clear:

“Observation tells us that every state is an association, and that every association is formed with a view to some good purpose... It follows that the state belongs to the class of objects which exist by nature, and that man is by nature a political animal...Among all men, then, there is a natural impulse towards this kind of association; and the first man to construct a state deserves credit for conferring very great benefits. For man is the best of all animals when he has reached his full development, so is he worst of all when divorced from law and justice.” (Aristotle *The Politics*,1253a-b).

This I argue expresses the core of Green's conception of the good as communal in nature: inter-dependency. The realisation that there are no actions performed by the individual which the community at large does not have an investment in, in one form or another. Without political society we would but be wandering savages and slaves to nature. There have been a number of other arguments for the essential worth and function that the common good adds to the personal good of each individual. There are also some forceful and interesting critiques which will be addressed: through this I will make clear my argument. The following section presents a number of arguments regarding the source of communal value in Green's philosophy.

3.2b The Value of the Common Good

Weinstein (1993) argues that the value Green believes to be found in inter-personal goods is based upon a natural want to have a 'surrogate for immortality' (p.42-44). The notion being that one should or has a natural desire to invest in the personal ends of others because through them one can achieve a sense of permanence, an existence beyond death:

“Projecting himself into the future as a permanent subject of possible wellbeing or will-being – and he must so project himself in seeking for a permanent good – he associates his kindred with himself. It is this association that neutralises the effect which the anticipation of death must have on the demand for a permanent good.” (Green PE, 231).

One in a sense becomes more than a temporal being and lives on through the idea of oneself and the good which one was able to achieve. While I think this is an interesting consideration I certainly do not believe this to be the extent – or even the primary factor – in the relationship between Green’s conception of self-realisation and the common good. The primary problem with this interpretation of the communal value of Green’s theory of the good, is that the worth of the individual is subsumed into the greater worth of the community or society. This would positively explain the worth of heroic self-sacrifice, but it would also justify all manner of radical or tyrannical actions. If the value of a society is primarily located not in the intrinsic value of its members, but in the accumulative value of the society as a whole, the independence of its members is inevitably diminished, as each individual is no longer the focus of value. Perhaps ironically, the notion could also be interpreted as extremely egotistical and going against the communal nature of the good. One is not doing well because good actions are good in virtue of being something worth doing in common with others – as Green states – but because one wants to be immortal. Furthermore, this interpretation of what confers value on the Green’s notion of the common good, neglects that immortalisation can also be achieved through the performance of actions which do not contribute to the common good; immortalisation in this sense can be achieved more easily with an assault rifle than with decades of charity work. The investment the Greenian individual has in other people’s ends is part of a more substantial notion of mutual reciprocity and the lack of conflict in such ends. For Green true good ends are without conflicts of interest; in their pursuit and achievement they do not deprive others. This results in a situation which is not an economic game in terms of weighing up each individualistic gain, but one in which

each end is beneficial for all. The desire to immortalise oneself is often a domineering notion which drives people to achieve exclusive ends counter to the Greenian ideal.

Another way of understanding the notion of the good is not as a means to achieve immortality, but through the notion of mutual benefit. This is how Simhony interprets it in her article 'T. H. Green: The Common Good Society' (1993). Simhony believes that the central merit of Green's notion of self-realisation as a common good is that it is a conflict-free notion of the good. For Green, any true good action does not deprive others of their good, but is mutually supported by it; it is a social union based on what Green calls 'mutual service': "The conviction of a community of good for all men can never be really harmonised with our notions of what is good, so long as anything else than self-devotion to an ideal of mutual service is the end by reference to which those notions are formed." (Green PE, 244). For Green truly good ends are without conflict; they are good for everyone not just the individual who performs them in the 'same nature and capacity'. Self-realisation fulfils this role since all people strive to make the best and most of themselves in pursuit of what Green terms a 'universal will to be good' (Green PE, 244). Simhony explains the role of mutual service further by stating:

- Mutual or equal service entails that, positively, pursuing the good by one benefits others and negatively, no one can gain by another's loss.
- It is mutual service because it avoids both egoism (because others benefit too) as well as benevolence (because oneself benefits too); it is equal service because such service presupposes the moral equality of individuals as free and rational agents.
- The idea of mutual service (or mutual interest) is the core idea of the ideal of the common good as a social union. (Simhony 1993, p.4)

Because of the nature of mutual reciprocity every individual's personal notion of the good essentially requires the participation – however detached, distant or intentional – of each member of one's society. We are all invested in varying levels of significance and extents in each

other's pursuits. Wordsworth expresses this sentiment in his poetry and it is clear the influence it had upon Green:

"Without "the ways of men," without membership in a community, one is left only with the flux of one's experience. One becomes unable to go on to lead the life of a person, expressing one's personhood in action. There is no knowledge, either of nature or of oneself, no sense of one's freedom, purposiveness, or ability to grasp and achieve ends for oneself, no sense of either power over oneself or a power to apprehend and shape nature: only the inrush of unintelligible subjective experience is left." (Eldridge 1986, p.287)

This expresses the critical idea that the common good is not just as material inter-dependency; it is – for lack of a better word – a spiritual one. We identify the origin here of inter-subjective value lending intrinsic value to truly free ends. Green like Aristotle, believes that goodness is linked to communality in more than just a practical sense, but in an inherent sense: Peter Nicholson states:

"[A] necessary condition of the development of moral agency is a society of moral agents, he has reached a further definition of a person as one who is as conscious of the personality of others as he is of his own. Such a person is capable of seeing that an object which satisfies his self may also satisfy another or other selves as it does his. He can understand that which is a good for him is equally a good for them, that it is a common good. This recognition of common good is a necessary condition of society and of morality: without it, there is no society, and without society there are no moral agents." (Nicholson 1990, p.57).

The quotation clearly demonstrates the significance of the common good in Green wider theory of the good. A materialistic interpretation would result in something far more draconian and Neo-Liberalist; it could be interpreted as him arguing for the equal exchange of goods and services

which would put a very different spin on the pursuit of the good. Further, in the formulation of a good society one needs to recognise this fact, as Green does, through the adoption of Kant's first and second formulation of universal law:

1. "I ought never to proceed except in such a way *that I could also will that my maxim should become a universal law*" (Kant 1785, 4:402).
2. "So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means. (Kant 1785, 4:429)."

The first formulation is an essential characteristic of every true good for Green. It embodies the essential recognition that every personal good which is a true good is universalisable; in the sense that its achievement contributes some good in whatever form to the community. The second formulation is built on the fundamental recognition of the reciprocal nature of each individual's true good for Green. If we all benefit from the realisation of each individual's true good, it is against the interests of all individuals within one's society to restrict the pursuit of another's true good. In other words, in the truly good society, all its member recognise that the exploitation (treating people as mere means) of one's fellow member is detrimental to oneself as well as the community at large; in that it prevents them from the pursuit of their own true good and personal development. As Green states: "Every injury to the health of the individual is, so far as it goes, a public injury. It is an impediment to the general freedom; so much deduction from our power, as members of society, to make the best of ourselves." (Green LLFC, p.373). Green therefore understands the categorical imperative not so much as providing an abstract test for determining the morality of maxims, but as capturing the intersubjectively valid nature of the true good and the non-exploitative nature of human relationships in societies that facilitate the attainment of self-satisfaction through the pursuit of self-perfection. In this respect he advocates a synthesis of

Kantian and Aristotelian ideas, in so far as he seeks to envision how the Kantian idea of a kingdom of ends could be realized in practice.

Simhony emphasises the synthesis of Kantian and Aristotelian ideas in her theory of social union, stating how they come into alignment:

- 1) mutuality of respect is grounded in social interdependency which suggests that the kingdom of ends revised in terms of a social union;
- 2) not only does social union take individuals seriously, as the kingdom of ends does, but unlike the latter, the social union is concerned with promoting the good of all;
- 3) as well as having the justificatory force of the kingdom of ends, social union is also embodied/grounded in the world of social institutions (Simhony 1993, p.230).

These principles are an essential aspect of Green's common good. No action in Green's philosophy, which is performed through the exploitation of others can be considered a truly free end in the pursuit of self-realisation. For Green to speak of a moral and free society which treats fellow citizens as a mere means is a callous misrepresentation:

"To an Athenian slave, who might be used to gratify a master's lust it would have been a mockery to speak of the state as a realisation of freedom; and perhaps it would not be much less so to speak of it as such to an untaught and under-fed denizen of a London yard with gin-shops on the right and left. What Hegel says of the state in this respect seems as hard to square with facts as what St. Paul says of the Christian whom the manifestation of Christ has transferred from bondage into 'the glorious liberty of the sons of God.' In both cases the difference between the ideal and the actual seems to be ignored, and tendencies seem to be spoken of as if they are accomplished facts." (Green DSF, 6).

For Green, these societies are condemned by the staggering bridge between ideal and fact. To talk of Athenian society as a good and free society is an absurdity; a society in which citizens are

supported by a vast slave class. Their realisation is achieved at the expense of condemning innumerable members of their society to a tortured life of servitude. Green critiques the state of his own society, the vast workhouses and living conditions of the Victorian working class; their ability to make 'the most and best of themselves' was being sacrificed to maintain the grand estates of the industrialist. The primary text in which he discusses the welfare reforms of the mid to late 19th century is his *Lecture of Liberal Legislation and Freedom of Contract* (1888, LLFC). One of the primary reforms Green discusses is the introduction of compulsory education:

"The principle was established once for all that parents were not to be allowed to do what they willed with their children, if they willed either to set them to work or to let them run wild without elementary education. Freedom of contract in respect of all dealing with the labour if children was so far limited." (LLFC, p.369)

He goes on to recount a number of other regulations which constitute 'great system of interference with freedom of contract'; working conditions, working hours and housing standards. All of these restrictions are detrimental to one's freedom of contract; to decide for oneself working and living conditions. This supposed conflict between the will of the individual and what is ultimately desirable for them, will obviously form an essential aspect of Green's theory of freedom when discussed in final chapter, for now it is important to understand the implications from a moral perspective. The moral issue here is that individuals are being exploited, in these cases the ends of one class of society were being sacrificed in the pursuit of the desired ends of another, for Green both classes are all the more impoverished for this; the former for the staggering material deprivation and the latter for living in a morally compromised society in which it is impossible to pursue truly good ends. Depriving children of elementary education and forcing them to work in dangerous conditions for long hours, is robbing them of their capacity to realise themselves. The children which are maimed and deprived of education obviously have their potential to realise their personal good severely diminished. For Green, this not just their loss, it is

a loss to all, even the industrialist which has profited from their labour. The loss is one a profound magnitude, the capacity for this child to realise herself is a common loss; the child's true end could have manifest in any number of desirable ends; the good teacher, musician, parent, neighbour. A profound personal and communal loss.

The essential unifying nature of Green's common good is in the overcoming of competition, and the pursuit of ends which the individual perceives the enjoyment of all fellow members of their community. We again return to the overarching sense of freedom for Green, its true sense. For Green, truly free actions are only ever directed at outcomes which are intrinsically desirable – as we have been discussing – part of this intrinsic desirableness is its essential communal nature. If a good is absolute, it is a good without competition and is wholly in the interests of the individual and others to pursue such an end. It is such because the individual's good contributes to the positive powers of the community at large and is further something that they can all share in and enjoy. Nicholson explains that:

“What distinguishes a virtuous from a vicious moral agent is his consciousness of there being some such perfection to be attained, and of a possibility of the moral improvement of himself and others, and his taking that as “something absolutely desirable” in itself. Such a person is conscientious, always considering what he ought and ought not to do... Such a person is capable of seeing that an object which satisfies him self may also satisfy another or other selves as it does his. He can understand that what is a good for him is equally a good for them, that it is a common good. This recognition of common good is a necessary condition of society and of morality: without it there is no society, and without society there are no moral agents.” (Nicholson 1990, p.55 & 57).

As discussed, even those that benefit materially from exploitation are at a loss; to a profound extent. One cannot read Green's or Nicholson's words and not think of the multifaceted social problems facing many Western societies that mount with greater and great extents of wealth

disparity. Nicholson further explains why the good for the individual does not come into competition with the good of fellow members of their society:

“All can be good, can possess good character, without competing with each other and possibly preventing or diminishing others’ success, whereas if self-satisfaction is sought in things material, it is subject to competition and its universal achievement is unlikely. Material objects, by their very nature, are enjoyed exclusively, and tend to be competed for, since what is a source of satisfaction for one person or several persons consequently cannot be for others.” (Nicholson 1990, p.58).

Material possessions are a zero-sum game. If a group of individuals are bidding to buy a house, only one of them can win. This is obviously due to their finite and temporal nature. A good character, on the other hand, and many of the things that end encompasses, are not finite. Everyone can possess a good character is Green’s presumption. Thus, the pursuit of the common good is not a zero-sum game. One individual’s possession of a good character in no way prevents another’s; in fact, in nearly all instances it can aid in other’s obtaining it. Returning to the notion of reciprocity and the essential need of every agent in the existence of society; at the heart of the communality of the good stands three primary realities at play between the personal and communal nature of the good for Green:

- 1) What is truly good for one is good for all; this is why the pursuit of the common good is not a zero-sum game, such ends are not material, hence one can possess them without depriving another of them; although material factors do play an essential part in facilitating the pursuit of the true good.
- 2) For such goods to be realised society is required; one cannot be a fulfilled human being outside of society due to material and social dependency.

- 3) The two former result in a situation of mutual gain and reciprocity; for Green when the individual realises their own personal good, that good is recognised as such and further enjoyed by all; as such the individual seeks to aid others in the realisation of their ends.

It is in these three ways that the personal good of an individual is communal in nature. The individual needs society to pursue their personal good; the society benefits from the pursuit of the individual's true good; finally, in pursuing their personal good they in no way prevent others from pursuing it, in fact they are driven to help others secure theirs in turn. The essential thing to note about Green's philosophy when considering and discussing its idealistic tenets, is the fundamental recognition running throughout that he is discussing theoretical goods and especially communities. Does Green think that in his own day, or that in ours tomorrow, we could implement this ideal society? Sadly no. Green was in many ways a tragic pragmatist; he did not think that anyone could really achieve complete knowledge of the world, no one could obtain a perfect working knowledge of the world to the degree required to discover their perfect self. This is not to say that progress cannot be made; it is clear that he was a great believer in the progress of humanity, just that we shall always need to be critical participants in this great task. Green in many ways declaring a sound warning to those seeking self-realisation; that it is easy to fall into folly and that you will always remain largely ignorant of the Whole.

