

REFERENCES

Foreword

- 1 Regarding books on the history of freedom, the following, for example, can be recommended: David Schmidtz and Jason Brennan, *A Brief History of Liberty* (Oxford, 2010); Orlando Patterson, *Freedom*, vol. 1: *Freedom in the Making of Western Culture* (New York, 1991); Ben Wilson, *What Price Liberty?* (London, 2009); A. C. Grayling, *Towards the Light: The Story of the Struggles for Liberty and Rights* (London, 2007). The specific concern of these books is political freedom. However, an anthology comprised of philosophical texts from across philosophical history with an emphasis on freedom's ontology is Thomas Pink and Martin Stone, eds, *The Will and Human Action: From Antiquity to the Present Day* (London, 2003). Some good anthologies that exhibit much breadth in terms of more recent philosophical discussions of freedom are Robert Kane, ed., *The Oxford Handbook of Free Will* (Oxford, 2002); Gary Watson, ed., *Free Will*, 2nd edn (Oxford, 2003); Joseph Keim Campbell, Michael O'Rourke and David Shier, eds, *Freedom and Determinism* (Cambridge, MA, and London, 2004); Laura Waddell Ekstrom, ed., *Agency and Responsibility: Essays on the Metaphysics of Freedom* (Boulder, CO, 2000); Ian Carter, Matthew H. Kramer and Hillel Steiner, eds, *Freedom: A Philosophical Anthology* (Oxford and Malden, MA, 2007).
- 2 Daniel C. Dennett, *Elbow Room: Varieties of Free Will Worth Wanting* (Cambridge, MA, 1984), p. 3. For Dennett's viewpoint on freedom, see also his *Freedom Evolves* (London, 2003).

Introduction

- 1 B. F. Skinner, *Walden Two* [1948] (Indianapolis, IN, and Cambridge, 2005), p. 247.
- 2 Colin Turnbull, *The Mountain People* (New York, 1972). In this context, it should be mentioned that Turnbull's book has been the subject of extensive critique and has, for the most part, been discredited. However, that fact is irrelevant for my use of the book in the example with Niles.
- 3 Skinner, *Walden Two*, p. 247.
- 4 W. B. Gallie, 'Essentially Contested Concepts', *Proceedings of the Aristotelian Society*, 167 (1956).

- 5 Montesquieu, *The Spirit of the Laws*, trans. and ed. Anne M. Cohler, Basia C. Miller and Harold S. Stone (Cambridge, 2005), Book xi/2, p. 154.
- 6 Abraham Lincoln, 'Address at Sanitary Fair, Baltimore, Maryland, Apr. 11, 1864', in *Collected Works of Abraham Lincoln*, ed. Roy P. Basler (New Brunswick, NJ, 1953), vol. vii, pp. 301f.
- 7 Isaiah Berlin, 'Two Concepts of Liberty', in Berlin, *Four Essays on Liberty* (Oxford, 1969), p. 2.
- 8 It also depends upon one's basic metaphysical assumptions. Often sweeping categorizations of philosophical positions, such as 'naturalism' and 'pragmatism', are of little use, since they contain a variety of mutually incompatible positions. However, at least they give some indication of the philosophical landscape in which one finds oneself. Should anyone demand my personal 'faith statement', I would categorize myself as a 'naturalist' in the broadest sense of the word. That is, I assume that nothing exists outside of the natural universe (or that if anything does exist, it cannot influence the natural universe whatsoever and therefore cannot be used to explain it). Most contemporary philosophers would agree with such a broadly conceived naturalism. Meanwhile, I do not believe that the sciences in general, or that the natural sciences in particular, can tell us everything that is worth knowing about human life. I am also not a reductionist and do not think that different ontological levels are fully reducible to lower levels, until everything that exists can be explained in terms of elementary physical objects. On the contrary, I am a pluralist who believes that we can better understand a phenomenon by explaining it on many different levels through a variety of theoretical lenses.
- 9 John Dewey, *Human Nature and Conduct* (New York, 1922), p. 303.
- 10 Isaiah Berlin, *Liberty* (Oxford, 2002), pp. 4–12, 16ff., 29f., 160ff., 265–70, 322ff.
- 11 Cf. Kathleen D. Vohs and Jonathan W. Schooler, 'The Value of Believing in Free Will: Encouraging a Belief in Determinism Increases Cheating', *Psychological Science*, 1 (2008).
- 12 Another relevant terminological detail here is that the English language, and hence the Anglophone literature, contains two different words for freedom: *liberty* and *freedom*. This does not occur in any other European language. In the literature, it is common to regard these two words as synonyms and that is what I will also do. An exception to this rule is Hannah Arendt, who draws a significant distinction between the two terms. However, I will not discuss her viewpoint here. For a good representation of Arendt's position, as well as the etymology of both expressions, see Hanna Fenichel Pitkin, 'Are Freedom and Liberty Twins?', *Political Theory*, 4 (1988). Bernard Williams also distinguishes between *freedom* and *liberty*. In his case, however, it is more of a pragmatic move designed to differentiate between an ontological and a political thematic. He does not appear to think there is a difference between the two expressions in normal language usage (Bernard Williams, 'From Freedom to Liberty: The Construction of a Political Value', *Philosophy and Public Affairs*, 1 (2001)).
- 13 For a discussion of the relationship between liberalism and libertarianism that draws a significantly sharper distinction than I believe is necessary, see Samuel Freeman, 'Illiberal Libertarians: Why Libertarianism Is Not a Liberal View', *Philosophy and Public Affairs*, 2 (2002). An anthology with a number of texts that, broadly speaking, belong to the political libertarian tradition is David

- Boaz, ed., *The Libertarian Reader* (New York, 1997). A reference work that offers short articles on central thinkers and concepts is Ronald Hamowy, ed., *The Encyclopedia of Libertarianism* (Thousand Oaks, CA, and London, 2008). A good discussion can also be found in Norman P. Barry, *On Classical Liberalism and Libertarianism* (New York, 1987). A quite entertaining account of libertarianism's history in the USA is Brian Doherty, *Radicals for Capitalism: A Freewheeling History of the Modern American Libertarian Movement* (New York, 2007).
- 14 From this we can deduce that the concept of 'anarcho-capitalism' is also not a form of liberalism. At this point, anarcho-capitalism is a rather marginal ideology. If one were to name any of its theorists, Murray Rothbard and David Friedman, for example, would prove central. An anarcho-capitalist believes that the only desirable relationships are those voluntarily established between individuals, and that this idea is incompatible with the individual's being subject to a government that holds a force monopoly and such. Anarcho-capitalism further believes that a fully unregulated market is the only acceptable option, and that, for instance, protection from violence – or even from the law itself – are products individuals can either choose or neglect to buy from competing providers on the market. At this point, we are nowhere near what can rationally be called 'liberalism'. Liberalism, that is, does not consider government to be an unacceptable monopoly, as anarcho-capitalism does. At the same time, anarcho-capitalism tends to be regarded as a libertarian position.
- 15 The combined literature on different aspects of liberalism amounts to several thousand volumes. However, one has to begin somewhere and the following works can be used as springboards for further study: Hans Blokland, *Freedom and Culture in Western Society* (London, 1997); Alfonso J. Damico, ed., *Liberals on Liberalism* (Totowa, NJ, 1986); Katrin Flikschuh, *Freedom: Contemporary Liberal Perspectives* (London, 2007); Gerald F. Gaus, *Contemporary Theories of Liberalism* (London, 2003); John Gray, *Liberalism* (Buckingham, 1995); John Gray, *Post-liberalism* (London, 1993); John Gray, *The Two Faces of Liberalism* (Cambridge, 2000); Stephen Holmes, *Passions and Constraint* (Chicago, 1995); Paul Kelly, *Liberalism* (London, 2005); Pierre Manent, *An Intellectual History of Liberalism*, trans. Rebecca Balinski (Princeton, NJ, 1995); Ellen Frankel Paul et al., eds, *Natural Rights Liberalism from Locke to Nozick* (Cambridge, 2005); Ellen Frankel Paul et al., eds, *Liberalism: Old and New* (Cambridge, 2007); Paul Starr, *Freedom's Power. The True Force of Liberalism* (New York, 2007); Alan Wolfe, *The Future of Liberalism* (New York, 2009).
- 16 Some people will distinguish between freedom of will and freedom of action, where freedom of will consists in willing what one chooses and freedom of action means acting as one chooses, but this type of distinction will not play an important role in my discussion. I regard these ideas as two aspects of one and the same phenomenon. In this interpretation, one cannot have freedom of will without freedom of action and certainly not freedom of action without freedom of will. Other people will also distinguish between freedom of will and voluntariness, where one can act voluntarily without having freedom of will, but I do not accept this distinction either. Instead, I will argue that freedom of will is fundamental to voluntary actions.