Green often explains the failure of existing societies to be far from perfect exemplifications of the common good in characteristic Aristotelian fashion, by suggesting existing societies diverge from the ideal of the common good and from the non-exploitative relations that the promotion of a common good requires, not because individuals are evil, or because they are swayed by the passions to act against reason, but because they are misguided. Tyler elucidates this point through the example of a racist to demonstrate that racism is an expression of their own insufficient knowledge and or understanding:

“The racist’s evil act expresses the interaction of her imperfect desire to respect personhood with her imperfect recognition of what qualities an entity must possess (or have the potential to possess) in order to be a person. Depending on her degree of imperfection, an individual (in the present case, the racist) can recognise this fact only partially. Furthermore, she may will misidentify what is truly valuable about being a person, for instance, by wrongly stressing the need to embody a particular culture or to have a certain ethnic background.” (Tyler 2010, p.130).

We see this in the example of Daryl Davis who has brought many members of the Ku Klux Klan out of the organisation, by simply meeting with them and asking: “how can you hate me if you don’t even know me?” (Walker 2016). Davis through simply engaging with white supremacists has been able to change their presumption (knowledge) of African Americans, until they have realized that their prejudices were simply born from out of ignorance. Ignorance of what it is to properly qualify as a human being. Tyler has also uncovered an essential passage in a letter from John Addington Symonds to Charlotte Byron Green: “Apropos of someone feeling an acute morbid sense of being wicked. Poor fellow, said Green, the sense of Sin is very much an illusion. People are not as bad as they fancy themselves to be.” (Symonds 1882, p.777; quoted in Tyler 2010, p.129-130). From this we can see that Green for one, was an extremely unorthodox Christian, since thought ignorance rather than sinfulness to lie at the root if not of all, the majority of evil in the world. That people do not choose to do evil, they are simply operating from a distorted understanding of the world; hence the majority – if not all – of our failings are of knowledge rather than morality.

3.2c The Ordinary and the Moral Good

Dimova-Cookson is critical of Green’s general theory of human practice with regards to what motivates us to do good actions, namely the pursuit of lasting self-satisfaction. Green claims self-

satisfaction is the goal of distinctively human action. The issue which Dimova-Cookson raises is that he does not distinguish sufficiently between self-satisfaction and mere pleasure. She highlights a passage in which Green reflects on this very issue himself:

“Granted that, according to our doctrine, in all willing a self-conscious subject seeks to satisfy itself – seeks that which for the time it presents to itself as its good – how can there be any such intrinsic difference between the objects willed as justifies the distinction which ‘moral sense’ seems to draw between good and bad action, between virtue and vice?” (Green PE, 156).

Green’s conclusion is to state that the difference is not in the motivation but in the object towards which the motive is directed and claims that the difference is an extrinsic not an intrinsic one. The assumption being that one directed towards the realisation of the true good and one directed towards the realisation of a hedonistic good, are motivated by the same natural impulse towards self-satisfaction; flaws and limitations in the individual’s understanding of the world can lead them to pursue objects which they believe will contribute to their lasting self-satisfaction, but will in fact not. Dimova-Cookson contests this: “The assertion of intrinsic value is an assertion of an attitude. To believe in the intrinsic value of an object means that the person who so believes has overcome, with respect to this particular object, this self-centred pattern of her behaviour.” (Dimova- Cookson 2001, p.60). As discussed in the previous chapter, the motivations behind an action which the individual finds desirable and not just desired, are more multifaceted than self-satisfaction understood in a way that might be difficult to distinguish from pleasure; they may include actions such as self-sacrifice. Dimova-Cookson terms this notion of motivation a ‘moral desire,’ pursued for moral reasons rather than self-interest. What is more, the essential nature of willing something instead of acting from compulsion, is that the former may at the very least, but more likely usually involve an overcoming of what is desired in the pursuit of desirable objects. Dimova-Cookson believes Green’s account to undermine his own theory of the good, that this

sense of overcoming a strictly selfish pursuit of self-satisfaction is essential to his notion of self-realisation:

“The fact that we try to improve ourselves in an effort to achieve self-perfection is implied in our capacity to pursue ever more complex concepts of what is good. By pursuing ever more advanced concept of our well-being we end up developing our own character. Human practice is such that the quest for self-satisfaction results in self-development.” (Dimova- Cookson 2001, p.66).

This overcoming of simple desires in the pursuit of that which is intrinsically desirable sits at the heart of Green’s theory of self-realisation, as Dimova-Cookson demonstrates. For Dimova-Cookson, an ordinary good is a good pursued without an altruistic disposition and without the necessary overcoming of innate selfishness. She provides an example of a group of people buying a house (2001, p.100). A group of people get together buy a house which they then all live in. This for Dimova-Cookson is an ordinary good because the people involved in its fulfilment all benefit from this end; they all get to live in the house they bought. A moral good, she claims is a good in which one has overcome their natural disposition towards self-centeredness; giving to charity for example. Dimova-Cookson argues that Green undermines the distinction between an ordinary and moral good within his theory, claiming that people have a natural disposition not to act selfishly, but to act altruistically. That it is in everyone’s nature to perform moral acts. The problem Dimova-Cookson finds in this – apart from it being a little naïve – is that it ultimately undermines the distinction between the moral good and the non-moral, ordinary good. It appears that Green undermines the notion that benevolent actions, for example, are difficult to perform. They require one to overcome their selfish inclinations. Further, she points out the fact that this makes Green’s theory open to a large number of counter examples and objections; that the “truth of this observation should not depend on its applicability to every single human life (2001, p.90). In other words, it leaves Green’s assumptions regarding the underling nature of people and their

motivations, which forms the foundations of his theory of the good, open to a vast array of examples to the contrary.

Ultimately, although critical of Green's lack of distinction between an ordinary and moral good, Dimova-Cookson sees a great deal of merit in Green's theory of the common good. She states:

"We can see that, by definition, the true good as common good implies that the object in which satisfaction is sought satisfies not only the subject of the action but a wider circle of people."

(Dimova-Cookson 2001, p.95). The lack of distinction between an ordinary and moral good, she argues, undermines the latter. Just as the struggle one must face between pursuing that which is simply desired and that which is desirable, in the same vein it is difficult for one to overcome our natural tendency towards self-centred desires in the pursuit of a communal good; to treat someone else as an end is to overcome one's natural inclination to only view oneself as an end (Dimova-Cookson 2001, p.95). She believes that neglecting the significance of the distinction between ordinary and moral good is damaging to the overall impact of Green's philosophy. This also means that "[f]or individuals the good society is an ordinary good, not a moral good. It aims to satisfy a person as a private self, not as an extended common self – the self which one acquires only within a moral act." (Dimova-Cookson 2001, p.102). The society in which we live, like the house which our group of people constructed for themselves, is not a moral good as Aristotle suggests, it is an ordinary good which facilitates the pursuit of each person's true good.

Tyler fundamentally disagrees with Dimova-Cookson, interpreting her theory as a misunderstanding of Green's theory of the good. He argues that there is but one good for Green which is formulated as follows:

1. Individuals should act out of good will;
2. A will is good to the extent that it seeks the attainment of objects which the individual believes to be intrinsically or inherently valuable.

3. Ultimately the realisation of distinctively human capacities in the world is the most valuable object for a human being;
4. An agent has a good character to the extent that she is motivated primarily to realise her own eudaimonic capacities and those of her fellows.
5. The agent attains her true good to the extent that the actions issuing from her character achieve this primary goal. (Tyler 2010, p.155-156).

I think that the impact of Green's theory may actually be lessened by Dimova-Cookson's distinction between an ordinary and moral good. Returning once again to the house analogy, I think one of the essential recognitions of the essential communal nature of the good for Green is the recognition of the fundamental reciprocal nature of all goods. The fact that I can pursue what I feel to be that which is inherently desirable – namely the pursuit of my studies – would not have been achievable without the investment of the fellow member of my society; in addition, in securing this I am placed in a position to aid others in securing the same end. From the bed and apartment I was fortunate enough to wake up in, to working on the laptop I now write these words on, all of this has required the vast efforts and investment of people. Sadly, much of this has inevitably involved the reliance of those people in some sense or another. One of the great enlightening conceptions of Green's theory is the recognition of a fundamental reciprocity, that just as my good has required the investment of vast numbers of individuals, whatever progress I have made in life, has required the work and investment of a vast number of other people. In recognition of this fact, I argue that our goods are mutual to this extent in the very least. This fact is as essential as ever as we live in a global society in which wealth disparity reaches new staggering levels year on year. Oxfam reports that:

- Since 2015, the richest 1% has owned more wealth than the rest of the planet.
- Eight men now own the same amount of wealth as the poorest half of the world.

- Over the next 20 years, 500 people will hand over \$2.1 trillion to their heirs – a sum larger than the GDP of India, a country of 1.3 billion people.
- The income of the poorest 10% of people increased by less than \$3 a year between 1988 and 2011, while the incomes of the richest 1% increased 182 times as much. (2017, p,2).

Green talked of gin-shops to the left and right of London's citizens; today these have been replaced by predatory loan-shops. Tax heavens are tolerated while schools and hospitals are drained of their funding. Green's essential point concerning the nature of the good remains as relevant as ever; a good free society cannot be built upon the deprivation of its fellow members. These institutions restrict and suppress the capacity of individuals to perfect their talents. The realization of the Kantian kingdom of ends therefore requires rethinking the notion of the good beyond the narrowly moral framework of Kantian ethics and to acknowledge the ways in which embodied beings like us must inevitably rely on each other for the realization of this ideal. Furthermore, Green might be a little sceptical of the reasons Dimova-Cookson gives for reinstating the distinction between the moral and the ordinary good which she accuses him of blurring. Green might argue that whether a given object is good depends not on whether it has been pursued whilst feeling the pull of desires which run contrary to reason, but on whether it does not undermine other's pursuit of self-perfection. As we have seen, in his view, it is a failure of knowledge, rather than weakness of the will in combating sinful desires, which is largely responsible for the failure to approximate the ideal of the common good.

3.2e Consequentialist or Deontologist?

Green's notion of the good introduces a teleological element in his appropriation of Kant's notion of the good will, but this does not turn him into a consequentialist. This final section addresses the relation between Green's teleological conception of the common good and consequentialism and argues that although Green appropriates Aristotelian teleology he is no consequentialist.

Green, as we have seen, combines a Kantian notion of the will with an Aristotelian notion of an earthly common good. Kant informs his conception of the will; whilst Aristotle informs his conception of that towards which the will is directed. What Green takes from Aristotle gives teleological focus to Kant's categorical imperatives, without which, Green believes, Kant's formulations remain without direction. This section sets out to argue that although Green introduces an Aristotelian teleology within a Kantian framework, this does not make his theory consequentialist in nature. The role of the Kantian will and categorical imperative – as discussed in the present and previous chapter – is threefold:

- 1) The essential role of self-objectification and reflection in formulating the will.
- 2) The role of rationality in formulating the object of the will.
- 3) Kant's first and second categorical imperative in Green's theory of the common good.

Firstly as Colin Tyler states:

“Green argues that Kant's imperative to ‘respect humanity always as an end’ must be combined with a determinate conception of ‘humanity’ as a valuable end for human action, if it is to function properly as the fundamental structural principle that Green believes Kant established it to be. Without such content it would be simply an empty formula just as without rationalisation the content would be a formless or fluid aggregate.” (Tyler 2010, p.143).

As also discussed, Green – rightly or wrongly – perceived a problem of action guidance in Kant's universal law. This is partly where the role of Aristotle comes into Green's philosophy. Providing an objective to introduce a specific formulation or teleological framework to Kant's deontology, amongst other essential influences such as: the central notion of the common good lending intersubjective value to individual notions of the good, and the role of political communities in influencing the nature of the personal good. As stated, Green seems to introduce Aristotelian notions as a form to ground Kant's moral framework in earthly institutional structures. The

Socratic notion of humanity's essential communal nature in Aristotle and Plato, is also essential to Green's theory of the common good. The fundamental idea that man is either a god or a beast without political society, and the central role actual community plays in the shaping and realisation of the good. All of this gives a more concrete focus to Green's theory of common good. The combination of these influences results in an interesting approach to philosophy. It would appear that there are little to no theories which Green is willing to dismiss outright; seeing the positive aspects of each and incorporating those elements which fit with his philosophic narrative. Brink describes Green's philosophical approach as a dialectical and syncretic regarding the insights and resources in these traditions" (Brink 2003, p.89). This approach has led to a degree of confusion in the interpretation of Green's philosophy. Many debates revolve around discussions aimed at establishing Green's philosophical affiliations. This section will focus on the discussion concerning whether Green was a deontologist or a consequentialist.

Green's critique of Hedonism was discussed in the previous chapter. It was directed primarily at John Stuart Mill's refinement of Utilitarianism; particularly the claim that Utilitarians can help themselves to the concept of *intrinsically* desirable ends. It was suggested that Green is highly critical of this claim arguing that Utilitarianism – such as all hedonistic theories of the good – is not entitled to such claims. In addition to this critique, Green takes issue with the hedonistic concept of the good as pleasure. He believes there can be no lasting satisfaction in the pursuit of purely hedonistic ends. Green argues that pleasures, as the hedonists conceive them, have no permanence. After experiencing such pleasures we are left with no lasting satisfaction: "if he experiences a pleasure every hour for the next 50 years, he will have no more in possession and will be in no better state, than if he is pleased the next minute and then comes to an end." (Green 1877, p.267). The issue, as David Brink states, is that: "a sum of pleasures is not itself a pleasure, and so, according to psychological hedonism, we could not act on the requirements of evaluative hedonism" (Brink 2003, p.39) and therefore "a chief good, that consists in being pleased as often as possible, is one of which no one can be conceived in possession and to which as a state of

consciousness no one is nearer at one time than at another.” (Green 1877, p.268). Thus, Green argues that an individual who experiences a thousand instances of pleasure over a decade is no happier in any one instance after that for the experience. This is one of the weaker of the arguments Green deploys against hedonism. I agree, however, with Green’s claim that experiences of pleasure are not something which is an aggregate total; yesterday I ate a particularly good meal but I am no happier today because of it, indeed if I drink a considerable amount of good beer I will feel all the worse the next day. However, one may experience a happy state of nostalgia or even fulfilment from reflecting upon pleasurable experiences, although this can often fall into being a rather torturous and hollow pleasure.

The reason for revisiting Green’s critique of hedonism is that there are some contemporary commentators who argue that Green is similar to Mill in some facets of his philosophy; primarily in so far as they both subscribe to some form of consequentialism. This is because Green’s theory of the good is teleological; it proposes that the self-satisfaction which is associated with self-betterment is a good which people seek to fulfil. Green is also in agreement with Mill’s denial of natural rights and many of the political implications of his philosophy. The key participants in the debate concerning whether Green is or is not a consequentialist are David Weinstein and Avital Simhony. The former argues that Green is a ‘dispositional consequentialist’ and the latter that he is not consequentialist of any sort. Weinstein draws attentions to various similarities between Green and Mill (Weinstein 1993, p.618-635). First, their dismissal of natural rights, both holding theories that promote the common good. The primary difference between Mill and Green, Weinstein argues, is that they differed only in the way in which they describe the good:

“Hence, the issue between Mill and [Green] was simply a matter of how consistently and appropriately Mill *defined* or *understood* good. The difference between them did not lie in the fact that Mill was a consequentialist and Green was not: both were consequentialists.

The difference was merely one of properly *depicting* the goal to be maximized. (Weinstein 1993, p.625).

The argument here being that Green and Mill probably had if not the exact, very similar visions in mind. This meaning that in practical terms, there is little to no difference between the two philosophers, while in theory they hold many of the same substantive ideas. Indeed, Green states – as Weinstein quotes – in his Lectures upon Political Obligations that:

“the doctrine [of Mill’s Utilitarianism], viz., that the ground of political obligation, the reason why certain powers should be recognised as belonging to the state and certain other powers as secured by the state of individuals, lies in the fact that these powers are necessary to the fulfilment of man’s vocation as a moral being, to an effectual self-devotion to the work of developing the perfect character in himself and others.” (Green LPO, 23)

Thus it would seem that they had the same aims; the perfection of character and moral self-satisfaction. Weinstein does not quote the preceding sentence – although he certainly understands the argument and indeed presents it in his article – and he responds to it by stating that “Utilitarianism proper, however, recognises no vocation of man but the attainment of pleasure and avoidance of pain.” (Green LPO, 23). Much of the previous and present chapter was at pains to explain the problem with this interpretation of the good. We have seen that the critical problem here is that Green argues that Mill is not entitled to make the kinds of distinctions which are needed to support the concept of lasting notion of self-satisfaction as distinct from pleasure. Mill’s argument – he claims – is still grounded in that fundamental Bentham principle of pleasure over pain. Weinstein recognises this, he states that the essential difference between the two is their interpretation of the good which is to be maximised. While Mill proposed an inconsistent aggregate notion of the good – pleasure experiences are collected as a sum in which the good is calculated – Green, according to Weinstein, proposes instead a dispositional good:

“Green's moral theory, as we should concede at least at this juncture, is a (non-aggregating) good-promoting theory with true good defined as moral self-realisation. Hence, we can also profitably call it a form of 'dispositional' consequentialism because moral self-realisation or good will are, for Green, dispositional qualities.” (Weinstein 1993, p.626).

Despite the core interpretation of the good, in practical terms Weinstein argues, Green and Mill are remarkably alike. The key difference being that Mill is a traditional consequentialist while Green is a dispositional Consequentialist.

Avital Simhony contests Weinstein's claim arguing that Green was in no way a consequentialist. She argues that although the practical results of Mill's Utilitarianism often coincide with Green's those of Green's own philosophy, the underlining rationale remains substantially different; and that this difference has both theoretical and practical implications. She claims that Green's philosophical stance is unique in his “refusal to join in a discourse of dichotomies.” This, she adds “underpins Green's entire philosophical approach and may be described as a relational approach. Essentially, his relational approach seeks to go beyond dichotomies by simultaneously rejecting the one-sidedness of each side of an opposition and interrelating elements of both into a new perspective.” (Simhony 1995, p.5-6). Simhony goes on to suggest that Green simultaneously proposes two alternatives to the dichotomy; ‘mixed deontology’ and ‘ethics of virtue’. She believes Green took either or both in his relational approach. She argues that Weinstein is correct in his identification of the similarities between Green and Mill's philosophy *in practice*. She argues that these similarities are down to both philosopher's commitment to liberal ideals, particularly the commitment to autonomy, not to Green's commitment to any notion of consequentialism (Simhony 1995, p.9). Indeed, Green places the autonomy of the individual at the heart of his philosophy in theory and in practice. Simhony argues that Green has a distinctive philosophical position which, as stated, cannot be adequately described either as deontological or as

consequentialist. She has that Green does not believe the philosophical underpinnings of a theory to be of little practical consequence. Simhony states that: “[Green] strongly believes that theory (the critical level of moral thought) cannot be separated from the practical level; consequently he is deeply aware that theory can cripple practice.” (1995, p.11). As we saw in the last chapter the practical consequence of the theoretical stance of naturalistic hedonism is an impoverished notion of pleasure which ultimately fails to capture what is distinctive about human action. In a different paper Simhony points out that Green does not, like Weinstein and consequentialists, use the terms “promoting good” and “maximising good” interchangeably; that Green makes it explicitly clear that the aim is to *enable* not *maximise* the good (Simhony 2009, p.3). Green’s focus here is on how to enable the realisation of the common good rather than maximising some specific notion such as pleasure/happiness. This is not to say he would not like to see the practical realisation of this ideal, or at least its approximation, but that he has no prescriptive account of what exactly this good is; that is for individuals to discover for themselves through critical reflection. It is important to recognise then, that although Green’s philosophical position may result in similar guidelines to that of utilitarianism/consequentialism, they remain distinctive philosophical positions²¹.

David O. Brink goes further to suggest that Green was wrong to argue that there would be little or no practical differences between his and Mill’s theory. Brink states that “it is not hard to think of possible circumstances in which felicific and perfectionist paths would diverge (Brink 2003, p.64). He provides two suggestions:

- 1) Robert Nozick’s experience machine presented in *Anarchy, State and Utopia* (1974).
- 2) Aldous Huxley’s *Brave New World* (1932).

²¹ It is also here in which we find the central distinction and Greenian critique of Sidgwick’s version of Utilitarianism.

Nozick asks us to imagine a machine which could simulate the greatest possible life one could imagine. One could artificially live one's ideal life. Huxley's novel proposes a similar hedonistic dilemma. Huxley presents a world in which humans are no longer born but genetically engineered and grown. All complicated relationships, cultural products and ideals are banned; as such products and notions provoke conflicting and often hurtful emotions. While all people are conditioned through from birth and education to love their work and position in society. Alternatively, if all of these measures fail to produce the greatest pleasure in all individuals, people can always turn to 'soma', a euphoric drug with no negative side-effects readily available to eliminate any residual negative feelings. These two examples express the same challenge: *"What else can matter to us, other than how our lives feel from the inside?"* (Nozick 1974, p.43). It is extremely difficult – if at all possible – to formulate a response to this challenge from a hedonistic notion of the good. Everyone experiences the maximum amount of pleasure possible in their lives; so what possibly could hedonists take issue with? Yet most who read these fictions experience a feeling of inadequacy; there is something drastically missing from these visions. Brink explains that: "[e]ven if a certain amount of realism in one's aims is often a good thing, we do not (in general) increase the value of our activities by lowering our aspirations, even if by so doing we increase the prospect of contentment." (Brink 2003, p.74). These notions then, demonstrate that there is much more to one's fulfilment than the mere pursuit of pleasure and avoidance of pain; that notions of self-realisation and fulfilment encompass much more than simple contentment. As Tyler explains: "like Aristotle Green rejects the life that seeks the good pleasure for being 'passive' and 'slavish', a life fit merely for 'grazing animals'." (Tyler 2010, p.151). Such an existence is characteristic of this Aristotelian notion of animals grazing. Green's philosophy then, is uniquely positioned to answer Nozick's challenge in postulating a theory of the good which can facilitate those desires which are intrinsically desirable and not just desired. Hence, an essential requirement for Green, for one to live a satisfied life, is self-realisation, which

cannot of course be facilitated by a simulation or individuals designed to suppress such inclinations.

Much of the controversy concerning whether or not Green is a consequentialist, seems to revolve around a rather limited interpretation of deontology, as if deontology could not be, as Simhony terms it, 'consequence-sensitive' (Simhony 1995, p.5-6). I believe this is a misunderstanding of the limitations of deontological moral theories. All moral theories to a reasonable extent are teleological in nature; they seek to maximise some good; be it the good will or the extent of some virtue realised. Indeed, can a theory truly be defined as moral if it did not seek to promote some conception of the good which can ultimately involves a form of teleology? I argue that it is clear that the label of consequentialist is not a fitting or useful definition in understanding Green's philosophy. What is more, the problem with labelling Green a consequentialist is that it lends credence to misguided interpretations of his work as exemplifying Berlin's concept of positive freedom. Indeed this interpretation of Green forms the focal point of many misunderstandings in the contemporary and especially historical debate. The view that Green desires human perfection in the pursuit of certain ends is a notion fraught with troubling implications. It would essentially prove Berlin's claim that Green values human perfection over all things and human freedom possesses only *instrumental* value towards achieving this end, to be right. As the present and previous chapters have been at pains to stress, this is simply not true. Green's conception of the will (which was strongly influenced by Kant) sits at the very heart of a philosophy which makes the will not only essential to the pursuit of self-realisation, but much more than this: for Green, as indeed for Kant, the only thing that is truly good is the will.

3.3 Conclusion

This chapter has been concerned with Green's positive notion of the good from two perspectives; that of the personal and of the common good. The discussion of the personal good established

the structure of Green's theory of the good and discussed his Kantian influence. The pivotal role of the Kantian will was demonstrated through rational self-conscious reflection in formulating and pursuing the good as critical participants in our own lives. This first part of this chapter explained how Green's conception of the good involves a personal and rational exercise of self-objectification and exploration. It was argued that Green's theory of the good is at its heart a personal one, meaning that value is always located in the individual, not in society as a whole. We saw that while Green appropriates Kant's theory of the will he resists the more overtly deontological elements in Kant's moral philosophy and introduces a teleological dimension (the pursuit of self-satisfaction) that is absent in Kant's moral philosophy. We also discussed whether or not Green is vulnerable to the same criticism that he levels against Kant, in particular whether the introduction of the pursuit of self-satisfaction genuinely enables him to provide the direction that he believes Kant's moral philosophy fails to provide.

The second part of the chapter turned to Green's notion of the common good and sought to show how Green's attempt to rethink Kant's abstract conception of the moral good in a more concrete societal setting is influenced by Aristotle's conception of human beings as neither gods nor beasts. We discussed the relationship between the personal and the common good and showed how Green reconciles these two notions by thinking of the good as the pursuit of self-realization and the perfection of human talents. The notion of mutual reciprocity in pursuit of truly moral ends was shown to lie at the heart of Green's notion of the common good. The second part of this chapter concluded with a discussion of the different interpretations of Green's philosophy and the attempts to categorise him as either a deontologist or consequentialist. It was argued that Green takes a uniquely synthetic approach, one which defies rigid characterisation.

Building on the previous chapter, which showed how Green's conception of the will emerges from a critical engagement with the hedonist theory of the good, this chapter has explored Green's theory of the good from the complementary perspectives of the personal and the communal. The

following and final chapter will begin with an explanation of why free and moral action is one and the same thing and provide an account of what Green's theory of freedom looks like in practical application. It will then engage Green's theory of freedom with the contemporary debates introduced in the first chapter, and discuss how his notion of freedom can contribute to them.

A human being is primarily a bag for putting food into;
the other functions and faculties may be more godlike,
but in point of time they come afterwards.

– Orwell, *The Road to Wigan Pier*, p.84.

4 Green's Theory of Freedom and the Contemporary Debate

The goal of this chapter is to locate Green's theory of freedom in the contemporary debate, a debate that has been largely dominated by Berlin's distinction between negative and positive freedom. I argue that Green's theory of freedom is too nuanced to be pigeonholed in Berlin's classification of theories of freedom into negative and positive theories. More importantly, not only does Green defy Berlin's rigid dichotomy, he also shows that Berlin's dismissal of theories of positive freedom is based on an unsustainable distinction. I return to the criticisms of Berlin's distinction between negative and positive freedom articulated by Taylor, and MacCallum in particular, and argue that negative and positive freedom, far from being mutually exclusive, as Berlin sees them, are two aspects of freedom in Green's sense. I show that the charge of totalitarianism that Berlin levels at positive theories of freedom, is inappropriately directed at Green because Green's theory of freedom, far from being motivated by a utopian conception of the common good arises out of the realization that the narrow conception of negative freedom (which Berlin contrasts with a draconian conception of positive freedom) fails to enable individuals to achieve their personal good. The fundamental motivation behind Green's theory of freedom, I argue, is not to advance a positive conception of the good, but rather to work out what are the necessary conditions under which individuals can attain their personal good. This is why we made such a long detour away from the contemporary discussion concerning the nature of

political liberty in chapters 2 and 3. For without a proper grasp of Green's conception of the personal good, and without clearly differentiating how his conception of the common good differs from that of consequentialists, it is difficult to expose the inadequacy of Berlin's characterization of Green as a positive theorist whose views are open to abuse by tyrants and could potentially lead to or be used to justify totalitarian regimes. To this end, in chapter 2 I argued that the notion of self-satisfaction which is connected to the pursuit of the personal good differs from pleasure or happiness, as understood within the framework of naturalistic hedonism, because it requires individual critical reflection. And in chapter 3 I showed that Green does not think of self-satisfaction as a cumulative concept, along the lines of the utilitarian notion of the greatest happiness for the greatest number. The achievement of the common good consists not in achieving *more* self-satisfaction but rather in enabling individuals to pursue their personal good by devising laws which enable, rather than hinder, this pursuit. Armed with these claims I can now cast a glance back at the discussion of political freedom in chapter 1 and explain where Green's theory of freedom sits in the contemporary debate.

The chapter is divided in two parts. The first part explains why Green advances a unitary theory of freedom which encompasses aspects of negative and positive freedom. It does so by explicating Green's claim that there are different senses of freedom: (1) Freedom of the will, internal freedom; (2) Juridical freedom, external freedom; (3) True freedom, self-realisation in pursuit of self-perfection. The first part of this chapter describes how these various senses interact, to form one conception of freedom. Since Green's theory is a prime example of the fusion of what are normally regarded to be diametrically opposite positions, it is the perfect theory to examine with a view to deconstructing the rigid dichotomy which has dominated so much of the literature for over half a century. This is the task of the second part of this chapter: to undermine Berlin's rigid dichotomy between negative and positive freedom and to rethink the distinction without

endorsing the dichotomy that Berlin thinks it entails.²² I argue that, once the distinction has been appropriately reconceptualized, it may still prove to be a useful theoretical tool, provided one resists the temptation to see things in black and white, as Berlin seems to do. In this second part I revisit the debates of chapter 1. I argue that while Green has something in common with the new republicans, he is best understood *not* as working within the tradition of negative liberties that runs from Hobbes to Berlin, but as disrupting the negative/positive distinction. To this extent he is closer to philosophers such as Taylor, and McCullum in particular, who believe that “freedom from” can only be understood in relation to “freedom to”.

The final section of the chapter explores a contemporary threat to freedom; misinformation. The section explores the problem of misinformation in the information age. It discusses a rather personal everyday example and extrapolates it in the discussion of the recent overturning of mandatory vaccination in Italy. The section explores the origin and spread of anti-vaccination propaganda; in doing so it highlights the wider issue of misinformation in the twenty-first century. Green’s theory of freedom, I argue, is in a much stronger position to identify misinformation as a threat to freedom than the traditional conception of negative freedom.