I

To Act Voluntarily

- 1 A comprehensive historical overview, which holds countless fascinating court documents from such animal trials, can be found in Edward Payson Evans, *The Criminal Prosecution and Capital Punishment of Animals* (London, 1906). A more recent account and discussion of this subject is Jen Girgen, 'The Historical and Contemporary Prosecution and Punishment of Animals', in *Animal Law Review*, ix (2003).
- 2 Girgen, 'The Historical and Contemporary Prosecution and Punishment of Animals', p. 110.
- 3 Charles Darwin, *The Descent of Man and Selection in Relation to Sex* (Princeton, NJ, 1981), vol. I, p. 70.
- 4 Ibid., p. 88f.
- 5 Aristotle, *Politics*, trans. Ernest Barker (Oxford, 1995), 1253a.
- 6 Aristotle, *Aristotle's Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago, 2011), Book III, 1110a.
- 7 Cf. Dominic Streatfeild, *Brainwash: The Secret History of Mind Control* (London, 2006).
- 8 John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN, 1978), p. 56.
- 9 Ibid., p. 67.
- 10 Immanuel Kant, 'Lectures on Pedagogy', in *Anthropology, History, and Education*, trans. Mary Gregor, ed. Günter Zöller and Robert B. Loudon (Cambridge, 2007), p. 454f. Cf. Immanuel Kant, 'Anthropology from a Pragmatic Point of View', *ibid.*, p. 261.
- 11 Cf. Maurice Merleau-Ponty, *Phenomenology of Perception*, trans. Colin Smith (London, 1989), p. 146.
- 12 G.W.F. Hegel, *The Encyclopedia Logic: Part 1 of the Encyclopaedia of Philosophical Sciences*, trans. T. F. Geraets et al. (Indianapolis, IN, 1991), § 410.
- 13 Jonathan Jacobs, *Choosing Character: Responsibility for Virtue and Vice* (Ithaca, NY, and London, 2001), p. 19.
- 14 Fyodor Dostoevsky, 'Environment', *A Writer's Diary*, trans. Kenneth Lantz (Evanston, IL, 1994), vol. I, p. 136.

2

Freedom and Determinism

- 1 Letter to Molyneux, 20 January 1963, in John Locke, *The Correspondence of John Locke* (Oxford, 1979), vol. IV.
- 2 James Boswell, *The Life of Johnson* (London, 2008), p. 681 (15 April 1778).
- 3 Edward O. Wilson, *Consilience: The Unity of Knowledge* (London, 1999), p. 131; Edward O. Wilson, *On Human Nature* (Harmondsworth, 1995), p. 195.
- 4 Boswell, *The Life of Johnson*, p. 681 (15 April 1778).
- 5 Arthur Schopenhauer, *Schopenhauer: Prize Essay on the Freedom of the Will*, trans. Eric F. J. Payne, ed. Günter Zöller (Cambridge, 1999), p. 37.
- 6 For a discussion of this idea, see for example John R. Searle, *Intentionality: An Essay in the Philosophy of Mind* (Cambridge, 1983), p. 130.

- 7 Daniel M. Wegner, *The Illusion of Conscious Will* (Cambridge, MA, and London, 2002), p. 317f.
- 8 Colin Blakemore, *The Mind Machine* (London, 1988), p. 270.
- 9 For a very interesting discussion of this problem, see Jürgen Habermas, 'The Language Game of Responsible Agency and the Problem of Free Will: How Can Epistemic Dualism Be Reconciled with Ontological Monism', *Philosophical Explorations*, 10 (2007), pp. 13–50. See also Thomas Nagel, *The View from Nowhere* (Oxford, 1986).
- 10 William James, *The Will to Believe and Other Essays* (New York, 1956), p. 151.
- 11 It is notoriously difficult to explain what is meant by 'cause'. For a broad and thorough discussion of different perspectives and theories on causality, see Helen Beebe, Christopher Hitchcock and Peter Menzies, eds, *The Oxford Handbook of Causation* (Oxford and New York, 2009).
- 12 Ludwig Wittgenstein, *Philosophical Occasions, 1912–1951* (Indianapolis, IN, and Cambridge, 1993), pp. 429–44.
- 13 Ibid., p. 431.
- 14 Ibid., p. 433.
- 15 Ludwig Wittgenstein, *Culture and Value*, trans. Peter Winch (Chicago, 1984), p. 37.
- 16 Nancy Cartwright, *How the Laws of Physics Lie* (Oxford, 1983).
- 17 Denis Noble, *The Music of Life: Biology Beyond Genes* (Oxford and New York, 2006), chap. 5.
- 18 Cf. Helen Steward, *A Metaphysics for Freedom* (Oxford, 2012).
- 19 Lucretius, *On the Nature of Things*, trans. Frank O. Copley (New York, 1977), Book II, 216–93.
- 20 Patrick Suppes, 'The Transcendental Character of Determinism', *Midwest Studies in Philosophy*, 18 (1993), p. 254.
- 21 Libet has explained these experiments and their interpretation in a number of works. For our purposes, the following works are particularly central, 'Unconscious Cerebral Initiative and the Role of Conscious Will in Voluntary Action', *Behavioural and Brain Sciences*, 8 (1985); 'Consciousness, Free Action and the Brain', *Journal of Consciousness Studies*, 8 (2001); 'Do We Have Free Will?', in *The Oxford Handbook of Free Will*, ed. Robert Kane (Oxford, 2002). Libet has also made his research more accessible to a broader audience in the book *Mind Time: The Temporal Factor in Consciousness* (Cambridge, MA, and London, 2004). An anthology with many good discussions of Libet's work is Walter Sinnott-Armstrong and Lynn Nadel, ed., *Conscious Will and Responsibility: A Tribute to Benjamin Libet* (Oxford, 2011). For this interpretation of Libet, see for example Wegner, *The Illusion of Conscious Will*.
- 22 Chun Siong Soon et al., 'Unconscious Determinants of Free Decisions in the Human Brain', *Nature Neuroscience*, 13 April 2008; John-Dylan Haines, 'Beyond Libet: Long-term Prediction of Free Choices from Neuroimaging Signals', in *Conscious Will and Responsibility: A Tribute to Benjamin Libet*, ed. Walter Sinnott-Armstrong and Lynn Nadel (Oxford, 2011).
- 23 See for example Libet, 'Consciousness, Free Action and the Brain', p. 63; Libet, 'Do We Have Free Will?', pp. 562f.; Libet, *Mind Time*, pp. 154ff.
- 24 Libet, 'Do We Have Free Will?', p. 563.
- 25 Davide Rigoni et al., 'Inducing Disbelief in Free Will Alters Brain Correlates

- of Preconscious Motor Preparation: The Brain Minds Whether We Believe in Free Will or Not', *Psychological Science*, 5 (2011).
- 26 Raymond Tallis, *Aping Mankind: Neuromania, Darwinitis and the Misrepresentation of Mankind* (Durham, 2011), p. 248f.
- 27 My interpretation of Libet's experiments here is similar to that found in Dennett, *Freedom Evolves*, p. 239f.
- 28 For a good discussion of this viewpoint, see for example Alva Noë, *Out of Our Heads: Why You are Not Your Brain, and Other Lessons from the Biology of Consciousness* (New York, 2009).
- 29 Michael S. Gazzaniga, *Who's in Charge? Free Will and the Science of the Brain* (New York, 2011), p. 190.
- 30 Ibid.
- 31 The role that such up-on-down causality plays in the free will discussion is a matter of debate. An anthology that makes many good contributions to this topic is Nancey Murphy, George F. R. Ellis and Timothy O'Connor, eds, *Downward Causation and the Neurobiology of Free Will* (Berlin and Heidelberg, 2009). See also Nancey Murphy and Warren S. Brown, *Did My Neurons Make Me Do It? Philosophical and Neurobiological Perspectives on Moral Responsibility and Free Will* (Oxford and New York, 2006).
- 32 Cf. Carl Gustav Hempel, *Philosophy of Natural Science* (Inglewood Cliffs, NJ, 1966), p. 78.
- 33 Immanuel Kant, *Dreams of a Spirit-seer Elucidated by Dreams of Metaphysics*, in *Theoretical Philosophy, 1755–1770*, trans. and ed. David Walford (Cambridge, 1992), pp. 312f.
- 34 Many more positions are logically possible when we also take into account the fact that numerous philosophers take an 'agnostic' stance toward either determinism's truth and/or freedom's existence. If we expand the table to also include these possible combinations, we end up with the following:

	DETERMINISM	FREEDOM	TERM
1.	Yes	No	Hard determinism
2.	No	Yes	Libertarianism
3.	Yes	Yes	Compatibilism
4.	No	No	Scepticism
5.	Yes	?	
6.	?	Yes	
7.	No	?	
8.	?	No	
9.	?	?	

As previously stated, however, I will limit myself to a discussion of positions (1), (2) and (3) in the present work.

- 35 As a result, it would conceivably be better to characterize the two as 'exclusive' and 'inclusive' determinism, where exclusive determinism moves to exclude freedom from natural necessity's realm, while inclusive determinism wants to include it. However, I do not think much will be gained by introducing new terminology here, and have, therefore, chosen to continue with the established term: 'compatibilism'.