4.1 Green’s Theory of Freedom

Green describes his notion of freedom in different senses:

- (1) Freedom of the will or Formal Freedom.
- (2) Judicial Freedom.
- (3) True Freedom.

²² Dichotomy in the sense that Berlin’s distinction between positive and negative freedom viewed as “warring camps”; that the two notions are necessarily opposed and can never be manifest in the same theory of freedom. I wish to argue that the two concepts should be seen as distinct concepts which can nevertheless be embodied in the same theory: as I believe Green’s theory of freedom demonstrates. Hence, I believe that Berlin’s notions of negative and positive freedom can still be productively used as conceptual tools in the analysis of nuanced theories – to an extent – which do not conform to rigid characterisation as either negative or positive in their totality.

It is important to understand that although these senses of freedom address various aspects of freedom – and the kinds of obstacles which can prevent its realisation – they are all encompassed in a single overarching conception of freedom, ultimately embodied in True Freedom. Each of the senses will first be addressed in turn, followed by an examination of how the different senses come together to form a single conception.

4.1a Freedom of the Will or Formal Freedom

‘Freedom of the Will’, also termed ‘Formal Freedom’ is described by Peter Nicholson as being “simply the will or moral agency. To be a moral agent is to be a will... Whether a person does good or evil, his act is voluntary and he is free in the sense that it is his act. Formal freedom is that “*mere self-determination*” common to the man whose will is vicious and to him whose will is rational.” (Nicholson 1990, p.117). As discussed in the second chapter, Green presents us with a robust theory of the will based on three central tenets:

1. Conscious self-reflection.
2. Identification of desires as forming one’s own personal good.
3. Rational deliberation between various desires.

According to Green for any action to be considered as willed it needs to go through these three stages. The process is one of transcendence as the will moves beyond mere desire to take on a uniquely human character (Dimova-Cookson 2001, see chapter 1):

“It is only as they become through the reaction of the self-seeking self upon them, and through its formation to itself of an object out of them - only as they merge in an effort after a self-satisfaction to be found in this object, - that they yield the motive of the act of will, properly so called.” (PE, 104).

The individual identifies herself in the object of desire through a process of self-conscious, rational reflection. As discussed, this process underlies Green’s critique of naturalism and in many ways

forms the crux of his entire philosophy. This is because only reflective actions can be considered moral:

“[I]n order to become a spring of *moral* action (an action morally imputable, or for which the agent is accountable, an action to which praise or blame are appropriate), the animal desire or aversion must have taken a new character from self-consciousness, from the presentation of oneself as an object, so as to become a desire or aversion for a conceived state of oneself. It is because the moral agent is thus conscious of himself as making the motive to his act, that he imputes it to himself, recognises himself as accountable for it, and ascribes a like accountability to other men, with whom he could not communicate unless they had a consciousness with his own.” (LPK, 113).

As was discussed, actions which are not considered willed are neither moral nor immoral, they are amoral: “Concentration of will does not necessarily mean goodness, but it is a necessary condition of goodness.” (Prolegomena 105). Actions which have not undergone this process are considered unfree in the moral sense, because they are simply another link in the chain of natural causation. Animalistic actions are considered mechanical in this sense because the motive and logic behind the performance of all such actions, can be explained by a system of nature alone. As Fairbrother states:

“As not determined by natural forces and relations *in the same way* that anything else in nature (including his own body) is determined. Objects in nature are parts of a complex structure, relation to which constitutes their essence – they can be explained (with sufficient knowledge) by reference to natural forces of which they are the product. Man, *in himself*, cannot be so explained.” (Fairbrother 1896, p.52).

Thus animals are incapable of performing actions which do not conform to nature; a worker ant cannot decide to do differently than what its nature dictates. This is why one cannot say that a purely natural act is evil; when one considers the habitual actions of lions or parasitic wasps, one

cannot claim them evil; no matter how violent or unpleasant. Since they are incapable of self-conscious rational reflection; their actions are animalistic and thus mechanical. By virtue of this they can never be considered free in this first sense of freedom. Through self-conscious reflection actions transcend mere mechanical compulsion and take on the characteristic of willing that is distinctive of genuine action. This enables the individuals who perform them to claim ownership of their action, and to be free in the moral sense since they are not acting under the compulsion of animalistic desires, but through their own direction. Just as this process endows the actions with moral significance, by the same token the action can be said to be free. This first sense lies at the foundation of Green's theory of freedom since, as Green states: "in all willing a man is his own object, the will is always free. Or, more properly, a man in willing is necessarily free, since willing constitutes freedom." (DSF, 1). In willing something then, at least in this first sense of freedom, the individual is free. Thus, as Nicholson states, "formal freedom is the necessary condition for the other two kinds of freedom" (Nicholson 1990, p.117). This necessity plays an essential part in refuting claims of Green's notion of true freedom being susceptible to abuse by tyrants, as Berlin claims.

4.1b Juristic Freedom

So far it has been established that individuals are free, in an internal sense, in that they can perform actions which can be considered either moral or immoral. The Juristic sense of freedom, on the other hand, pertains to freedom from external interference; generally what Berlin would consider freedom in the negative sense. Nicholson states that:

"Juristic freedom is legal or other social recognition of formal freedom. Juristic freedom protects the individual in acting upon his choices (that is, a certain range of them – for no choice to infringe another's juristic freedom is protected)... First, law gives "exemption from compulsion by others", and consist of "negative rights" ensuring a person is "let

alone” and not used or controlled by other men... Second, law secures a person the “power to act according to preference”.” (Nicholson 1990, 117-118).

Juristic freedom for Green then, is freedom from external interference – simply the freedom to pursue one’s formal sense of freedom without hinderance. Green sees external interference as hindering juristic freedom in a clear way: “The law, merely as law or as an external command is a source of bondage in a double sense. Presenting man a command which yet it does not give him power to obey, it destroys the freedom of the life in which he does what he likes without recognising any reason why he should not” (Green, DSF 2). The law is seen as something purely external here; it is something which being commanded from without, it is not your own. When one is commanded to do something, the motivation is derived from without the individual’s self-conscious reasoning. In one sense, juristic freedom is instrumental to the realisation of a greater notion of freedom which Green calls true freedom, however, if we reflect back to freedom in the moral sense, we can see that juristic freedom has a ‘contributory value’²³ which is essential in obtaining Green’s sense of true freedom. This is because human will is free by virtue of not being bound by mechanical compulsion, as animals are. The imposition of law, therefore, has an alienating effect which is a kin to moral death. To be forced to follow a law which is not one’s own is to live in an amoral realm in which freedom or moral action is impossible.

One of the great expressions of the alienating effect of external law through the amoral nature of external bondage, is found in Green’s discussion of Christian dogma and the Jewish faith. Green quotes from Romans 7:9: “Once I was alive apart from the law; but the commandment came, sin sprang to life and I died. I found that the very commandment that was intended to bring life brought death.” The law to which Paul is referring to here is Jewish law, brought by Moses. In the Old Testament the law of God is presented through the commandments. Put simply, in the New Testament Jesus is sent to redeem humanity’s failure to obey these laws by becoming the Lamb of

²³ This notion is discussed below in section 4.1d.

God which takes away the sins of the world: Jesus sacrifices himself and in doing so absolves humanity of our sins. Under the New Testament there is “no condemnation for those who are in Christ Jesus, because through Christ Jesus the law of the Spirit who gives life has set you free from the law of sin and death.” (Romans 8:1-2). Instead of living under the commandments as seen as external law imposed over them, Christians live through the Spirit and in doing so are absolved of their transgressions. The act of accepting Christ as the saviour is to accept the bible, not as external law, but of one’s will and nature. In other words, moral salvation cannot be forced upon someone, to do so one finds that “the very commandment that was intended to bring life brought death” (Romans 8:1-2). It brought about a condition in which Paul was unable to be a moral individual, because the law was something from without: he was alienated from his freedom and hence moral worth.

We see then, that for Green one needs to be externally free to be a moral agent. In no sense can one be forced to be free, as in being so forced one reverts to a state of mechanical compulsion in which free action, action that springs from an exercise of the will, is not possible. To be forced to perform an action, therefore, is to alienate that individual from their humanity, as it prevents them from committing actions which are either moral or immoral. We see then that an individual in such a state is incapable of performing any action of moral worth rendering any further moral notion of freedom which Green seeks to espouse valueless. Hence, in one sense Green’s notion of juristic freedom is instrumental in achieving a true notion of freedom, however it is not simply instrumental because its role is indispensable.

4.1c True Freedom

The two senses of freedom presented claim so far, claim that to be free is to will something and enact it without external interferences. Green’s freedom in the true sense moves away from this traditional conception. Green’s true sense of freedom incorporates all that was discussed in the

third chapter of the thesis; for Green, that which is truly free is that which is truly good. Freedom in its true sense is not about doing whatever one wills; it is not the pursuit of that which is merely desired – without critical deliberation – it is the pursuit of that which is desirable in the type 2 sense. Green states that:

“all these different views as to the manner and degree in which freedom is to be attained, ‘freedom’ does not mean that the man or will is undetermined, nor yet does it mean mere self-determination, which (unless denied altogether, as by those who take the strictly naturalistic view of human action) must be ascribed equally to the man whose will is heteronomous or vicious, and to him whose will is autonomous” (Green DSF, 7).

It is essential to emphasise that Green states that freedom does not mean *mere self-determination*. Self-determination is fundamentally required here. Without self-determination freedom in its true sense cannot be achieved, but true freedom is more than self-determination. The previous two senses play an integral role in the realisation of true freedom; that is not to say they are instrumental, they have value in themselves, but certainly not as much value as the pursuit of freedom in its true sense ultimately has.

Perhaps Green’s most concise expression of true freedom and Green’s various influences in constructing his theory, can be found in this quotation:

“It means a particular kind of self-determination; the state of the man who lives indeed for himself, but for the fulfilment of himself as a ‘giver of law universal’ (Kant); who lives for himself but only according to the true idea of himself, according to the law of his being, ‘according to nature’ (the Stoics); who is so taken up into God, to whom God so gives the spirit, that there is no constraints in his obedience to the divine will (St. Paul); whose interests, as a loyal citizen, are those of a well-ordered state in which practical reason expresses itself (Hegel).” (Green DSF, 7).

We have already discussed most of these theorists in the previous chapters. There is not much point in revisiting each of these influences here, references can be found in the footnote if the reader needs a recap upon any of these essential ideas and influences. However, Hegel has not featured in any substantial sense so far and his influence is important here in understanding why the true good for Green is also true freedom. Green describes Hegel's contribution as follows:

“Hegel holds that freedom, as the condition in which the will is determined by an object adequate to itself, or by an object which itself as reason constitutes, is realised in the state... freedom is realised in it because in it the reason, the self-determining principle operating in man as his will, has found perfect expression for itself (as an artist may be considered to express himself in a perfect work of art); and the man who is determined by the objects which the well-ordered state presents to him is determined by that which is the perfect expression of his reason, and is thus free.” (Green DSF, 4).

This being the ultimate expression of human satisfaction for Green. One has found their notion of self-perfection, grounded in the law of one's being and rationality; this expression is actualised and facilitated within a community which is likewise rationally organised. A society can be said to be truly free then when it “contributes to the realisation of freedom, if by freedom we understand the autonomy of the will or its determination by rational objects, objects which help to satisfy the demand of reason, the efforts after self-perfection.” (Green DSF, 5). The community of which Green speaks here is an ideal, not a real one, and there are a number of grand obstacles which could prevent its realisation. Green's claim is not that true freedom has been realized in existing states, but that it can be realized only in a social/political context because we fulfil our personal good as good teachers, artisans, and so on. Kant's ideals of universality and mutual reciprocity must find expression concrete institutions and laws which allow for the pursuit and realization of individual's personal good. This is why legislation that is restrictive of freedom in the negative sense is required. The need for such legislation is best understood if one considers the

lectures on *Liberal Legislation and Freedom of Contract* where Green discusses the reforms of the mid-to-late nineteenth century: restrictions upon working hours and conditions, the first compulsory education act of 1868, regulations upon housing conditions and more. In the negative sense, Green argues, these reforms were detrimental to freedom; they all restrict the individual's ability, in the words of Green, to do whatever they wish with their own possessions wealth, income etc. In response to the objection that such regulations restrict freedom, Green says:

“We shall probably all agree that freedom, rightly understood, is the greatest of blessings; that its attainment is the true end of all our efforts as citizens. But when we speak of this freedom, we should consider carefully what we mean by it. We do not mean merely freedom to do as we like irrespectively of what it is that we like. We do not mean a freedom that can be enjoyed by one man or one set of men at the cost of a loss of freedom to others. *When we speak of freedom as something to be so highly prized, we mean a positive power or capacity of doing or enjoying something worth doing or enjoying, and that, too, something that we do or enjoy in common with others.* We mean by it a power which each man exercises through the help or security given him by his fellow-men, and which he in turn helps to secure for them. When we measure the progress of a society by its growth in freedom, we measure it by the increasing development and exercise on the whole of the powers of contributing to social good with which we believe the members of the society to be endowed; in short, by the greater power on the part of the citizens as a body to make the most and best of themselves.”

(LLFC, p.370-71, Italics own).

Freedom in the juristic sense is restricted in the pursuit of a more substantive notion of freedom.²⁴ This more substantive notion of freedom, true freedom *is the pursuit of the good*

²⁴ There will be more upon this apparent conflict later in the section, for now we are still considering the application of Green's notion of true freedom.

manifest in societal institutions which facilitate and promote universal self-perfection and self-realisation. The overriding of juristic freedom is justified when the good which it is intended to produce comes to interfere with the freedom of others. This is clearly demonstrated in Green's views on property rights:

"It is only through the guarantee which society gives him that he [the individual] has property at all, or, strictly speaking, any right to his possessions. This guarantee is founded on a sense of common interest. Every one has an interest in securing to every one else the free use and enjoyment and disposal of his possessions, so long as that freedom on the part of one does not interfere with a like freedom on the part of others, because such freedom contributes to that equal development of the faculties of all which is the highest good for all. This is the true and the only justification of rights of property." (LLFC p.372).

The common element is absolutely essential when considering this. One person's right not to be interfered with could directly violate another individual's security and ability to make the best of themselves. Today a landlord's right to do as they wish with their own, clearly comes into direct conflict with a tenant's pursuit of true freedom; especially since the Tory government defeated a bill two years ago requiring landlords to make their properties 'fit for human habitation' (Stone, 2016), or the tragic Grenfell Tower fire (BBC 2018). Considering this, it is not hard to see how Green's conception that rights can only be justified on the grounds of common interest implemented in full, would have radical implications today.

4.1d Different Senses: One Theory of Freedom

As Green presents his theory of freedom in different senses, it is important to understand how these different senses relate to one and other; especially since freedom in the juristic and freedom in the true sense could be interpreted as distinct ideas with contradictory visions, as

indeed they often are. If Green then, sees true freedom as the good, something inherently desirable, an absolute end, it would stand to reason that any value which the other senses possess are instrumental to achieving this end. Indeed, Green in his own words clearly states that the value of freedom of the will and juristic freedom, is instrumental to the achievement of real freedom:

“If I have given a true account of that freedom which forms the goal of social effort, we shall see that freedom of contract, freedom in all the forms of doing what one will with one's own, *is valuable only as a means to an end*. That end is what I call freedom in the positive sense: in other words, the liberation of the powers of all men equally for contribution to a common good.” (Green LLFC, p.372. Italics my own).

What Green says here, however, does not seem to reflect the way in which he tends to think of the relationship between juristic and true freedom. To say that juristic freedom is only a means to an end would entail that freedom from interference has no intrinsic value and that it can be discarded in the pursuit of something superior, namely true freedom. Tyler argues that the best way to describe the relation between juristic and true freedom is to say that juristic freedom has ‘contributory value’: “Freedom from external interference is necessary if the individual is to exercise her own judgment and follow that judgment in practice. To the extent that the state or any other body or individual hedges the individual in, it undermines this core facet of true freedom. In terms of contemporary value theory, juristic freedom has contributory value not instrumental value.” (Tyler 2010, p.116). He includes a footnote with an exact definition of the term borrowed from the *Cambridge Dictionary of Philosophy* which states: “X has contributory value if and only if X contributes to the value of some whole, W, of which it is a part” (Audi 1995, p.829). The latter statement ‘*of which it is a part*’ articulates the central distinction. It is essential to remember that both freedoms are the actualisation of freedom of the will; in exercising both freedom in each sense one is doing as one wills. In the pursuit of true freedom, the individual is

not following a notion of perfection given to them by others; this much was made clear in the previous chapter. It is not that one sense disappears or is simply instrumental in the pursuit of true freedom. Dimova-Cookson explains:

“They are both freedoms to act as one wants to – even if a person decides to do ‘as she should’, that is, to be ‘truly’ free, she is still acting on her own will. The important difference is the following. Having attained juristic freedom, an agent looks for something more, for a freedom of a new kind.” (2001, p.111).

The different senses can be seen as stages in the progression towards true freedom. As one progresses through the different senses of freedom according to Green, as through stages, the individual becomes more as they achieve each one. Freedom takes on a new character at each step, whilst still encompassing the previous stages as a foundation:

(1) Freedom of the Will → (2) Juristic Freedom → (3) True Freedom

- (1) First the action is willed – in that one has self-consciously reflected on its end and identified it with oneself – by virtue of which one is free to the extent of willing an action; and not acting out of mechanical compulsion. The individual through this process can now be said to be capable of free and moral action.
- (2) Acts of will must be exercised without external constraint. They are free in the negative sense from interference.
- (3) Upon the achieving the two previous senses of freedom, i.e, on acting on the deliberation of the will and in the absence of external interference the individual pursues an end which is worth pursuing. They deduce what they believe to be their ideal self and pursue ends in hope of realising it; in doing so they achieving lasting self-satisfaction.

The final stage, true freedom, is unrealisable if the agent is performing the action under duress, or if they are acting under mechanical compulsion, as in such a state their actions are mechanical and so they cannot claim moral authorship. The first two senses are all about an individual possessing authorship of their actions. The final sense (true freedom) concerns the nature of the end pursued and whether it is desirable in the sense of a being a good that is normative (the type 2 sense), and irreducible to the descriptive notion of a good understood as a goal that is desired by all as a matter of psychological fact.

So far we have discussed how Green's theory of freedom works in theory. But it is important to address also how it may work in practice. Doing so will enable us to understand further how the different senses of freedom are supposed to interact. This interaction is best examined through the question of political obligation. If Green believes that actions which are performed through interference – or any other form of coercion resulting in the individual not pursuing ends dictated by their own will – then one might assume that Green is hard-line Libertarian. Green in the mid-to-late Nineteenth Century, wrote much on the growing amount of legislation restricting freedom of contract and social welfare concerns and provisions. The legislation was attacked at the time, on grounds which everyone today is familiar with: "We are often warned nowadays against the danger of over-legislation; or, as I heard it put in a speech of the present home secretary in days when he was sowing his political wild oats of '*grandmotherly government*'." (Green LLFC, p.372. *Italics own*). Green does not shy away from the accusation that such laws indeed "in one direction or another, limit a man's power of doing what he will with what he considers his own." (Green LLFC, P.366). One might expect Green to argue for the restriction of such legislation since: "Green holds that in order to act autonomously (that is, to act with true freedom), the agent must feel the desire to act in a certain way as an inward voice, and not as an externally-imposed law." (Tyler 2010, p.117). Since external freedom, as we have seen, is tantamount to a moral death, one needs to act on one's own will to be free or moral in any sense. Indeed, this is a concern for Green and he comments that there are laws which 'check the development of the moral disposition':

"This has been done (a) by legal requirements of religious observance and profession of belief, which have tended to vitiate the religious source of morality; (b) by prohibitions and restraints, unnecessary, or which have ceased to be necessary, for maintaining the social conditions of the moral life, and which interfere with the growth of self-reliance, with the formation of a manly conscience and sense of moral dignity, - in short, with the moral autonomy which is the condition of the highest goodness; (c) by legal institutions

which take away the occasion for exercise of certain moral virtues (e.g. the Poor²⁵ - law which takes away the occasion for the exercise of parental forethought, filial reverence, and neighbourly kindness).” (Green PPO, 17).

The reservations are very important. I would advise the reader to keep Green’s apprehension in the face of legislation which restricts individual freedoms in mind as we discuss the various issues throughout the rest of the chapter. Green, as the quotation above shows, only begrudgingly supports the Poor Law. In Green’s *ideal* society individuals would not be provided with even the basic welfare provisions laid out in Dickensian Britain. This is because these provisions – as some argue today – should be provided through charity. Citizens should independently choose when and what to give to the poor. To do otherwise is to take away the free and moral nature of the act. Overall, Green does strictly argue, as we have seen in our discussion of his theory of the will, that “there can be no freedom among men who act not willingly but under compulsion” (Green LLFC, p.371). As an *ideal*, authority which restricts the choices open to individuals is an affront to freedom in this strictly political sense; welfare should be provided through charity, people should freely decide out of the kindness of their hearts to provide help for their neighbour. However, when we move out of the realm of the theoretical (Green’s idealist vision) and in the practical arena of politics, Green finds himself a critic of nineteenth century capitalism, and supports liberal legislation calling for more laws which restrict ‘Liberal Legislation and Freedom of Contract’, to use the title of one of his lectures. In this lecture, Green recounts and defends legislation limiting working hours for women and children to ten hours a day, making education compulsory and prohibiting people from living in houses deemed unsuitable by sanitary inspectors (Green LLFC, p.365-370). He states:

²⁵ A series of reforms instituted in the late Tudor period which were reformed in the 19th century (the Poor Law Amendment act 1834), requiring parishes to provide relief to the poor; the reform was thought to be required as more people came to depend upon relief. The reform made it so able bodied men could not apply, and that aid could only be sought through the Victorian workhouses (Parliament.uk).

“Now, we shall probably all agree that a society in which the public health was duly protected, and necessary education duly provided for, by the spontaneous action of individuals, was in a higher condition than one in which the compulsion of law was needed to secure these ends. *But we must take men as we find them.*” (Green LLFC, p.375).

Green sees legislation then, as a sort of necessary admission of the failure of existing societies to approximate the ideal of true freedom. For as the ideal of true freedom is realised, the laws which are seen as impinging on juristic freedom, come to be seen as ‘a powerful friend’. In reality, people are not ideal beings; they never will be. Hence the law can never realistically be dispensed of. The state then, must act as a sort vanguard of the moral forces of the young and weak:

“Until such a condition of society is reached, it is the business of the state to take the best security it can for the young citizens’ growing up in such health and with so much knowledge as is necessary for their real freedom.” (Green LLFC, p.375).

Although one might say the creation of legislation which forces people to do the right thing, in protecting and promoting the realization of their potential and that of their fellow citizens, is something Green would be against in principle, Green nevertheless supports such measures. As Tyler puts it, “despite the possibility of ‘over-legislation’, Green argues that, as an empirical fact, his society is such that the individual agent, has her opportunities to act well enhanced by ‘advancing civilisation’ to such a degree that it is better to expand state intervention than it is to leave citizens at the mercy of their fellows” (Tyler 2012, p.176). Again, we see that the pragmatic side of Green leads him to take into account the political realities of his day when considering how the ideal of true freedom can be realized. In theory, any form of state intervention can undermine the moral forces of society; however, one must legislate because there must be a safety blanket provided for members of the community. As Green states:

“Our modern legislation then with reference to labour, and education, and health, involving as it does manifold interference with freedom of contract, is justified on the ground that it is the business of the state, not indeed directly to promote moral goodness, *for that, from the very nature of moral goodness, it cannot do*, but to maintain the conditions without which a free exercise of the human faculties is impossible.” (Green LLFC, p.374. Italics own).

This point made here quotation is paramount. Given the very nature of the good the state cannot directly promote or enforce moral goodness. However, it can establish and maintain the conditions necessary for people to pursue their ideal of self-perfection. To do this they need to pursue this end freely, free from internal and external impediment: whether that be freedom from a totalitarian government, or freedom from hunger. Green recognises the fundamental truth that poverty is detrimental to one’s freedom. Just as the “wondering savage” is a slave to nature, the vagrant is a slave to their hunger; the child deprived of compulsory education is a slave to their ignorance. They are slaves because their ability for self-conscious reasoning is diminished by the failure of society to maintain the conditions in which ‘the free exercise of human faculties is possible’. Their ability to live a critically self-conscious existence has been undermined by their environment; they have been deprived of the knowledge required for the pursuit of self-realisation. It is the role of society then, or the government, not directly to promote freedom and prescribe which ends ought to be pursued – for that in its very nature is impossible – it is to secure the conditions in which individuals can pursue freedom and the moral good. Hence:

“The value of the institutions of civil life lies in their operation as giving reality to these capacities of will and reason, and enabling them to be really exercised. In their general effect, apart from particular aberrations, they render it possible for a man to be freely determined by the idea of a possible satisfaction of himself instead of being driven this way and that by external forces and this they give reality to the capacity called will: and

they enable him to realise his reason, i.e. his idea of self-perfection, by acting as a member of a social organisation in which each contributes to the better-being of all the rest.” (Green PPO, 7).

The notion that an individual driven by desperate hardship has freedom to do as they will, is seen as a mockery of the concept of freedom here. It is tantamount to right wing politicians proclaiming that homeless people should simply find a job; despite the blatant obstacle of not possessing an address – essential for applying for work – nor the mental capacity or means to search and secure work. Again, it is on the basis of this fundamental recognition that Green defends the liberal legislation of his time and advocates for its expansion. It is in this way that “civil institutions being throughout regarded as the external expression of the moral progress of mankind, and as supplying the material through which the idea of perfection must be realised.” (Nettleship, *Note of the Editor* PPO). Considering this, the kind of laws Green discusses in *Liberal Legislation and Freedom of Contract*, represent a new benchmark in the moral progress of society. A new base line is set for the conditions which all citizens should be guaranteed in order to be able to pursue their own personal conception of self-realisation. Such laws develop and “arise, as the individual's conception of the society on the well-being of which his own depends, and of the constituents of that well-being, becomes wider and fuller; and they are embodied in the laws, institutions, and social expectation, which make conventional morality.” (Green PPO, 6). This is something which all members of the community benefit from, since “[e]very injury to the health of the individual is, so far as it goes, a public injury. It is an impediment to the general freedom; so much deduction from our power, as members of society, to make the best of ourselves.” (Green LLFC, p.373). Concerning the issue of legislation preventing citizens from doing the right thing on their own, thus damaging the potential for free moral action, Green states that such provisions and laws do nothing to harm those who already live by the law’s aims and principles. Those who already send their children to school, whilst working to prevent them and their wives from working excessive hours, would give to charity if they were not taxed for the same purposes: to

them the law is a *powerful friend* (Green LLFC, p.375). If they would have done the action anyway, the fact that a law instructs them to do so is of no consequence to Green, as the individual is exercising their own will. He sees the law in these instances as not hindering, but as supporting their actions.

Overall, when considering the different senses of freedom, it is important to think of them as different facets of the same ideal. As Nicholson states:

“All three are freedom, being interconnected parts of a unified whole. Each presupposes the others and is presupposed by them. Real freedom presupposes the other two, since free choice and free action are its necessary conditions. Formal²⁶ freedom presupposes juristic freedom for it to be effective, and real freedom for it to have purpose and value. Juristic freedom presupposes formal freedom as its necessary condition, and real freedom for its purpose and value.” (Nicholson 1990, p.120).

Green’s conception of freedom aims at a single end: to willingly pursue that which is inherently desirable, and that which is desirable, aims at the realisation of a personal notion of self-perfection, which in turn contributes to the common good of one’s society. The different senses highlight various stages at which this aim can be defeated or stunted. Green recognises these obstacles and pragmatically seeks to promote a society with adequate legislation which guarantees the conditions required for an individual to personally pursue freedom in the true sense.

²⁶ “Formal freedom is simply the freedom of the will of moral agency.” (Nicholson 1990, p.117).

4.2 Green and the Contemporary Debate on Freedom

4.2a The Charge of Totalitarianism

Green has been broadly characterised as a liberal thinker who proposes a positive theory of freedom. The extent to which this is true – or indeed relevant – in defining Green’s theory will be addressed in the next section. For now, it will be taken for granted that Green does represent a positive theory of freedom²⁷. Turning back to the first chapter of the thesis, we saw that Berlin charges positive theories of freedom of making three perilous leaps in logic:

4. Division of the self into an empirical and real will.
5. Attributing separate desires to each will.
6. Finally the establishment of a benevolent authority which works in the interest of the real will.

These claims amount to the following that (1) the self is divided into empirical (lower) and real (higher) wills; the former being what appears to be your will at any given time, while the latter is your actual will, your “real” self. (2) That subsequently, these the empirical and the real will usually manifest different desires; the former aims at immediate, animalistic and base desires, those of which are simply desired, while the latter aims at that which is inherently desirable. Finally, (3) the erection of an authority which may bypass your empirical will in the pursuit of your real will, and all of a sudden one finds oneself in a Siberian gulag mining for uranium²⁸. This, for Berlin, is the trajectory of most if not all, theories of positive liberty. He makes reference to Green as the standard example of a theory which proposes a division between a lower and higher self:

“The ideal of true freedom is the maximum of power for all the members of human society alike to make the best of ‘themselves’, said T. H. Green in 1881. Apart from the confusion of freedom and equality, this entails that if a man chose some immediate

²⁷ It is worth making this assumption for now – whatever the extent the distinction holds up or does not hold up upon closer scrutiny – as it is worth conflating Green with other positive thinkers, because I think the exoneration of the charge against him has ramifications for other so-called-positive theories of freedom.