- 36 One of the best discussions of this position, which also attempts to show its ethical and existential implications, is Derk Pereboom, *Living without Free Will* (Cambridge, 2001).
- 37 See especially Galen Strawson, *Freedom and Belief* (Oxford, 1991).
- 38 See for example Saul Smilansky, *Free Will and Illusion* (Oxford, 2000).
- 39 Cf. Hagop Sarkissian et al., 'Is Belief in Free Will a Cultural Universal?', *Mind and Language*, 3 (2010). See also Shaun Nichols and Joshua Knobe, 'Moral Responsibility and Determinism: The Cognitive Science of Folk Intuitions', *Noûs*, 4 (2007).
- 40 Peter van Inwagen, *An Essay on Free Will* (Oxford, 1983), p. 16.
- 41 There is a large number of different libertarian positions. For a good, systematic discussion of these positions, which places emphasis on more recent analytical philosophy, see Randolph Clarke, *Libertarian Accounts of Free Will* (Oxford, 2003).
- 42 Perhaps the person who has used such examples most effectively to defend/justify libertarian freedom is Robert Kane, *The Significance of Free Will* (Oxford and New York, 1996).
- 43 Aristotle, *Aristotle's Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago, 2011), Book III, 1110a17f.
- 44 Ibid., 1113b6.
- 45 Aristotle, *Physics*, trans. R. P. Hardie and R. K. Gaye, in *The Complete Works of Aristotle*, ed. Jonathan Barnes (Princeton, NJ, 1984), vol. 1, 256a6–8.
- 46 Roderick M. Chisholm, 'Human Freedom and the Self', in *Free Will*, ed. Gary Watson, 2nd edn (Oxford, 2003).
- 47 Gary Watson, 'Introduction', in *Free Will*, ed. Watson, p. 10.
- 48 A. J. Ayer, *Philosophical Essays* (London, 1954), p. 275.
- 49 As John McDowell writes: 'And judging, making up our minds what to think, is something for which we are responsible – something we freely do, as opposed to something that merely happens in our lives. Of course a belief is not always, or even typically, a result of our exercising this freedom to decide what to think. But even when a belief is not freely adopted, it is an actualization of capacities of a kind, the conceptual, whose paradigmatic mode of actualization is in the exercise of freedom that judging is.' John McDowell, 'Having the World in View: Lecture One', *Journal of Philosophy*, 95 (1998), p. 434.
- 50 John Dupré, *The Disorder of Things: Metaphysical Foundations of the Disunity of Science* (Cambridge, MA, and London, 1993), p. 215. See also John Dupré, *Human Nature and the Limits of Science* (Oxford, 2001), chap. 7.
- 51 Wittgenstein, *Philosophical Occasions, 1912–1951*, p. 431.
- 52 John Stuart Mill underscores the same thing: 'Though we cannot emancipate ourselves from the laws of nature as a whole, we can escape from any particular law of nature, if we are able to withdraw ourselves from the circumstances in which it acts. Though we can do nothing except through laws of nature, we can use one law to counteract another.' 'Nature', *Collected Works of John Stuart Mill*, vol. x (Toronto and London, 1974), p. 379.
- 53 Bernard Williams, 'Practical Necessity', in *Moral Luck: Philosophical Papers, 1973–1980* (Cambridge, 1981), p. 130.
- 54 David Hume, *A Treatise of Human Nature*, ed. David Fate Norton and Mary J. Norton (Oxford, 2007), vol. 1, B2.3.2.

- 55 Perhaps the best discussion of this viewpoint in a compatibilistic framework is given by John Martin Fischer and Mark Ravizza, *Responsibility and Control: A Theory of Moral Responsibility* (Cambridge, 1999).
- 56 Harry G. Frankfurt, 'Alternate Possibilities and Moral Responsibility', in *The Importance of What We Care About* (Cambridge, 1988). Frankfurt's article has resulted in its own academic industry of commentary, objection and defence, and this is not the place to outline this whole debate. A selection of works on Frankfurt's theory can be found in David Widerker and Michael McKenna, eds, *Moral Responsibility and Alternative Possibilities: Essays on the Importance of Alternative Possibilities*, revd edn (Aldershot, 2006).
- 57 In addition, there are other objections to the requirement that a free action requires the agent to be able to act otherwise. For example, Dana Kay Nelkin argues that when it comes to the ability to act otherwise, there is an asymmetry between good and bad actions. She argues that this particular ability is required for free actions that are not characterized as good or were not performed for good reasons, whereas the requirement does not exist for good actions performed for good reasons (Dana Kay Nelkin, *Making Sense of Freedom and Responsibility* (Oxford, 2011)).
- 58 At the same time, there is no need for a compatibilist to regard a fear-occasioned action as unfree. For example, Hobbes would view an action prompted by fear to be as free as an action caused by any other emotion or inclination. The crucial point for Hobbes is whether or not a person is being physically prevented from acting as he or she desires. However, Hobbes's freedom concept will be outlined and discussed at greater length at the beginning of chapter Six.
- 59 For an interesting discussion that ends with this same viewpoint, see Mark Balaguer, *Free Will as an Open Scientific Problem* (Cambridge, MA, and London, 2010), chap. 4.
- 60 It bears pointing out here that the question of whether responsibility actually presupposes freedom is a matter of extensive debate. John Martin Fischer and Mark Ravizza argue in *Responsibility and Control: A Theory of Moral Responsibility* that freedom entails an ability to act otherwise, that several future options remain open, while responsibility does not require this, and therefore responsibility is possible even if freedom is not. However, I will not pursue their controversial argument in this context.
- 61 This viewpoint is related to Alfred Mele's 'agnostic autonomism', in Mele, *Autonomous Agents: From Self-control to Autonomy* (Oxford and New York, 1995).

3

Reactive and Objective Attitudes

- 1 Peter F. Strawson, *Freedom and Resentment and Other Essays* [1974] (London, 2008). Strawson's article has been the object of much debate. A solid anthology that covers many of the most central perspectives is Michael McKenna and Paul Russell, eds, *Free Will and Reactive Attitudes: Perspectives on P. F. Strawson's 'Freedom and Resentment'* (Farnham, 2008).
- 2 Strawson, *Freedom and Resentment*, p. 6.
- 3 Ibid., p. 8f.

- 4 Ibid., p. 9.
- 5 Jean-Jacques Rousseau, *The Reveries of the Solitary Walker*, trans. Charles E. Butterworth (Indianapolis, IN, 1992), p. 114.
- 6 Samuel Butler, *Erewhon* (London, 1985), pp. 102f.
- 7 Galen Strawson, *Freedom and Belief* (Oxford, 1991), pp. 88f.
- 8 This is no uncontroversial assertion, and Shaun Nichols among others argues that reactive attitudes will not be significantly influenced by an acceptance of determinism. Shaun Nichols, 'After Incompatibilism: A Naturalistic Defense of Reactive Attitudes', *Philosophical Perspectives*, 21 (2007).
- 9 Strawson, *Freedom and Resentment*, p. 12.
- 10 Michael S. Gazzaniga, *Who's in Charge? Free Will and the Science of the Brain* (New York, 2011), p. 194.
- 11 For an informative discussion of the exemption from guilt, which focuses more on the strict legal aspects than on the moral one, see Lawrie Reznek, *Evil or Ill? Justifying the Insanity Defense* (London and New York, 1997).
- 12 Galen Strawson, 'The Impossibility of Moral Responsibility', *Philosophical Studies*, 75 (1994).
- 13 Aristotle, *Aristotle's Nicomachean Ethics*, 1114a13–22.
- 14 For a modern version of the Aristotelian theory that holds one's character to be voluntary in many significant respects, and the individual to be accordingly responsible for the actions that follow from that character, see Jonathan Jacobs, *Choosing Character: Responsibility for Virtue and Vice* (Ithaca, NY, and London, 2001).

4

Autonomy

- 1 In this context, it should be mentioned that this precise connection between freedom and responsibility is disputed by John Martin Fischer and Mark Ravizza, *Responsibility and Control: A Theory of Moral Responsibility* (Cambridge, 1999), who argue that we can have responsibility without having freedom. However, their 'semi-compatibilistic' position will not be pursued further.
- 2 There is an extensive literature on autonomy and within it there are a variety of positions. For anthologies that contain the most relevant theoreticians and perspectives in contemporary philosophy, see John Christman, ed., *The Inner Citadel: Essays on Individual Autonomy* (Oxford and New York, 1989); John Christman and Joel Anderson, eds, *Autonomy and the Challenges to Liberalism: New Essays* (Cambridge, 2005); Ellen Frankel Paul et al., eds, *Autonomy* (Cambridge, 2003); James Stacey Taylor, ed., *Personal Autonomy: New Essays on Personal Autonomy and Its Role in Contemporary Moral Philosophy* (Cambridge and New York, 2005).
- 3 For a more comprehensive discussion of the concept's history, see for example Joachim Ritter and Karlfried Gründer, eds, *Historisches Wörterbuch der Philosophie* (Darmstadt, 1980), vol. 1, pp. 701–19.
- 4 At this point, the description of autonomy seems to correspond with that of freedom. Gerald Dworkin, however, argues that autonomy is not synonymous with freedom, and justifies this by pointing out that one can interfere with a

patient's autonomy by lying to him or deceiving him, but that this will not limit the patient's freedom. (Gerald Dworkin, *The Theory and Practice of Autonomy* (Cambridge, 1988), p. 14.) That argument is only tenable if such encroachment does not actually violate the patient's freedom. Dworkin is on safe ground when it comes to a Hobbesian freedom concept. However, as I will demonstrate in the context of negative and positive liberty in chapter Six, his freedom concept is, in reality, untenable, and manipulation, threat and deception must also be said to violate an agent's freedom. If we return to the Aristotelian criteria for voluntariness, furthermore, it is clear that both lying and deception undermine the agent's possibility for voluntary action, since the knowledge criteria cannot be fulfilled under such conditions.