²⁸ Return to section 1.1c for substantive explanation.

pleasure-which (in whose view?) would not enable him to make the best of himself (what self?) – what he was exercising was not ‘true’ freedom: and if deprived of it, would not lose anything that mattered. Green was a genuine liberal: but many a tyrant could use his formula to justify his worst acts of oppression.” (1969, p.133 Footnote).

In the following I will argue that Green is not guilty as charged. To demonstrate this, we must address the two questions Berlin poses here and the claim that our individual would not be losing anything that mattered if deprived of Green’s notion of true freedom. This section then seeks to answer the following three questions to defend Green from Berlin’s charge:

1. In whose view does the pursuit of immediate pleasure prevent the individual from making the best of themselves?
2. What self is Green referring to when he talks of the best self?
3. What does the individual lose in failing in their pursuit of true freedom?

In exonerating Green, I hope to further demonstrate that Berlin’s claim has become a form scaremongering in the philosophical and political discourse and that his charge can at best only be applied to a minority of positive theories of freedom, not to all, and certainly not to Green’s.

Let’s consider, first, how Simhony replies to Berlin’s charge. Simhony concedes that Green does make the first two leaps in logic Berlin accuses him of, *in a sense*. Green, Simhony claims, believes there is a difference between what one wills and what one should will, *in the sense that* one can desire something which is not in the interest of their self-realisation. Simhony, however, contests Berlin’s charge on two grounds. The first is that Green has a unitary, not a bifurcated conception of the self. The second is that his goal is to create the institutional conditions in which individuals can achieve self-satisfaction through self-realization. As she puts it: “(1) though Green undertakes the move from freedom understood as rational self-mastery, he nevertheless grounds it in a metaphysical view of a unitary, not divided, self. (2) Green claims that self-realisation is achieved only in a certain kind of society... but this does not in any way commit him to the third step. His society is not oppressive in the name of freedom; it is rather enabling in the name of freedom.” (Simhony 1991, p.305).

Support for Simhony's first argument can be found in Green's critique of Hume and Kant, which is ironically focussed on the same kinds of accusations that Berlin levels at Green. Firstly, Green is critical of Hume because Hume separates the faculties of desire and reason, the former playing a central role in his theory of the will, whilst the latter does not. By 'the will' Hume means: "nothing but *the internal impression we feel and are conscious of, when we knowingly give rise to any new motion of our body, or new perception of our mind.*" (Hume 1738, p.399). What this means for Hume is that reason is the slave of the passions and does not have an *originative function* in relation to the will. It cannot be the 'prime mover' in motivating one to act. This is not to say that reason has no function in willing; for Hume, reason plays an instrumental role in achieving ends which are created by our passions; Hume "grants that reason provides information, in particular about means to our ends, which makes a difference to the direction of the will. His thesis is that reason alone cannot move us to action; the impulse to act itself must come from passion." (Cohen 2004). Green is critical of this. He thinks Hume is wrong to erect desire and reason as separate faculties at odds with each other and is particularly critical of the view that reason does not play any direct role in willing. Green, as Simhony also points out, argues that:

"there is really a single subject or agent, which desires in all the desires of a man, and thinks in all his thoughts, but that the action of this subject as thinking - thinking speculatively or understanding, as well as thinking practically - is involved in all its desires, and that its action as desiring is involved in all its thoughts. Thus thought and desire are not to be regarded as separate powers, of which one can be exercised by us without, or in conflict with, the other." (PE, 136).

This is absolutely essential to understanding Green's theory of the will, and why he does not subscribe to a metaphysics of the split self. Indeed, the point is further supported by his critique of Kant, in which he accuses Kant of:

“speaking as if there were really two characters in a man, empirical and intelligible, one determined by motives in which there is no freedom, the other determined by reason only in a way which excludes determination by motives and is free. In truth there is only one character, and one which is not empirical, in the sense of consisting in relation between observable phenomena, but which on the other hand consists in susceptibility to motives, and yet at the same time, on account of the nature of these motives, is rational and free.” (LPK, 93).

In this sense then, it is clear that Green does not believe that natural desires are something totally apart from rational desires. In fact, all acts of willing have an element of desire (or for lack of a better word, have a natural foundation), and an element of rational cognition. As Simhony states: “The capacity of self-determination, which underpins self-realisation, accounts for a unified view of human action and self that far from splitting the self into reason and desire rests on the intertwining of the two.” (Simhony 1993, p.35). Berlin is patently incorrect in assuming that Green subscribes to a metaphysics of the split self. The collapsing of this distinction is really enough to bring the other leaps in logic tumbling down: for if an authority cannot claim to be deriving a mandate from a real will bypassing one’s empirical will, there is no sense in saying that one can be forced to be free. One cannot claim to be enacting an individual’s “real will” over their “empirical will”, as there is no such distinction in Green philosophy.

There is, however, more to the argument. It is clear from the previous section that individual autonomy lies at the heart of one’s personal pursuit of true freedom. Again, it is essential to understand that in both the true and juristic sense of freedom, one is acting “as one wants to – even if a person decides to do ‘as she should’, that is, to be ‘truly’ free, she is still acting on her own will.” (Dimova-Cookson 2001, p.111). As was shown, Green is not suggesting that true freedom should override freedom of non-interference or freedom of the will: both senses of freedom play a contributory role in the realisation of true freedom. What is more, returning to

Green's critique of Christian dogma, Green's argument here encapsulates just why he thinks it is oxymoronic to suppose that one could be forced to be moral or free. Faith "[a]s the object of intuition, like all other such objects, seemed to be immediately given from without apart from any qualifying or conditioning action of the subject, so the dogma, though evolved by reflection, *is not regarded by the subject as in any its own product, but as something offered to it by an unknown God.*" (Green 1888, p.176, italics own). When the law is seen as coming from without – when one follows the law without willing it oneself – it is an empty and alienating act of obedience. In no sense can one be said to be free, and what is perhaps worse for Green, there can be no moral worth in actions which are performed through sheer obedience: moral or immoral. Ultimately for Green: "for the agent to act autonomously, she must will to pursue the attainment of that object which she recognises (through her reason) would realise her highest essence (sc. her distinctively human capabilities)" (Tyler 2010, p.118). So returning to the three questions Berlin asks of Green's theory:

1. In whose view does the pursuit of immediate pleasure prevent the individual from making the best of themselves?

Response: in the individual's own view, implied by the feeling one has when they fail to make the best of themselves.

2. What self is Green referring to when he talks of the best self?

Response: to one's own self, supported by a unitary theory of the self.

3. What does the individual lose in failing in their pursuit of true freedom?

Response: lasting self-satisfaction and the realisation of some better idea of oneself.

It is clear then, that Green does not subscribe to a metaphysics of the split self. He is in fact conscious of this issue. He is critical when he perceives it in Hume and Kant; and clearly states that he is purposing a unified theory of the will in which both desire and reason play a pivotal role. What is more, Green's theory when interpreted correctly, could never lead to totalitarianism as in no sense can an individual be forced to be free in a Greenian society. The pursuit of the true good

is something to be discovered by becoming critical participants in one's own lives through the aid of one's society. This defence of Green demonstrates the complex nature of his views. Berlin's argument was very much of the time, haunted by a fear of Bolshevism. This led to broad sweeping generalisations and the demonization of left-wing ideals. That is not to say that Berlin was not right in warning us against theories to which his leaps of logic can be correctly attributed, but this fear was misplaced in the case of Green.

4.2b Contesting the Distinction between Negative and Positive Freedom

Perhaps the primary conceptual tool in understanding freedom in the last half of the 19th century up until today is Berlin's distinction between positive and negative freedom²⁹. The two notions have set the foundations for the majority of theories that have been generated since. All in one sense or another, have attempted to fit themselves within the dichotomy or dispel it. As we have already seen in this chapter, Berlin categorizes Green as a theorist of positive freedom, claiming that although Green had some liberal leanings, he is very much committed to a positive notion of freedom. This section will ask whether this is true or not, and in doing so will claim that Green's philosophy cannot be understood through the lens of Berlin's rigid dichotomy; Green's theory is too complex for this, and in attempting to classify him as either a negative or positive figure, one loses the subtleties of his theory and inevitably fails to comprehend his position. The ensuing discussion will address the following two questions: 1) does Green's theory of freedom fall into either side of Berlin's negative/positive dichotomy? I will be arguing that it does not, and that to attempt to fit Green into the dichotomy removes the primary driving force of Green's theory. 2) If the two notions – negative/positive freedom – do not form a proper dichotomy, are the notions

²⁹ See section 1.1c

still useful conceptual tools in discussing freedom? The answer to this second question is more complicated.

The Negative/Positive Dichotomy

To briefly recap, Berlin states that: “I am normally said to be free to the degree to which no man or body of men interferes with my activity. Political liberty in this sense is simply the area within which a man can act unobstructed by others.” (Berlin 1969, p.122). This definition does not include socio-economic factors: poverty for example, is not an obstacle to freedom. This is because freedom in Berlin’s definition has no “positive” aspect, it is always freedom *from something* and never freedom *to do something*. Notions of freedom which incorporate the latter, for Berlin, are merely conflating perhaps equally noble, but nevertheless distinct, values and aims. If one wants to eradicate poverty through taxation, he would argue, one cannot do this in the name of freedom because taxation deprives people of the (negative) freedom to do as they wish with their own finances. Thus, while there are two theories of freedom, negative and positive theories, the latter being something of an inferior misnomer; since positive freedom is susceptible to abuse by tyrants and conflates a variety of different values with freedom.

Green has widely been characterised as a philosopher who articulates a positive theory of freedom. Berlin himself characterises him this way – although he does acknowledge Green as a “genuine liberal.” This, acknowledgement, however, turns out to be just a backhanded compliment that ultimately enables Berlin to say that even thinkers like him, espousing a positive notion of freedom, can still be used to justify tyranny (Berlin 1969, p.133). Berlin, however, is ultimately mistaken in his classification of Green’s theory which, as we have seen, includes elements of negative and positive freedom. Freedom of the will and juristic freedom, are not merely instrumental concepts to be dispensed of in the pursuit of a superior sense of freedom.

They play an absolutely integral, contributory role, in the pursuit and obtainment of true freedom. As Nicholson states:

“[I]t is wrong to think that Green is opposed to a negative conception of freedom, or freedom as the absence of restraints imposed by other human beings, in the sense that he excludes it from his theory. Green’s juristic freedom is an instance of negative freedom. Although he rates it lower than real freedom, he does not reject it. He assigns it an important – indeed, indispensable – role, and incorporates it into his theory. Green’s objection are not to negative freedom itself but to treating it as the whole of freedom.”
(Nicholson 1990, p.121).

The pursuit of some higher notion of oneself (positive freedom), is indeed the ultimate end of Green’s philosophy – although freedom in the positive sense can be misleading in the interpretation of Green’s true sense of freedom because the pursuit of self-perfection is a personal good. As we saw in chapter 3, unlike utilitarians such as Bentham, Green does not argue that we ought to strive for a common good in the consequentialist sense (where such a pursuit could legitimately be attained by sacrificing the individual good, if this is in the interest of the majority) but that we should strive to achieve a personal good (self-betterment) that can be held in common with others and that the pursuit of self-betterment requires institutional structures that do not stunt the individual pursuit of self-betterment and self-satisfaction. This is not a Bolshevik notion of societal progression in which people are forcibly “re-educated” in the pursuit of some singular notion of the good. Nor does Green’s conception of the common good require abolishing the boundaries between individuals, as classical utilitarians are often accused of doing. It is wrong to assume that freedom is either the freedom from intervention, or the freedom to pursue something. If one thinks this way, as Berlin does, one misses the nuances of Green’s notion of the common good. The pursuit of the common good, for Green, is not the pursuit of the same good (pleasure) for the majority, but the pursuit of the personal good enabled by the

creation of the institutional structures in which each and all can achieve their potential. The question that he asks is not: “what is the common good towards which all strive?” But “what kind of institutional structures are required in order for individuals to be able to pursue their personal good?” The latter question cannot ignore that freedom cannot be properly discussed without considering what it is *for*, and not just what one is free *from*. Taylor and MacCallum demonstrate that it is difficult to conceive of freedom without a notion of self-realisation and a positive aspect to a theory; both arguments it will be shown, sit well with Green’s theory of true freedom.

Taylor’s argument, as we saw in chapter 1, is built on the fundamental recognition that “[f]reedom is important to us because we are purposive beings.” (Taylor 1979, p.183). One needs to take the object of one’s pursuit into account when contemplating freedom, otherwise in the abstract, theories of freedom can begin to seem arbitrary. Hence, Taylor believes that “the modern notion of negative freedom which gives weight to the securing of each person’s right to realise him/herself in his/her own way cannot make do with the Hobbesian/Benthamian notion of freedom: “The moral psychology of these authors is too simple, or perhaps we should say too crude, for its purposes.” (1979, p.176). A sentiment personified by Green’s theory; quite ironic for a 19th century philosopher.

A prime example of a modern pursuit of freedom, to which Green’s theory can be readily applied, but its brevity and purpose is lost when articulated as a purely negative or positive pursuit, is pursuit of realising one’s true gender. It would be difficult to find an example which articulates the pursuit of self-realisation in a clearer theoretical, and literal sense. Such a pursuit can be hindered by a number of impediments both external and internal; the feeling that one is “trapped” in the wrong body is an obvious expression of a desire for freedom. The desire to change one’s gender is a clear and raw expression of self-realisation, one feels their nature does not conform to the objective reality of their body. The struggles of the Trans community and the notion that one is wholly uncomfortable with something as pervasive in one’s own life as one’s gender is hard to fathom. This struggle gives stark and extremely vivid weight to the notion that

impediments to one's freedom can be internal; they do not have to include interference from others. Of course, many of the obstacles facing transsexuals are also external: prejudice and in many cases discrimination. In addition, the question arises as to whether the costs of medical intervention should be funded through taxation or should be allowed at all. Encompassed within this goal is a rather straightforward example of how absence of external interference is not enough in order to feel that an individual can freely express themselves; aid from the community is often if not always essential. Statistics give weight to the struggle of these individuals. The UK *Trans Mental Health and Emotion Wellbeing Study 2012* showed that a staggering 84% of their Trans participants had "thought about ending their lives at some point (N=581)" (McNeil, Bailey, Ellis, Morton and Regan 2012, p.59). In addition

"Prevalence of actual suicide attempts, among those who had thought about ending their lives at some point, was 11% within the last year (N=427), however lifetime prevalence was substantially higher, at 48% (N=436). 33% had attempted to take their life more than once in their lifetime, 3% attempting suicide more than 10 times. More significantly, 11% of the respondents were unsure as to whether they were planning to attempt suicide in the near future, and 3.2 were planning to (N=473)" (McNeil, Bailey, Ellis, Morton and Regan 2012, p.59).

The UK being sadly being indicative of a wider problem, statistics from the US tell the same story:

"Nearly half (48%) of all respondents reported that they had seriously thought about killing themselves in the past twelve months, compared to 4% of the U.S. general population. Nearly one-quarter (24%) of respondents reported making plans to kill themselves in the past year, compared to 1.1% in the U.S. population" (James, et. al. 2016, p.112). These statistics are a testament to a failure in the West to accommodate and aid the realisation of a number of citizens. Transgender hormone treatment and surgery is legal in the west, *in the negative sense* Trans people are free to change their gender. However, if the community either fails to support them in

their pursuit through the denial of treatment or through discrimination – without acknowledging the integral role of self-realisation – this (negative) freedom is hollow. The statistics appear to overwhelmingly support this conclusion³⁰.

MacCallum agrees with Taylor that because we are ‘purposive beings’, every free act is necessarily directed towards some end. He argues that all free acts encompass both a negative (freedom from) and positive (freedom to) element in his triadic theory of freedom. As we saw in the first chapter³¹, MacCallum argued that seeing freedom as either negative or positive, as a rigid dichotomy restricts the way in which we can conceive of freedom. When one sees any free action through the lens of Berlin’s rigid dichotomy between ‘freedom from’ and ‘freedom to’, one can “at most, be said to be attending to, or emphasizing the importance of only one part of what is always present in any case of freedom.” (MacCallum 1967, p.318). MacCallum suggests the differences between different theories of freedom are best understood by examining how they respond to the considerations raised by following four questions:

“(a) What is to count as an interference with the freedom of persons?

(b) What is to count as an action that persons might be reasonably be said to be either free or not free to perform?

(c) What is to count as a legitimate interference with the freedom of persons?

(d) What actions are persons best left free to do?” (MacCallum 1967, p.333)

By addressing the considerations raised by these questions one gets a much better picture of the distinction between different theories of freedom and can engage in a more constructive debate.

³⁰ Further shocking statistics can be found in this year’s Stonewall report, which found: “Two in five trans people (41 per cent)... have experienced a hate crime or incident because of their gender identity in the last 12 months. More than a quarter of trans people (28 per cent) in a relationship in the last year have faced domestic abuse from a partner. One in Four trans people (25 per cent) have experienced homelessness at some point in their lives. One in eight trans employees (12 per cent) have been physically attacked by colleagues or customers in the last year.” (LGBT in Britain, Trans Report, Bachmann, Gooch, 2018, p.6).

³¹ See section 1.2d.

Determining how different theories of freedom answer these questions allows for a more nuanced discussion which does not polarise the debate into opposing camps and is not dominated by a dogmatic commitment to either side.

Green was not alive to comment on the distinction drawn by Berlin, but he does, even if indirectly, refer to it; the very fact that he presents his theory of freedom as encompassing different senses indicates that he understood there are differing facets of freedom. But one should refrain from interpreting Green's claim that freedom has more than one facet *either* as providing a number of distinct theories of freedom, *or* as assigning a mere instrumental role to juristic freedom in the pursuit of true freedom. His goal was, as we have been at pains to stress, to articulate one unified concept of freedom. Berlin's rigid dichotomy is unable to accommodate a theory of freedom that makes self-realisation central to its outlook. As Tyler puts it, "It is precisely this difference between Berlin and Green's respective schemas which makes it futile to try to articulate (let alone, to critically assess) Green's position using Berlin's blurred and simplistic categories" (Tyler 2010, p,117).

Beyond the negative/positive distinction

There have been several attempts to engage with Berlin's positive/negative distinction and to qualify it in some important respects. One such attempt, as we saw in chapter one, comes from contemporary republicans such as Skinner (2002) and Pettit (1997), who propose a concept of freedom focused on the ideal of non-domination. Contemporary republicans believe that this is a 'Third Way' in the negative/positive freedom debate. The theory of non-domination, constitutes a revival of Republicanism, or Roman freedom³² and, they argue, is distinct from liberal conceptions

³² The Roman Republic, although rejecting the notion of Kingship upon the accusation of dominance, erected a new system in which two figures under the title of Consul (and later Tribune) effectively wielded – certainly by today's standards – dictatorial power. The system hinged upon the expectation that each of the Consuls and Tribune with power of veto, would guard against the other. As Constant states, the extent to which the senate exercised power over its body of citizens is rather tremendous.

of freedom. The principles of Skinner's and Pettit's notion of non-domination would sit well with Green. For Green appreciates the effects which dominating interference has on the freedom of the individual and is adamant that an individual who cannot exercise their will is incapable of moral and hence free action. However, whereas there is some common ground between the new republicans' account of freedom as non-domination and Green's conception of true freedom there are also some important differences between them. The new republicans seek to defend the concept of freedom as non-domination without appealing to a robust notion of the will and without articulating a conception of the personal good. To this extent, while they claim to have found a third way, they still operate within the framework of negative freedom and, unlike Green's, their proposed alternative is not truly subversive of Berlin's dichotomy. They may believe that the absence of any positive conception of the self is an asset to them, since if they do not invoke a positive conception of the self they are required to justify fewer assumptions, but the lack of a positive articulation of the notion of self-realization may ultimately be the reason why Green's conception of freedom offers a superior alternative to the third way advocated by new republicanism. For, as MacCallum and Taylor point out, it is difficult to understand the notion of freedom from without invoking its nemesis: freedom to.

While the new republicans have endeavoured to articulate a third notion of freedom by refining the negative conception, MacCallum has questioned more radically Berlin's distinction between negative and positive freedom by arguing that a theory of negative freedom cannot be a self-standing theory because the notion of "freedom from" cannot be understood except in relation to the notion of "freedom to", the very concept that negative theorists denounce as bogus freedom. To establish whether a person *really* is "free from" MacCallum argues, one must take much more into consideration than the negative conception of freedom allows one to do. Expanding and modifying the negative conception of freedom to smoothen its worse edges, as the new republicans do, however, eventually leads to the downfall of the rigid distinction that Berlin sought to defend.

“It is important to know, for example, whether a man is free from legal restrictions to raise a family. But of course social or economic “arrangements” may be such that he still could not raise a family if he wanted to. Thus, merely to say that he is free to raise a family, when what is meant is only that he is free from legal restrictions to raise a family, is to invite misunderstanding. Further, the *range* he may or may not be free from this or that to engage in, or the range of character states he may or may not be free to develop, should make a difference in our evaluations of his situation and of his society; but this too is not called for strongly enough when one asks simply, “is the man free?” Only when we determine what the men in question are free from, and what they are free to do or become, will we be in a position to estimate the value for human happiness and fulfilment of being free from *that* (whatever *it* is), to do *the other thing* (whatever *it* is). Only then will we be in a position to make rational evaluations of the relative merit of societies with regard to freedom.” (MacCallum 1967, p.329).

Once the rigid boundaries of Berlin’s distinction are collapsed, the answer to the question as to whether we are “free from” becomes a matter of establishing to what extent we are not hindered in our positive endeavours, or free to. According to MacCallum, when considering different theories of freedom, we are really considering what is the extent and range of factors we are willing to recognise as obstacles to freedom. For example: do we consider social and economic factors such as a lack of education, lack of employment opportunities, homelessness, discrimination and an endless list of other factors? Once the distinction between negative and positive freedom is reconceptualized in this way, negative and positive freedom are no longer seen as opposites but as complementary. As Simhony puts it: “By changing these conceptions [negative and positive freedom] into “freedom from” and “freedom to,” the result is *two moments in a single concept* (not two concepts) of freedom.” (Simhony 1993, p.30, italics own). Only when the distinction is reconceptualized in *this way* can it also be fruitfully employed to

elucidate Green's theory of freedom. But this new distinction is clearly not the same as the distinction drawn by Berlin. As Simhony says:

"Green's understanding of freedom as internal and external ability poses a triple challenge to the traditional liberal distinction between (negative) freedom and ability. First, although the negative conception of freedom is identified in terms of absence of external hindrance (or noninterference), it nevertheless rests on a more basic idea of ability of an external negative kind. Second, the next logical step should follow: connecting freedom not only with external sense of ability but with internal sense of ability. Third, the external sense of ability should not be restricted to absence of coercion only to the exclusion of other enabling conditions. Although absence of coercion is an important enabling condition, the absence of the other enabling conditions may frustrate the agent's action even though the agent is not coerced." (Simhony, 1993 p.44)

This loosening of the distinction between "freedom from" and "freedom to" could justify forms of government intervention that may be seen as restrictive of negative freedom, if "negative freedom" is understood in the sense in which Berlin does, i.e., as the polar opposite of positive freedom. A Greenian government, in recognition of political realities, would intervene in people's lives in the pursuit of a higher notion of freedom *in the sense that* it would, for example, require a given level of compulsory education by law, it would limit working hours so that workers should not have to accept whatever working contract they are offered by their employer, and so on. But this would be done so as to ensure that individuals are in a position to pursue their personal good. It is in no way the function of government to dictate a vision of the true good is for all. Rather than been driven ideologically by a utopian conception of the good society Green is rather the kind of philosopher who exposes the limitations of theories of negative freedom and draws some positive conclusions out of this negative engagement. He develops a critique of the negative

theory of freedom which results in a positive political theory intent on the facilitation of a negative ideal of freedom as its end.

Overall, it cannot be claimed that there is no value in distinguishing between negative and positive freedom. In fact, it is decidedly impossible not to invoke some such distinction when discussing what kind of political legislation is required so that individuals may not be negatively hindered from pursuing self-satisfaction. As we have argued, however, Berlin's distinction is too rigid and, as a result, it presents us with a false dichotomy and ultimately a false choice between true (negative) freedom and bogus (positive) freedom. Berlin's dichotomy, and associated hostility towards theories of positive freedom, are a reflection of the times in which he was writing: the height of the Cold War. The three leaps of logic Berlin accuses all positive theories of liberty of making, are really just an articulation of Bolshevik revolutionary theory. When this is dichotomy is used as a theoretical tool to classify theories of freedom— as Berlin intended – it necessarily leads to oversimplifications and misunderstandings, as indeed in the case of Green

4.2c The Search for Self-Realisation in the Age of Misinformation

On the 6th and the 8th August 2018, two things happened. The first, on a more personal note, a relative of mine published a post on social media. The post contained a news report on an Islamic Extremist group in London campaigning to institute a radical form of Sharia Law in their local area, boasting that their ultimate aim was to form a Europe-wide Islamic Caliphate. My relative, along with a number of other people, had written various messages calling for greater checks on immigrants, suspecting that the group represented a large and growing force in the Islamic community, and finally calling for the government to do something about the group or they would. Upon inspecting the report a number of things became apparent; (1) the video was at least ten years old; (2) the group was 'Muslims Against the Crusaders' and their spokesman and leader Anjem Choudary, the former banned (Casciani 2011) and the latter convicted of supporting

Terrorism (Grierson, Dodd and Rodrigues, 2016). In addition, Choudary is a UK born citizen;³³ (3) in the video members of the group were overwhelmingly outnumbered by reporters; (4) the news outlet reporting the story was Russia Today, a notorious propaganda network controlled directly by the Russian government. The way the social media group were discussing the video suggested that they thought the organisation to be a major and growing threat to their values, when really it is an old video of a disbanded extremist group which never came close to representing significant numbers to warrant any real concern. Now it is hard to imagine that their comments meant anything more than idle threats and initial outrage, but the video had been seen nearly a million times in the two months it had been circulating (who knows how many time the video has been re-posted and viewed in its ten year lifespan).

The second event, was that the Italian Government overturned a ruling enforcing mandatory vaccination in schools, (Roberts, 2018). The legislation has been voted in in the midst of growing cases of measles in Italy, which accounted for 30% of reported cases of measles between May 2017 to April 2018 found in Europe (ECDC 2018, p.2). The actions of the Five Star Coalition and the League³⁴ are either unspeakably irresponsible or ignorant, perhaps both. Children will die as a result of this legislation, whether it effectively comes into action or by the message it spreads to parents not just Italy, but around the world. Deciding not to vaccinate one's children not only puts one's own children at risk, but risks the health and lives of all the children in one's community, due to herd immunity. The first and second event are linked. Although they do not relate to the same specific issue, they both represent growing populist movements being exploited by the right and both fed by the dissemination of misinformation. I will argue in this section that

³³ Much of the rhetoric revolved around the idea that if immigrants were to blame for these groups, calling it an outrage that they were "let in".

³⁴ It is a rather odd party – or "non-party" – established by former comedian Beppe Grillo in 2009. The party fronted itself as an alternative to the dichotomy of left and right wing politics (Zaffarano, 2018). The party – along with its leader – has expressed scepticism of vaccinations. In 2015 the Five Star movement even considered some form of anti-vaccination legislation citing completely unsubstantiated links between vaccination and leukaemia, autism, immunodepression, inheritable genetic mutation, poisoning, other types of cancer and more (Giuffrida, 2018).

misinformation represents a very real and growing threat to freedom in the 21st century. A threat which the predominant notion of negative freedom, is unable to recognise as a direct threat to freedom rendering it incapable of properly fighting this threat. Green's theory on the other hand, is perfectly situated to present misinformation as a threat to freedom and can be mobilized to provide an answer to the problem of misinformation. To make this point I will focus on the anti-vaccination movement, attempting to explain why it is grown to be a substantial force in Italy leading to them being courted by the Five Star Movement.

Italy has come to be known as the Anti-Vaccination capital of Europe (The Week, July 2018). Vaccination coverage has been declining year on year for the last five years: "The surge in the number of cases follows a drop in the proportion of two-year-olds given vaccinations from 88% in 2013 to 86% in 2014 and 85.3% in 2015 – well below the 95% threshold advised by the World Health Organisation." (Giuffrida, 2017). As a result Italy is facing one of the worst epidemics of measles, with the nation accounting for a quarter of all cases in Europe this year there has been a six fold increase in cases of the disease over the past year (The Week July 2018). The increasing scepticism toward vaccinations has in large part been stoked by an Italian political party known as the 'Five Star Movement' (discussed above). The party seems to be the first to exploit anti-vaccination populist groups even if they cannot be blamed for starting such movements, just fanning the flames. Notions that vaccinations are dangerous dates back to 1998 in which the subsequently disbarred, doctor Andrew Wakefield produced a study which suggested that vaccinations could be linked to autism in children. His findings were quickly debunked and he was revealed to be a fraudster³⁵. Despite his disbarment, the damage had already been done, the myth of a causal link between vaccination and autism was born and continues to proliferate online today. The myth has had global appeal, perhaps nowhere as much as it has in Italy. Writers commonly link this to a decision of the Court of Justice of Rimini in March 2012, in which a family

³⁵ Wakefield continues to preach – for a price – his idiosyncrasy and publish – all be it in an unprofessional format.

were awarded compensation for vaccination being the “probable” cause of their child’s autism (Aquino et. al. 2017). The Rimini decision is most likely the trigger of a wave of scepticism concerning vaccines throughout Italy:

“Through the analysis of GT, Twitter and Facebook data, the year 2012 was identified as the breaking point in the public's confidence in vaccination in Italy. The major annual increase in Internet search query and tweets on vaccines and autism was registered in 2012 and, at monthly level, in April 2012. Furthermore, the maximum number of wall posts on anti-vaccination pages and groups, was detected in 2012. Analysing relevant news reported by traditional Italian media, we could identify the decision of the Court of Justice of Rimini in March 2012 as the probable trigger even that led to a spread of vaccine hesitancy in the country.” (Aquino et. al. 2017, p.4496).