- 5 Perhaps the most influential explanation for this type of viewpoint is Harry Frankfurt, 'Freedom of the Will and the Concept of the Person', in *The Importance of What We Care About* (Cambridge, 1988).
- 6 There are many representatives for this type of viewpoint, but Charles Taylor, for example, has made an important contribution to the debate with Charles Taylor, *Sources of the Self: The Making of Modern Identity* (Cambridge, MA, 1989); *The Ethics of Authenticity* (Cambridge, MA, 1992); and 'What's Wrong with Negative Liberty?' in *Philosophy and the Human Sciences* (Cambridge, 1985), vol. II. Taylor's position, however, will be further discussed in chapters Six and Thirteen.
- 7 Christine M. Korsgaard, *The Sources of Normativity* (Cambridge, 1996) and *Self-constitution: Agency, Identity and Integrity* (Oxford and New York, 2009).
- 8 Harry G. Frankfurt, *The Reasons of Love* (Princeton, NJ, and New York, 2004), p. 97.
- 9 Ortwin de Graef et al., 'Discussion with Harry G. Frankfurt', *Ethical Perspectives*, 5 (1998), p. 33.
- 10 Harry G. Frankfurt, *Taking Ourselves Seriously and Getting It Right* (Stanford, CA, 2006), p. 14.
- 11 Harry G. Frankfurt, *The Importance of What We Care About* (Cambridge, 1988), p. 20.
- 12 *Ibid.*, p. 18.
- 13 *Ibid.*, p. 25.
- 14 Frankfurt, *Taking Ourselves Seriously and Getting It Right*, p. 7.
- 15 Harry G. Frankfurt, *Necessity, Volition, and Love* (Cambridge, 1999), p. 114.
- 16 John Stuart Mill, *A System of Logic Ratiocinative and Inductive*, vol. VIII of *Collected Works of John Stuart Mill* (Toronto and London, 1974), p. 840.
- 17 Aristotle, *Aristotle's Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago, 2011), 1114b22.
- 18 Mill writes that our freedom consciousness is comprised of the fact that 'I feel (or am convinced) that I could, and even should, have chosen the other course if I had preferred it, that is, if I had liked it better; but not that I could have chosen one course while I preferred the other'. (John Stuart Mill, *An Examination of Sir William Hamilton's Philosophy*, vol. VIII of *Collected Works of John Stuart Mill*, p. 450.) This is not meant to deny that we often do what we know we should not, but that such actions must be explained by saying, for example, that the reason to act immorally in a given situation outweighs the reason to act morally.

- 19 Mill, *An Examination of Sir William Hamilton's Philosophy*, p. 452f.
- 20 Cf. Gary Watson, 'Free Agency', *Journal of Philosophy*, 72 (1975), pp. 205–20.
- 21 Dworkin, *The Theory and Practice of Autonomy*, p. 15f.
- 22 The most comprehensive presentation of his viewpoint on autonomy can be found in John Christman, *The Politics of Persons: Individual Autonomy and Socio-historical Selves* (Cambridge, 2009).
- 23 Luke Rhinehart, *The Dice Man* (New York, 1971).
- 24 Henry E. Allison, *Kant's Theory of Freedom* (Cambridge, 1990), p. 40; Immanuel Kant, *Religion within the Limits of Reason Alone*, trans. Theodore M. Greene and Hoyt H. Hudson (New York, 1960), p. 14.
- 25 See for example Daniel Kahneman, *Thinking, Fast and Slow* (New York, 2011).
- 26 Stuart Hampshire, *Thought and Action* (London, 1959), p. 177.
- 27 Cf. Michael Frede, *A Free Will: Origins of the Notion in Ancient Thought* (Berkeley, CA, 2011), p. 75.

5

The Liberal Democracy

- 1 Francis Fukuyama, *The End of History and the Last Man* (New York, 1992).
- 2 G.W.F. Hegel, *Phenomenology of Spirit*, trans. A. V. Miller, ed. J. N. Findlay (Oxford, 1977); Alexandre Kojève, *Introduction to the Reading of Hegel: Lectures on The Phenomenology of Spirit*, trans. James H. Nichols, Jr., ed. Allan Bloom (Ithaca, NY, 1980).
- 3 Francis Fukuyama, *The Origins of Political Order: From Prehuman Times to the French Revolution* (London, 2011), p. 4.
- 4 See especially *ibid.*, chap. 5.
- 5 Francis Fukuyama, 'The Future of History: Can Liberal Democracy Survive the Decline of the Middle Class?', *Foreign Affairs*, 1/91 (2012).
- 6 This can be found at www.freedomhouse.org.
- 7 I shall not engage here in an extensive discussion of the elements of democracy, because that would take us too far off course. A good collection of texts central to the theme can be found in Robert A. Dahl, Ian Shapiro and Jose Antonio Cheibub, eds, *The Democracy Sourcebook* (Cambridge, MA, and London, 2003). On the history of democracy, see for example John Dunn, *Democracy: A History* (New York, 2005) and John Keane, *The Life and Death of Democracy* (London, 2009).
- 8 Wilhelm Röpke, *Das Kulturideal des Liberalismus* (Frankfurt am Main, 1947), p. 17.
- 9 It must be underscored that, given his defence of absolutism, Hobbes is far removed from the liberal tradition. In opposition to more democratically inclined theorists, who argue that there is less freedom in absolute monarchy than in democracy, Hobbes claims that man will be subject to laws under both forms of government, and that one form of government must by no means have more numerous and stricter laws than the other. All laws adopted by the sovereign are regarded as God's laws, yet the sovereign determines what God's laws are.
- 10 Wilhelm von Humboldt, *The Limits of State Action*, ed. J. W. Burrow (London, 1969), p. 44.

- 11 John Locke, *The Second Treatise of Government*, in *Two Treatises of Government*, ed. Ian Shapiro (New Haven, CT, and London, 2003), §27.
- 12 John Locke, *The First Treatise of Government*, in *Two Treatises of Government*, ed. Shapiro, §42.
- 13 Montesquieu, *The Spirit of the Laws*, trans. and ed. Anne M. Cohler, Basia C. Miller and Harold S. Stone (Cambridge, 2005), Book 23.
- 14 Cf. Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, (Indianapolis, IN, 1981), Book 3, chap. 3.
- 15 Alexis de Tocqueville, *The Ancien Régime and the French Revolution*, trans. Arthur Goldhammer, ed. Jon Elster (Cambridge, 2011), p. 151.
- 16 John Stuart Mill, *Principles of Political Economy with some of their Applications to Social Philosophy*, vol. III of the *Collected Works of John Stuart Mill* (Toronto and London, 1974), p. 938.
- 17 This must be emphasized, since there are a number of representatives of perfectionistic liberalism, which is a theory of the good. See for example Joseph Raz, *The Morality of Freedom* (Oxford, 1986), and Steven Wall, *Liberalism, Perfectionism and Restraint* (Cambridge, 1998). In this context, a discussion of perfectionistic liberalism would take us too far off course.
- 18 Thomas Hobbes, *Leviathan* (Cambridge, 1991), p. 152.
- 19 In *Leviathan*, for example, Hobbes suggests that religious freedom should exist in society. The fundamental, inalienable rights with which Hobbes operates, in addition to religious freedom, include the right to defend oneself against attacks (both against one's body and one's honour), to not incriminate oneself and to neither take one's own life or another's life (and accordingly to refuse military service).
- 20 Edmund Burke, *On Empire, Liberty, and Reform. Speeches and Letters* (New Haven, CT, and London, 2000), p. 170.
- 21 It should also be observed here that economic freedom in present-day China is substantially less than many people have argued. In the Frazer Institute's *Economic Freedom of the World Index* for 2011, China ranks 92nd. (James Gwartney, Robert Lawson and Joshua Hall, *Economic Freedom of the World: 2011 Annual Report*, Vancouver: Frazer Institute 2011). In the Heritage Foundation's *Index of Economic Freedom 2012*, China ranks 138th (Terry Miller, Kim R. Holmes and Edwin J. Feulner, *2012 Index of Economic Freedom*, Washington and New York, The Heritage Foundation/ *Wall Street Journal* 2012).
- 22 Indra de Soysa and Hanne Fjelde, 'Is the Hidden Hand an Iron Fist? Capitalism and Civil Peace, 1970–2005', *Journal of Peace Research*, 3 (2010).
- 23 Milton Friedman, *Capitalism and Freedom* [1962] (Chicago, 2002), p. 10.
- 24 Stein Ringen, *What Democracy is For: On Freedom and Moral Government* (Princeton, NJ, and Oxford, 2009), p. 70.
- 25 Cf. Gwartney, Lawson and Hall, *Economic Freedom of the World: 2011 Annual Report* and Miller, Holmes and Feulner, *2012 Index of Economic Freedom*; <http://hdr.undp.org>.
- 26 At <http://data.worldbank.org/indicator/SI.POV.GINI>.

6

Positive and Negative Freedom

- 1 Isaiah Berlin, 'Two Concepts of Liberty', in Berlin, *Four Essays on Liberty* (Oxford, 1969), p. 2.
- 2 Thomas Hobbes, *Leviathan* (Cambridge, 1991), p. 91.
- 3 Thomas Hobbes, 'Selection from *The Questions concerning Liberty, Necessity, and Chance*', in *Hobbes and Bramhall on Liberty and Necessity*, ed. Vere Chappell (Cambridge, 1999), p. 81.
- 4 Hobbes, *Leviathan*, p. 146.
- 5 See also Thomas Hobbes, *Of Liberty and Necessity*, in *Hobbes and Bramhall on Liberty and Necessity*, ed. Chappell, p. 38.
- 6 Hobbes, *Leviathan*, p. 152.
- 7 Ibid., p. 206.
- 8 On this point, Hobbes differentiates, for example, from Kant, who distinguishes between fear of and respect for the law as determinant reasons for our actions, before arguing that respect is preferable simply because it does not deprive us of our freedom. (Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. and ed. Mary Gregor (Cambridge, 1997), p. 14n.)
- 9 Hobbes, *Leviathan*, p. 239f.
- 10 Thomas Hobbes, *On the Citizen*, ed. and trans. Richard Tuck and Michael Silverthorne (Cambridge, 1998), p. 111.
- 11 Berlin, 'Two Concepts of Liberty', p. 3.
- 12 Isaiah Berlin, *Liberty* (Oxford, 2002), p. 32; cf. Berlin, 'Two Concepts of Liberty', p. 3.
- 13 Cf. Frank Dikötter, *Mao's Great Famine: The History of China's Most Devastating Catastrophe* (London, 2010).
- 14 Amartya Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation* (Oxford, 1981).
- 15 Berlin, 'Two Concepts of Liberty', p. 3.
- 16 Ibid., p. 4f. Berlin, *Liberty*, p. 38.
- 17 Berlin, 'Two Concepts of Liberty', p. 13. See also Berlin, *Liberty*, p. 31.
- 18 John Rawls, *A Theory of Justice* (Cambridge, MA, 1971), p. 143.
- 19 This assumption can be problematized, since every increase in options does not necessarily result in more actual freedom of choice. Certainly not if we interpret freedom as something to be exercised. Indeed, too many alternatives can be hard to handle, though what constitutes 'too many' is up to the individual. Having four alternatives instead of two will normally increase one's freedom of choice, but having 100 alternatives does not necessarily imply greater freedom of choice than ten, since 100 will often appear paralysing. In *The Paradox of Choice*, Barry Schwartz argues that having the ability to choose is invaluable, but that the sheer number of possibilities in our society is so extreme as to be overwhelming. As a result, the variety of possible choices is no longer liberating; instead, we are 'tyrannized' by them. (Barry Schwartz, *The Paradox of Choice: Why More is Less* (New York, 2004, p. 2.) Among other things, Schwartz mentions one study that shows that customers who were offered six different jam samples were much more likely to decide to buy one than customers who were offered 24 samples (ibid. pp. 19f.). Initially, this seems strange, because

more alternatives would ostensibly increase the likelihood that one would find a favourite. In contrast, the large number of alternatives obviously makes it more difficult to decide on just one. According to Schwartz, having too many alternatives is injurious to freedom, because it requires time and energy that we ought to spend on other things. Of course, we all have different ways of dealing with a flood of choices. A common strategy is to stick to the same old thing and ignore other possibilities. For example, an individual might repeatedly purchase the same brand of car without evaluating any other. Another strategy is to ‘outsource’ the evaluation to another person, to a reviewer or an advisor, and simply follow their suggestion. That is a *voluntary* reduction of choice possibilities, and is clearly different from externally imposed limitations, for example, from a source of authority. As a consumer, there are many choices I deliberately avoid, such as switching electric and telephone providers, since I consider any potential savings I might incur to be less important than the time it would take me to to inform myself on prices and make that change. The trouble is simply not worth my while. However, I appreciate the fact that the possibilities are out there. I also assume that, for me as a consumer, competition between different providers will positively affect the price and quality of service.

- 20 We can further posit that the content of each alternative is known – or can be made known – to the agent. As a result, we cannot postulate cases of uncertainty, such as when an agent must swallow a pill from a bowl and every pill but one is deadly: in such a situation, the agent would obviously prefer to choose between a smaller number of pills.

21 Amartya Sen, *Rationality and Freedom* (Cambridge, 2002), chaps. 20–22.

22 Amartya Sen, *Inequality Reexamined* (Cambridge, MA, 1992), p. 51.

23 Berlin, ‘Two Concepts of Liberty’, p. 4.

24 Berlin, *Liberty*, p. 273.

25 Berlin, ‘Two Concepts of Liberty’, p. 8.

26 Berlin, *Liberty*, p. 39.

27 Jean-Jacques Rousseau, *The Social Contract*, trans. and ed. Victor Gourevitch (Cambridge, 1997), p. 53. My italics.

28 Ibid., p. 124.

29 Ibid., p. 104f.

30 Berlin, ‘Two Concepts of Liberty’, p. 9.

- 31 To observe such a development in positive freedom, we do not need to turn, for example, to Rousseau, or to communist or fascist regimes. The so-called ‘new liberalism’ at the end of the 1800s and beginning of the 1900s, which had Thomas Hill Green and Leonard Hobhouse as its most important representatives, tended in that same direction. (For a discussion of the different aspects of this variety of liberalism, see Avital Simhony and David Weinstein, eds, *The New Liberalism: Reconciling Liberty and Community* (Cambridge, 2001).) In ‘Liberal Legislation and Freedom of Contract’, Green writes: ‘But when we thus speak of freedom, we should consider carefully what we mean by it. We do not mean merely freedom from restraint or compulsion. We do not mean merely freedom to do as we like irrespectively of what it is that we like . . . When we speak of freedom . . . we mean a positive power or capacity of doing or enjoying something worth doing or enjoying.’ (Thomas Hill Green, ‘Liberal Legislation and Freedom of Contract’ [1881], in *Lectures on the Principles of Political*

- Obligations and Other Writings* (Cambridge, 1986).) As Green understands it, true freedom presupposes a person will do the 'right' things. Furthermore, the government has an obligation to facilitate such freedom. Green defines freedom as acting from the 'conception of a common good'. By making the conception of a common good central to his thought, Green moves away from what he considers to be liberalism's previous self-centred individualism. Individual freedom now becomes a particular type of self-determination where our capacities are used in pursuit of goals that are not only self-chosen, but also morally valuable. More particularly, individual self-realization should be more or less identical with altruism, where the individual makes the promotion of other people's well-being their primary focus. Hobhouse largely follows Green in his understanding of both individual self-realization and the state's role. As they both see it, genuine freedom requires the individual to realize himself in a certain way, namely, one that is best for the community. According to Hobhouse, the good life for an individual must form a rational whole. At the same time, the individual is so starkly woven into a social context that his self-realization is inextricably bound up with the self-realization of everyone else. Communal interests, therefore, trump those individual rights that were central to earlier liberalism. Whereas classical liberalism, furthermore, operated with a strong, but limited state, Hobhouse supports a strong state without those same limitations. As a result, new liberalism's endeavour to realize people's freedom poses a threat to that selfsame freedom.
- 32 Gerald C. MacCallum Jr, 'Negative and Positive Freedom', *Philosophical Review*, 76 (1967). Berlin has commented on and dismissed MacCallum's objections in Berlin, *Liberty*, p. 36n, 326.
 - 33 Berlin, 'Two Concepts of Liberty', p. 5. Cf. Berlin, *Liberty*, p. 326.
 - 34 Berlin, *Liberty*, p. 36n, 326.
 - 35 Cf. Tim Baldwin, 'MacCallum and the Two Concepts of Freedom', *Ratio*, 2 (1984), p. 141.
 - 36 Berlin, *Liberty*, p. 35.
 - 37 Ibid., p. 32.
 - 38 Immanuel Kant, 'On the Common Saying: "This May Be True in Theory, But It Does Not Apply in Practice"', trans. N. B. Nisbet, in *Kant's Political Writings*, ed. Hans Reiss (Cambridge, 2003), p. 74.
 - 39 Taylor, 'What's Wrong with Negative Liberty?', p. 219.
 - 40 Taylor, 'What Is Wrong with Negative Freedom?', p. 215f.
 - 41 Ibid., p. 216.
 - 42 Berlin, *Liberty*, p. 50f.
 - 43 Ibid., p. 38.
 - 44 Ibid., p. 38.
 - 45 Berlin, 'Two Concepts of Liberty', p. 30.
 - 46 Berlin, *Liberty*, p. 48.
 - 47 Ibid., p. 172, 285.
 - 48 Ibid. p. 41.
 - 49 Berlin, 'Two Concepts of Liberty', p. 31.
 - 50 John Gray, *Two Faces of Liberalism* (Cambridge, 2000), p. 6.
 - 51 See for example Isaiah Berlin, 'The Bent Twig', in *The Crooked Timber of Humanity* (Princeton, NJ, 1998), p. 259.

- 52 Cf. Berlin, *Liberty*, p. 50n, 216f.
- 53 Ramin Jahanbegloo, *Conversations with Isaiah Berlin* (London, 1992), p. 44; Isaiah Berlin and Beata Polanowska-Sygulska, *Unfinished Dialogue* (Amherst, NY, 2006), p. 213.
- 54 Berlin and Polanowska-Sygulska, *Unfinished Dialogue*, p. 93.
- 55 John Gray, *Isaiah Berlin* (Princeton, NJ, 1996), chap. 6. See also John Gray, 'Where Pluralists and Liberals Part Company', *International Journal of Philosophical Studies*, 6 (1998).
- 56 Cf. Michael Stocker, *Plural and Conflicting Values* (Oxford, 1990).
- 57 Isaiah Berlin, 'Reply to Robert Kocis', *Political Studies*, 31 (1983), pp. 390f.
- 58 Jahanbegloo, *Conversations with Isaiah Berlin*, p. 37.
- 59 *Ibid.*, p. 108.
- 60 Isaiah Berlin, 'The Pursuit of the Ideal', in *The Crooked Timber of Humanity*, p. 11.
- 61 I am not going to embark on a comprehensive discussion here about the extent to which moral realism is convincing. One of moral realism's best-known critics is John Mackie, who has formulated what is known as an 'argument from queerness' (John Mackie, *Ethics: Inventing Right and Wrong* (Oxford, 1977)). Roughly speaking, he posits from the outset that values are ontologically 'queer' entities that simply do not fit into our ontology of physical entities. Moral values are unlike anything else we encounter in the world – they are presumably non-physical, and we do not know how they arose or how they can causally affect events. The moral realist can answer that it is certainly true that values are ontologically separate from physical entities. However, we are talking about two distinct ontological frameworks, and we should not eliminate values from ontology simply because they do not constitute physical entities, just as we should not eliminate physical entities from ontology because they do not constitute values. That would be a strictly dualist approach, but a moral realist need not be a dualist. He can, for example, argue that values are quite real and natural, that they are only accessible on a higher ontological level than that of physics, that they certainly are not explainable through a reduction to physical objects, but that this is also the case with a host of other phenomena. That would be called a non-reductionist naturalism. In the end, the moral realist can simply say that the world is considerably richer than what science is capable of discovering, and that we accordingly ought to operate with a richer objective conception than what, for example, the physicalistic world-view allows.
- 62 Jahanbegloo, *Conversations with Isaiah Berlin*, p. 39.
- 63 Stuart Hampshire, *Morality and Conflict* (Cambridge, MA, 1984), p. 155.
- 64 Berlin, *Liberty*, p. 52f.
- 65 *Ibid.*, p. 41.