The study goes on to state that unfortunately they did see the same kind of impact when the decision was later overturned by the Court in Bologna in 2015 (Aquino et. al. 2017, p.4496). The proliferation of misinformation regarding vaccinations seems to exclusively happen on social media sites, researches attribute it to the dangers of Web 2.0³⁶. The phenomenon has led to a form of ‘postmodern medical paradigm’ in which there is “an emphasis on values as well as evidence; preoccupation with risks over benefits; and the rise of the informed patient.” (Kata 2011, p.3779). People due to this phenomena and Web 2.0, can now exchange medical symptoms and advice online, throwing open what Kata terms the “school of lay medicine”. Those gripped with a mistrust of experts will often turn to such content for medical advice or perhaps a second word. What individuals can often find in these sites and fora is anti-vaccination propaganda. This propaganda makes various common claims such as: “fears vaccines might cause harm or overload

³⁶ “Though the exact definition of the term “Web 2.0” is debated its meaning is generally derived from comparison against the first generation Internet - Web 1.0. The main difference between the two is the amount of interaction and user-generated content; whereas Web 1.0 content was controlled by the provider, Web 2.0 allows users to create information. Anybody can contribute content via blogging, photo-sharing, video-uploading, and more. The creation and sharing of user-generated content is supported by applications known as social media (e.g. YouTube, Blogger, Facebook, Twitter, etc.).” (Kata 2011, p.3778).

the immune system; believing their child was not at risk for the disease, or that the disease was not dangerous; that it was better to develop immunity naturally rather than from vaccines; or that the vaccines might not work” (Kata 2011, p.3779). This would not be so bad if anti-vaccinations was as prevalent as the proportion of people and content arguing the world to be flat – present but incredibly marginal. The Anti-vaccination movement seems to be far more prevalent however, to a rather horrifying extent:

“An analysis of YouTube immunization videos found that 32% opposed vaccination, and that these had higher ratings and more views than pro-vaccine videos; 45% of negative videos conveyed information contradicting reference standards. A YouTube analysis specific to HPV immunization found that 25.3% of videos portrayed vaccination negatively. An analysis of MySpace blogs on HPV immunization found that 43% were negative; these blogs referenced vaccine-critical organisations and disseminated inaccurate data. A study of Canadian Internet users tracked the sharing of influenza vaccine information on social media networks such as Facebook, Twitter, YouTube, and Digg. Of the top search results during the study period, each which had been shared and viewed thousands of times, 60% contained anti-vaccination sentiments.” (Kata 2011, p.3779).

For a claim that has no scientific backing, the proportion of anti-vaccination material seems shockingly high. This seems to be part of a wider trend working against established news outlets and scientific community, anti-expert and anti-establishment. The same trend can be seen exhibiting in the political discourse: “Recent evidence shows that: 1) 62 percent of US adults get news on social media (Gottfried and Shearer 2016); 2) the most popular fake news stories were widely shared on Facebook than the most popular mainstream news stories (Silverman 2016); 3) many people who see fake news stories report that they believe them (Silverman and Singer-Vine 2016)” (Allcott and Gentzkow 2017, p.212). The spread of unsubstantiated stories, studies and

other forms of misinformation indicates a worrying trend in many crucial discussions in society. One can suspect that misinformation has led to a number of much more substantive legislative and political changes than Italy's U-turn upon vaccinations: Brexit and the election of Donald Trump. However, one may argue it is the clearest; since there is no evidence in support of the anti-vaccination movement's claims. It is a clear example of misinformation harming the positive powers of a nation's people.

Through the lens of negative freedom, misinformation could never be seen as a threat to freedom. Indeed, the forum which facilitates the spread of misinformation and to a large extent the very act itself, can be seen as an expression of freedom. On the other hand, because of self-realisation and the role in which knowledge and rationality play in Green's theory of freedom, the proliferation of false information is a threat to freedom. This is because of the role of knowledge and rationality in the pursuit of self-realisation. The possession of an effective working knowledge of the world is essential for the Greenian individual's pursuit of their own personal notion of the true good. The proliferation of misinformation poses a direct threat to the individuals in the community in which it is spread. As was discussed in the second chapter of the thesis, through Green's philosophy many social ills can be diagnosed as a distortion in the individual's understanding of issues at hand. Tyler's example of the racist was provided, in which the racist possesses a distorted understanding of what it means to be a human. We can thus see how this contemporary problem could be a direct threat to freedom as self-realisation. The individual which is deriving the majority of their news from social media sites, are being provided with content which is created by lay "experts" and the same sources delivering a distorted world view; in which vaccinations are dangerous and substantial groups of Muslims are cooperating with terrorist groups.

The problem is of course, difficult to solve. The obvious, but immediately not helpful Greenian answer would be to provide people with the education to manoeuvre their way through the

minefield of information we are presented with every day. Individuals who have been taught to recognise the validity of sources and appreciate the scope of various claims. This is a solution which Liberal theories can and have presented. What Green's theory of freedom can add to this is an underlying rationale for combating misinformation and an appropriate recognition of the scope and danger of the problem. Taking a negative approach to the problem can provide no solutions here and works in large part to undermine the issue. The problem requires a positive approach and not one directed through government authority; Green's theory appreciates the danger in this and the empty nature of the solutions which governing institutions can bring, as this is a question of the good. The positive solutions Green's theory can bring is a message of *sincere* communal engagement, built on mutual investment and responsibility for the good of others in society. To recognise an interconnectedness, that individuality is important, but that no one is an island and we require communal engagement to live truly good free lives. Green's theory of freedom also recognises that for the sake of pragmatism, juristic freedom sometimes needs to be overridden. In the case of mandatory vaccinations, the precedent set by Green's views on compulsory education, is clear: an ill-informed parent's right to exercise their own will to require their children to work is *not* more important than their children's potential to realise themselves, to be equipped with the basic tools for a life in which they can pursue their personal good. Ultimately, Green's theory recognises the magnitude of the threat of misinformation and recognises it as not an expression of freedom, but as a direct threat to freedom.

4.3 Conclusion

This chapter has brought together the various threads we have pursued so far. We have seen that the realization of the personal good (which was discussed in chapter 2) requires laws and

institutions in which the abstract ideals of mutual reciprocity and universality expressed by Kant's moral philosophy are embedded. We saw that Green justifies the introduction of legislation which is restrictive of negative freedom by invoking the gap between the ideal society (a society whose laws and institutions *enable* the pursuit of the personal good) and existing ones (societies whose laws and institutions, to some extent or other, *hinder* the pursuit of the personal good). Green's theory of freedom does not prescribe to individuals a notion of the personal good. Rather, he seeks to work out what kind of legislation might be required in order to create the preconditions in which such pursuit is possible. As such, Green's theory interpreted correctly could not be used to justify tyrannical acts as Berlin suggests. We have also seen that there is some value in distinguishing, to use MacCallum's expression, between "freedom from" and "freedom to". But for such a distinction to provide a useful theoretical tool that enables one to engage in a constructive discussion, one must rethink it beyond the stark parameters of Berlin's negative/positive freedom dichotomy. The devil, one might say, is in the detail, and it is the details of Green's theory of freedom, with its complexly intertwined Kantian and Aristotelian influences, that is missed when the distinction is drawn along the stark ideological lines of the debate between negative and positive theorists of freedom.

Conclusion

To bring the dissertation to a conclusion, I first recap the main points of each chapter and then comment on the main overall arguments it sought to present.

The first chapter provided an overview of the contemporary debate on freedom. We introduced Constant's distinction between the ancient and modern notion of freedom. While Constant identified an emerging modern conception of freedom he did not see these two conceptions as antagonists; he called for their integration rather than urging to abandon the ancient in favour of the modern. We then considered Hobbes as the first philosopher who endorsed a characteristically modern notion of freedom as 'freedom from' interference or, as Pettit terms it, freedom as non-frustration. We saw how Hobbes's conception of freedom informs Berlin's distinction between negative and positive freedom. In the second part I discussed the work of various scholars who have engaged with Berlin's distinction trying to either work within its parameters, change it or dismantle it. I began with Taylor as a key figure critiquing the concept of freedom as non-interference and calling for the essential role of self-realisation in the contemporary debate to be recognised. We focussed on his comparison between traffic restrictions in London and religious restrictions in Albania to argue that a sensible discussion of freedom requires a sense of wider purpose, since as Taylor states, we are purposeful beings. Without this a discussion of a wider purpose, the application of the concept of freedom as non-interference seems arbitrary in application. The second part of the chapter introduced the contemporary republicans. Skinner and Pettit, as we saw, present a notion of freedom as non-domination which they believe to provide a 'third way' that is not accounted for in Berlin's dichotomy. The main tenets and advantages of the theory of freedom as non-domination (that one can have domination without interference, and interference without domination) were explained. The chapter then turned to addressing prominent critiques of this alleged third way advanced by Larmore, Saenz, Kramer and Carter. These criticisms centred on two primary themes:

1) that the republican tradition does not distinguish itself in any substantive sense from liberal (negative) notions of freedom, 2) that it is a poor liberal theory of freedom at that. The chapter concluded with a discussion of MacCallum's attempt to deconstruct Berlin's negative/positive freedom dichotomy. MacCallum's argument, that all free acts have a negative (freedom from) and positive (freedom to) element was mobilized to argue that Berlin's dichotomy is overly restrictive and detracts from the real issues which characterise notions of freedom.

Chapter two presented Green's theory of the will and how it emerges from his critique of naturalism. This was required for laying the foundations for a discussion of Green's theory of freedom. The chapter presented Green's critique of three utilitarian thinkers, Bentham, Mill and Sidgwick. Their theories were presented in turn, and critiqued through the eyes of Green. It was shown that hedonistic notions of the good are unable to sustain a type 2 notion of desirability. Without a robust distinction between that which is simply desired, and that which is desirable, one is unable to draw substantive moral distinctions between that which is simply good, and that which is morally good. The chapter then presented Green's notion of the will, in answer to the weak distinction presented by hedonistic naturalism and showed how Green appropriates both Kantian elements (the importance of conscious reflection) and Aristotelian elements (the role of character). The chapter concluded with a discussion of determinism and moral responsibility in Green's theory of the will, a discussion that has arisen because of Green's claim that, due to the influences of character, individuals have limited power over their will.

Whilst the previous chapter presented Green's negative critique, chapter three addressed Green's theory of the good from two perspectives; the personal and the common. In doing so, the chapter brought out Green's Kantian and Aristotelian influences; arguing that while Green appropriates of the Kantian will, he does so without adopting Kant's wider deontological ethics. Green synthesizes Kant's notion of the will with an Aristotelian notion of eudemonia and the common good. In doing so, Green claims to have grounded Kant's idea of the moral law in concrete

political communities. It was demonstrated that Green's conception of the common good lends his wider theory of the good inter-subjective value through mutual reciprocity. Attempts to categorise Green as either a deontologist or consequentialist were also discussed. I argued that Green's theory defies rigid categorisation, that he is neither a consequentialist nor a deontologist. The primary purpose of the chapter was to lay the foundations for the discussion of Green's theory of freedom in the final chapter. As was ultimately demonstrated, Green believes truly free actions to be synonymous with truly good actions.

The final chapter accomplished two things; it presented Green's theory of freedom and returned to discussing the contemporary debate introduced in chapter one. We saw that Green talks of freedom in different senses. These different senses were presented and discussed: freedom of the will, juristic freedom and true freedom. Each were shown to have contributory value to Green's ultimate ideal of true freedom. Freedom of the will, was shown to be willing in itself; this forming the primary basis of Green's notion. Juristic freedom was explained to be broadly freedom as non-interference. The grounds for political obligations and legislation were discussed at length. Finally Green's notion of true freedom was presented. It was presented as constituting all of the ideals which were expressed in the third chapter. Emphasis was placed on its practical application; Green intending this to be applied to a concrete community; that we must take people as we find them. The chapter then addressed the contemporary debate. Much of the discussion focussed on Berlin's negative/positive freedom dichotomy. Green was presented as a prime example of a theory which cannot be placed into either camp. Green also embodies many of the ideals missing from the contemporary discussion; such as notions of self-realisation (as Taylor argues). The importance of the notion of self-realization was demonstrated through the struggles of the Trans community. The similarities between Green and the contemporary republicans was discussed, though the latter were ultimately found to be working within Berlin's paradigm, rather than subverting it, as MacCallum does. Green, like MacCallum, rejects the framework within much of the contemporary discussion has taken place. To understand Green's

contribution one must reconceptualise the negative/positive distinction so as to see negative and positive freedom as complementary rather than mutually exclusive. The Chapter concluded with a discussion of the problem of misinformation in the twenty-first century. The problem was explored through the misinformation presented by the anti-vaccination movement, which culminated with the reversing of mandatory vaccination in Italy – in the midst of growing measles outbreaks. The problem was presented as one which non-interference notions of freedom would not be able to characterise as a threat to freedom. Green, on the other hand, would see the problem of misinformation as a direct threat to freedom, because it undermines the individual's ability to conceive of their best state. Although there are no easy solutions to the problem, Green's theory of freedom was shown to be able to identify misinformation as a problem.

Broadly, this dissertation has sought to present a number of central ideas regarding Green's philosophy and the contemporary debate on freedom. One of the main themes I have tried to bring out is Green's pragmatic streak. For a fundamentally idealist philosophy, it is interesting to read the extent to which he constantly emphasises the concrete application of his ideas. Much of his theory of freedom is based on the realisation that his ideal of human perfection, will tragically never come to its full flourish. The recognition that in the application of high ideals we always need to, as he states, take people as we find them. In addition to this, Green's synthetic approach to philosophy is equally important. So many of Green's notions are the result of appropriation and synthesis. This is a positive approach, as he always seems to find the best in theories even in supposedly opposing camps. I think this a valuable way in which Green can inform the contemporary debate, which is so liable to the establishment of warring tribes. Green would argue that we should stop erecting false dichotomies because this prevents from formulating a constructive way forward and identifying the real challenges that face us. This is as true now, at the cusp of a new and uncertain world, as it was in Green's time.

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