7

A Republican Concept of Freedom

- 1 To what extent the newer republican theories give a correct interpretation of classic republican viewpoints is a matter of debate (cf. John Charvet, 'Quentin Skinner and the Idea of Freedom', *Studies in Political Thought*, 2 (1993)), but I will not take the time to address that question here. In addition, I will not give a comprehensive presentation of the different elements contained in republicanism,

- and will instead limit myself to its critique of liberalism's freedom concept and the alternative it provides.
- 2 For example, John Rawls writes that there is no fundamental difference between political liberalism and classical republicanism. (John Rawls, *Political Liberalism*, expanded edn (New York, 2005), p. 205f.)
 - 3 Maurizio Viroli, *Republicanism*, trans. Antony Shugaar (New York, 2002), p. 61.
 - 4 See especially Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1989); Philip Pettit, *A Theory of Freedom: From the Psychology to the Politics of Agency* (Oxford, 2001); Quentin Skinner, *Vilkårlig makt: Essays om politisk frihet* (Oslo, 2009); Quentin Skinner, *Liberty Before Liberalism* (Cambridge, 1998).
 - 5 Pettit maintains that a significant difference between himself and Skinner is that he equates freedom with non-dominance, while Skinner requires both non-dominance and non-interference (Philip Pettit, 'Keeping Republican Freedom Simple: On a Difference with Quentin Skinner', *Political Theory*, 30 (2002), p. 342). Pettit is correct that Skinner's freedom concept is not as clear-cut as his own, but, if anything, that makes Skinner's position more plausible, because he is not as severely burdened with a number of the difficulties that, I will subsequently argue, plague a pure republican position.
 - 6 Benjamin Constant, 'The Liberty of the Ancients Compared with That of the Moderns', in *Political Writings*, ed. Biancamaria Fontana (Cambridge, 1988), pp. 307–28.
 - 7 *Ibid.*, p. 326.
 - 8 Skinner, 'Freedom as the Absence of Arbitrary Power', in *Republicanism and Political Theory*, ed. Cécile Laborde and John Maynor (Malden, MA, 2008), pp. 96f.
 - 9 Philip Pettit, 'The Instability of Freedom as Noninterference: The Case of Isaiah Berlin', *Ethics*, 4 (2011), p. 709.
 - 10 Pettit, *Republicanism*, p. 56.
 - 11 Pettit, *A Theory of Freedom*, p. 137.
 - 12 Cited from Amartya Sen, *The Idea of Justice* (London, 2009), p. 352.
 - 13 Pettit, *A Theory of Freedom*, p. 139.
 - 14 Pettit, 'The Instability of Freedom as Noninterference: The Case of Isaiah Berlin', p. 707, n. 35.
 - 15 Skinner, *Vilkårlig makt*, p. 206.
 - 16 Pettit, *Republicanism*, p. 291.
 - 17 Viroli, *Republicanism*, p. 10.
 - 18 Skinner, *Vilkårlig makt*, p. 46.
 - 19 Philip Pettit, *The Common Mind: An Essay on Psychology, Society and Politics* (Oxford, 1996), p. 310.
 - 20 John Locke, *The Second Treatise of Government*, in *Two Treatises of Government*, ed. Ian Shapiro (New Haven, CT, and London, 2003), §22. For more relevant passages, see §§136f., 143ff.
 - 21 Friedrich Hayek, *The Constitution of Liberty*, ed. Ronald Hamowy (Abingdon, 2011), p. 59.
 - 22 Immanuel Kant, 'Remarks in the *Observations on the Feeling of the Beautiful and the Sublime*', in *Observations on the Feeling of the Beautiful and Sublime and Other Writings*, trans. and ed. Patrick Frierson and Paul Guyer (Cambridge, 2011).

Freedom and Equality

- 1 Norberto Bobbio, *Liberalism and Democracy*, trans. Martin Ryle and Kate Soper (London and New York, 1990), p. 32.
- 2 Indeed, the philosophical literature on the equality concept is so comprehensive that it is difficult to know where to begin, but many of the most fundamental texts are collected in Louis P. Pojman and Robert Westmoreland, eds, *Equality: Selected Readings* (New York and Oxford, 1997). Other useful anthologies are Andrew Mason, ed., *Ideals of Equality* (Oxford, 1998) and Matthew Clayton and Andrew Williams, eds, *The Ideal of Equality* (New York, 2000). A good overview of many of the most important themes and positions can be found in Stuart White, *Equality* (Cambridge, 2007). A book that has proven central to the debate surrounding equality and inequality in the last few years is Richard Wilkinson and Kate Pickett, *The Spirit Level: Why More Equal Societies Almost Always Do Better* (London, 2009); the subtitle in later editions has changed. However, any adequate discussion of Wilkinson's and Pickett's book would require a description of the extensive objections from various quarters that have been levelled at the book's empirical foundations, as well as at the quality of its statistical analysis, and that is both beyond my field of expertise and would take us too far off course.
- 3 Cf. Will Kymlicka, *Contemporary Political Philosophy* (Oxford, 1990), p. 4.
- 4 Karl Marx, *Critique of the Gotha Program*, in *Karl Marx: Selected Writings*, ed. Lawrence H. Simon (Indianapolis, IN, 1994).
- 5 *Ibid.*, p. 315.
- 6 Amartya Sen, *Inequality Reexamined* (Cambridge, MA, 1992), p. 12f.
- 7 Michel Houellebecq, *The Elementary Particles*, trans. Frank Wynne (New York, 2000), p. 27.
- 8 Kurt Vonnegut, 'Harrison Bergeron', in *Welcome to the Monkey House* (New York, 1950). The text is also printed in Louis P. Pojman and Robert Westmoreland, eds, *Equality: Selected Readings* (New York and Oxford, 1997).
- 9 See especially Friedrich A. Hayek, *Law, Legislation and Liberty*, vol. I: *Rules and Order* (Chicago, 1973); vol. II: *The Mirage of Social Justice* (Chicago, 1976); and vol. III: *The Political Order of a Free People* (Chicago, 1979).
- 10 Robert Nozick, *Anarchy, State, and Utopia* (New York, 1974), p. 169.
- 11 François-Noël Babeuf and Sylvain Marechal, 'The Manifesto of Inequality', in *Equality: Selected Readings*, ed. Pojman and Westmoreland.
- 12 Harry G. Frankfurt, *The Importance of What We Care About* (Cambridge, 1988), pp. 134–58.
- 13 Harry G. Frankfurt, *Necessity, Volition, and Love* (Cambridge, 1999), p. 146n.
- 14 Cf. Ronald Dworkin, *Sovereign Virtue* (Cambridge, MA, 2000), chap. 2.
- 15 *Ibid.*, p. 323.
- 16 Cf. John Rawls, *A Theory of Justice* (Cambridge, MA, 1971), p. 74, 104.
- 17 We can also observe that Rawls seems to later abandon this position when he maintains that people who choose free time over work should not have the right to the minimum income that would otherwise follow from his so-called difference principle. (John Rawls, *Justice as Fairness: A Restatement* (Cambridge, MA, 2001), p. 179.) Only those who are willing to work, he

- argues, should receive anything. This brings him much closer to Dworkin's position.
- 18 Aristotle, *Aristotle's Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago, 2011), Book v.2–4.
 - 19 That is especially significant when it comes to an understanding of Adam Smith. When Smith writes about 'distributive justice' and directs critical remarks at the idea, he is using the term in the older, Aristotelian sense. If one overlooks that fact, one will also be in danger of believing that Smith is either inconsistent or will fail to see that there are legitimate questions concerning distributive justice in the phrase's modern sense. For a discussion that clarifies these points – and to which the following discussion of Smith is indebted – see Samuel Fleischacker, *A Short History of Distributive Justice* (Cambridge, MA, 2004).
 - 20 Adam Smith, *Lectures on Jurisprudence* (Indianapolis, IN, 1982), p. 9.
 - 21 Adam Smith, *Theory of Moral Sentiments* (Indianapolis, IN, 1976), p. 81.
 - 22 Ibid., pp. 79, 81.
 - 23 Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, (Indianapolis, IN, 1981), p. 785.
 - 24 Ibid., p. 725.
 - 25 Ibid., p. 842.
 - 26 Arthur Young, *The Farmer's Tour through the East of England* (London, 1771), vol. iv, p. 361.
 - 27 Smith, *Wealth of Nations*, p. 100.
 - 28 Cf. *ibid.*, p. 96
 - 29 Thomas Paine, *Rights of Man, Part II*, in *Political Writings*, ed. Bruce Kuklick (Cambridge, 2000), p. 235.
 - 30 Ibid., p. 233f.
 - 31 Ibid., p. 235.
 - 32 Ibid., p. 244.
 - 33 Thomas Paine, *Agrarian Justice*, in *Political Writings*, ed. Kuklick, pp. 327, 331.
 - 34 Ibid., p. 332.
 - 35 Smith, *Wealth of Nations*, pp. 869f.
 - 36 Theodor W. Adorno, 'Über Statik und Dynamik als soziologische Kategorien', in *Gesammelte Schriften*, Book 8 (Frankfurt am Main, 1972), p. 220.
 - 37 Martha Nussbaum and Amartya Sen, eds, *The Quality of Life* (Oxford, 1993).
 - 38 Martha Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, MA, and London, 2011), p. x, cf. p. 18.
 - 39 Martha Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge, MA, 2006), pp. 75, 274; Nussbaum, *Creating Capabilities*, p. 40.
 - 40 Amartya Sen, *The Idea of Justice* (London, 2009), pp. 5f.
 - 41 Ibid., p. 15.
 - 42 A related viewpoint can be found in Michael Walzer, who has described this kind of political philosophy as 'heroic', although he certainly does not mean that as a compliment. The heroic philosopher brackets out the prevailing ideas in the society in which he lives, and on the basis of reason alone he attempts to establish political principles which have 'universal' validity. The philosopher then wishes to see these principles directly translated into political practice. According to Walzer, this political philosopher is doomed to disappointment,

because when he returns from the realm of abstraction to the society in which he lives, the citizens will be ignorant of these supposedly universal principles, which are unconnected to their local traditions, as well as their way of thinking about politics. (Michael Walzer, *Thinking Politically: Essays in Political Theory* (New Haven, CT, 2007).)

43 Sen, *The Idea of Justice*, p. 56f.

44 Ibid., p. 102.

45 Ibid., p. 106.

46 Amartya Sen, *Development as Freedom* (Oxford, 1999), p. 75.

47 Ibid., p. 288.

48 A hunger strike is a demonstration of powerlessness transformed into an instrument of power. What is power, after all, but the ability to enforce one's will? If you have power, you can make a person do what he would not otherwise choose to do. Powerlessness can be defined as the absence of power, as the inability to enforce your will, as being unable to make others act in a certain way, even though you may desire it. At the same time, powerlessness can also become an instrument of power. In *Senchus Mor*, a collection of ancient Irish laws that, according to legend, was compiled by order of St Patrick, there is a regulation describing how an individual might fast in order to compel a more powerful debtor to pay what he owes. A poor man who did not have the means, for example, to seize his debtor's property in order to enforce payment could instead sit outside the debtor's door and fast until the debt was settled. In this case, the creditor is powerless because he cannot actualize his will by forcing the debtor to pay what he owes. Indeed, one might well imagine that it would be no major problem for the debtor if his creditor starved to death. The fact of the matter is, however, that the presence of the faster on his doorstep brings shame, and so the debtor will pay in order to avoid that shame. A line can be drawn from this scenario to modern hunger strikes, which usually have a political purpose. The point here is that making one's powerlessness visible can prove a source of substantial power.

49 For a further discussion of this, see Sen, *Development as Freedom*, chap. 4.

50 It is worth remarking here that 600 million people under ten years old live with severe disabilities, and 400 million of these live in developing countries where the living conditions are quite difficult even for those without disabilities. Cf. Sen, *The Idea of Justice*, p. 258.

51 Sen, *Development as Freedom*, p. 284.

52 Sen also uses the expression 'positive freedom' in another sense, as in 'the person's ability to do the things in question taking everything into account (including external restraints as well as internal limitations)' (Amartya Sen, *Rationality and Freedom* (Cambridge, 2002), p. 586). This definition, however, will not be pursued further here.

53 Sen, *Rationality and Freedom*, p. 587.

54 Sen, *The Idea of Justice*, p. 295.

55 Nussbaum, *Frontiers of Justice*, p. 70.

56 Nussbaum, 'The Future of Feminist Liberalism', *Proceedings and Addresses of the American Philosophical Association*, 74 (2000), p. 56.

57 This list was first published in Martha Nussbaum, *Women and Human*

- Development: The Capabilities Approach* (Cambridge, 2000), pp. 78ff., and it has since appeared in a number of her later works.
- 58 Nussbaum, *Creating Capabilities*, pp. 62f.
 - 59 Nussbaum, *Frontiers of Justice*, pp. 75, 281.
 - 60 Ibid., p. 76; Nussbaum, *Creating Capabilities*, pp. 36, 108.
 - 61 Nussbaum, *Creating Capabilities*, p. 42.
 - 62 Sen, *The Idea of Justice*, p. 295. Sen, *Inequality Reexamined*, p. 45.
 - 63 Plato, *The Republic of Plato*, 2nd edn, trans. and ed. Allan Bloom (New York, 1991), 501a.
 - 64 Ibid., 370a–b.
 - 65 Ibid., 433a.
 - 66 Plato, *The Laws of Plato*, trans. and ed. Thomas L. Pangle (Chicago, 1988).
 - 67 John Gray, *Black Mass: Apocalyptic Religion and the Death of Utopia* (London, 2007), p. 1.
 - 68 Norman Cohn, *The Pursuit of the Millennium: Revolutionary Millenarians and Mystical Anarchists of the Middle Ages* [1957] (London, 1970).
 - 69 Regarding the establishment of the theocracy in Münster, my most important source has been Cohn, *The Pursuit of the Millennium*, chaps 12 and 13.
 - 70 G.W.F. Hegel, *Lectures on the Philosophy of History*, trans. J. Sibree (Mineola, NY, 2004), p. 33.
 - 71 Ibid., p. 21.
 - 72 Ibid., p. 37.
 - 73 Cited from Paul Hollander, 'Revisiting the Banality of Evil: Political Violence in Communist Systems', *Partisan Review*, 1 (1997), p. 56.
 - 74 Karl Marx, 'From *The German Ideology*', trans. D. Easton and Kurt H. Guddat, in *Writings of the Young Marx on Philosophy and Society, The German Ideology* (Indianapolis, IN, 1997), p. 424f.
 - 75 Vladimir I. Lenin, *The State and Revolution*, trans. and ed. Robert Service (London, 1993).
 - 76 Gray, *Black Mass*, p. 66f.
 - 77 What follows is based especially on David R. Shearer, *Policing Stalin's Socialism: Repression and Social Order in the Soviet Union, 1924–1953* (New Haven, CT, and London, 2009). Another important source is J. Arch Getty and Oleg V. Naumov, *The Road to Terror: Stalin and the Self-destruction of the Bolsheviks, 1932–39* (New Haven, CT, and London, 1999).
 - 78 One of the starkest descriptions of the extreme conditions under which those who had been forcibly deported could live – and die – is found in Nicholas Werth, *Cannibal Island: Death in a Siberian Gulag*, ed. Steven Randall (Princeton, NJ, and Oxford, 2007).
 - 79 Karl R. Popper, *The Open Society and Its Enemies*, vol. 1: *The Spell of Plato* (London, 2005), chap. 9.
 - 80 Karl R. Popper, *Conjectures and Refutations* (London, 1989), p. 361.
 - 81 Karl R. Popper, *The Open Society and its Enemies*, vol. 11: *The High Tide of Prophecy* (London, 2005), p. 442.
 - 82 Oscar Wilde, *Lady Windermere's Fan*, in *Complete Works of Oscar Wilde* (London, 1966), p. 417.

Liberal Rights

- 1 This assertion is not without its controversy. For example, Ronald Dworkin argues that the ideal of equality is more fundamentally linked to liberalism than the ideal of freedom (Ronald Dworkin, 'Liberalism', in *A Matter of Principle* (Oxford, 1985)). However, this viewpoint strikes me as rather eccentric. The term's etymology, as well as mainstream liberalism, supports the idea that freedom is the most central element here.
- 2 For a more comprehensive discussion of the conceptual history, see for example Joachim Ritter and Karlfried Gründer, eds, *Historisches Wörterbuch der Philosophie* (Darmstadt, 1980), vol. v, pp. 256–72.
- 3 Mill, *Principles of Political Economy*, p. 938.
- 4 An exceptional presentation of this idea can be found in Orlando Patterson, *Freedom*, vol. 1: *Freedom in the Making of Western Culture* (New York, 1991).
- 5 I have discussed Aristotle's viewpoint on slavery in Lars Fr. H. Svendsen, *Work* (Durham, 2008), pp. 51f.
- 6 John Dillon and Tania Gergel, eds, *The Greek Sophists* (London, 2003), p. 293.
- 7 Kevin Bales, *Disposable People: New Slavery in the Global Economy*, 3rd revd edn (Berkeley, CA, 2012). See also E. Benjamin Skinner, *A Crime So Monstrous: Face-to-face with Modern-day Slavery* (New York, 2009).
- 8 See for example Joel Feinberg, *Harm to Self* (Oxford and New York, 1986), pp. 83–7, and Robert Nozick, *Anarchy, State, and Utopia* (New York, 1974), p. 331.
- 9 John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN, 1978), p. 101.
- 10 See for example Peter Garnsey, *Thinking about Property: From Antiquity to the Age of Revolution* (Cambridge, 2008).
- 11 The literature on human rights is so extensive that it cannot be done justice here. A collection of a number of important texts from antiquity until the present day can be found in Madeline R. Ishay, ed., *The Human Rights Reader*, 2nd edn (London and New York, 2007). An accessible introduction to the human rights problematic can also be found in Michael Freeman, *Human Rights* (Cambridge, 2002). Among the contemporary philosophical discussions on human rights, I especially recommend James Griffin, *On Human Rights* (Oxford, 2008), and Charles R. Beitz, *The Idea of Human Rights* (Oxford and New York, 2009).
- 12 See especially Karl Marx, 'On the Jewish Question', in *Early Political Writings*, trans. and ed. Josef O'Malley (Cambridge, 1994), pp. 44–50.
- 13 Ronald Dworkin, 'Rights as Trumps', in *Theories of Rights*, ed. Jeremy Waldron (New York, 1985).
- 14 I give a brief discussion of this in Svendsen, *Work*, pp. 55f.
- 15 Cf. Will Kymlicka, *Multicultural Citizenship* (Oxford, 1995), chap. 3.
- 16 William J. Talbott, *Which Rights Should Be Universal?* (Oxford and New York, 2005), p. 11.
- 17 In this context, it can be mentioned that Friedrich Hayek, who is restrictive in terms of welfare rights for adults, grants children considerably broader welfare rights. See especially Friedrich A. Hayek, *Law, Legislation and Liberty*, vol. 11:

- The Mirage of Social Justice* (Chicago, 1976), pp. 87 and 101; and vol. III: *The Political Order of a Free People* (Chicago, 1979), p. 61.
- 18 One of the more curious arguments for the establishment of human rights comes from E. O. Wilson, who argues that human rights ought to be based on the fact that we are mammals! (Edward O. Wilson, *On Human Nature* (Harmondsworth, 1995), p. 199.) Yet mammal rights, to the extent they should even be addressed, will not coincide with human rights. Most human rights would make no sense as mammal rights, such as, for example, the right to education. Rights must stand in reasonable relation to the right-holder's attributes and desires.
- 19 This definition was launched in 1946 by Karl Evang, among others, and it appears in the first paragraph of the WHO's constitution (1948), which was subsequently adopted by all the organization's member countries. This definition is not particularly intuitive, since most people immediately associate health with the absence of disease and so on. In this respect, we can say that the World Health Organization's positive description of health as 'a state of complete physical, mental and social well-being' represents a strict departure from normal language usage. Indeed, one thing that immediately strikes us is that this definition, in one sense, is exceedingly narrow, since it indicates an empty set: there is not a single person on earth who meets the criteria for good health, simply because no human being has *complete* physical, mental and social well-being. At the same time, the definition is also extremely broad in the sense that there is no aspect of human life that can be said to be non-health-related. This alone gives us reason to doubt that the WHO's definition is particularly useful.
- 20 This point can also be found on a list in Talbott, *Which Rights Should Be Universal?*, pp. 137 and 163. Talbott discusses this right more extensively in William J. Talbott, *Human Rights and Human Well-being* (Oxford and New York, 2010), chaps 12 and 13.

10

Paternalism

- 1 Immanuel Kant, 'On the Common Saying: "This May Be True in Theory, But It Does Not Apply in Practice"', trans. N. B. Nisbet, in *Kant's Political Writings*, ed. Hans Reiss (Cambridge, 2003), p. 74.
- 2 Isaiah Berlin, 'Two Concepts of Liberty', in Isaiah Berlin, *Four Essays on Liberty* (Oxford, 1969), pp. 11, 23.
- 3 John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN, 1978), p. 12.
- 4 For an overview of this subject, see for example Gerald Dworkin, 'Paternalism', in *Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu>.
- 5 For this interpretation of soft paternalism, see for example Joel Feinberg, *Harm to Self* (Oxford and New York, 1986), p. 126. At the same time, Feinberg does not clearly outline what makes an action 'essentially involuntary', and seems to think that the boundaries here will actually fluctuate with the amount of risk involved and whether any potential damage can be remediated afterwards, as well as other factors (pp. 118–22).

- 6 Mill, *On Liberty*, p. 95.
- 7 See for example Georg Høyer et al., 'Paternalism and Autonomy: A Presentation of a Nordic Study on the Use of Coercion in the Mental Health Care System', *International Journal of Law and Psychiatry*, xxv/2 (2002).
- 8 Richard H. Thaler and Cass R. Sunstein, 'Libertarian Paternalism', *American Economic Review*, 2 (2003); Cass R. Sunstein and Richard H. Thaler, 'Libertarian Paternalism Is Not an Oxymoron', *University of Chicago Law Review*, 4 (2003); and Richard H. Thaler and Cass R. Sunstein, *Nudge: Improving Decisions about Health, Wealth, and Happiness* (New Haven, CT, 2008).
- 9 Thaler and Sunstein also discuss 'libertarian benevolence', which involves the same nudge-mechanism as libertarian paternalism, though this time it is directed at others, for example, toward inducing people to donate organs to a greater extent than they do today (ibid., chap. 11). Since this is not a form of paternalism, however, it shall not be further discussed in this context.
- 10 Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1160.
- 11 For broader presentations and discussions of Kahneman's and Tversky's work, see Daniel Kahneman, Paul Slovic and Amos Tversky, eds, *Judgment under Uncertainty: Heuristics and Biases* (Cambridge, 1982); Daniel Kahneman and Amos Tversky, eds, *Choices, Values and Frames* (Cambridge, 2000); and Thomas Gilovich, Dale Griffin and Daniel Kahneman, eds, *Heuristics and Biases: The Psychology of Intuitive Judgment* (Cambridge, 2002).
- 12 For relatively accessible discussions, see Dan Ariely, *Predictably Irrational: The Hidden Forces that Shape Our Decisions* (New York, 2008) and Nick Wilkinson, *An Introduction to Behavioral Economics: A Guide for Students* (New York and Basingstoke, 2007). For a more comprehensive and in-depth overview, see for example George Loewenstein, *Exotic Preferences: Behavioral Economics and Human Motivation* (Oxford, 2008). A number of the most central articles on the subject are collected in Colin F. Camerer, George Loewenstein and Matthew Rabin, eds, *Advances in Behavioral Economics* (Princeton, NJ, 2003).
- 13 Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1199.
- 14 Ibid., p. 1167. Cf. Thaler and Sunstein, *Nudge*, p. 6.
- 15 Daniel Kahneman, *Thinking, Fast and Slow* (New York, 2011), pp. 408–18.
- 16 Friedrich A. Hayek, 'Individualism: True and False', in *Individualism and Economic Order* (Chicago, 1980), pp. 8f.
- 17 Ibid., p. 11.
- 18 Cf. Nava Ashraf, Colin F. Camerer and George Loewenstein, 'Adam Smith, Behavioral Economist', *Journal of Economic Perspectives*, 3 (2005). The article is also published in Loewenstein, *Exotic Preferences*.
- 19 Hayek, 'Individualism: True and False', p. 15.
- 20 Friedrich Hayek, *The Constitution of Liberty*, ed. Ronald Hamowy (Abingdon, 2011), p. 82.
- 21 Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 7n19.
- 22 Thaler and Sunstein, 'Libertarian Paternalism', p. 175. Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 3.
- 23 Amartya Sen, 'Rational Fools: A Critique of the Behavioral Foundations of Economic Theory', *Philosophy and Public Affairs*, 4 (1977).
- 24 Thaler and Sunstein, *Nudge*, p. 5. Italics in the original.
- 25 Ibid., p. 249.

- 26 Thaler and Sunstein, 'Libertarian Paternalism', p. 177; Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1164.
- 27 Thaler and Sunstein, *Nudge*, p. 5.
- 28 Ibid., p. 11.
- 29 Ibid., p. 5f. Cf. Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1162.
- 30 Mill, *On Liberty*, p. 99.
- 31 Thaler and Sunstein, *Nudge*, p. 47.
- 32 A similar objection to Thaler and Sunstein is made by Steven Wu, 'When is a Nudge a Shove? The Case for Desire-Neutrality', Columbia Law School (2009), <http://papers.ssrn.com>.
- 33 Thaler and Sunstein, 'Libertarian Paternalism', p. 175.
- 34 Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 3.
- 35 Thaler and Sunstein, *Nudge*, p. 5.
- 36 Ibid., p. 5.
- 37 Yet another problem here concerns the timetable for welfare maximization. Is achieving a greater good in the far distant future necessarily preferable to achieving a lesser good in the here and now? Thaler and Sunstein seem to make this assumption – at least, their discussion of retirement savings would seem to indicate that this is the case. However, can we actually do anything more than conclude that people are different, that some have more short-term and others more long-term rationales for their actions?
- 38 Mill, *On Liberty*, p. 5f.
- 39 See especially Thaler and Sunstein, *Nudge*, chap. 3.
- 40 Cf. John Rawls, *A Theory of Justice* (Cambridge, MA, 1971), p. 133; John Rawls, *Political Liberalism*, expanded edn (New York, 2005), pp. 66ff; Thaler and Sunstein, *Nudge*, p. 244f.
- 41 Ibid., p. 245.
- 42 Ibid., p. 36; Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1165.
- 43 Cf. Edward L. Glaeser, 'Paternalism and Psychology', *University of Chicago Law Review*, 1 (2006).
- 44 Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1165.
- 45 Thaler and Sunstein, 'Libertarian Paternalism', p. 175; Thaler and Sunstein, 'Libertarian Paternalism Is Not an Oxymoron', p. 1162.
- 46 Alexis de Tocqueville, *Democracy in America*, trans. Arthur Goldhammer (New York, 2004), p. 818f.

II

Informational Privacy

- 1 A similar viewpoint can also be found in Charles Fried, 'Privacy', *Yale Law Journal*, 3 (1968).
- 2 Friedrich Hayek, *The Constitution of Liberty*, p. 61.
- 3 Cf. Maeve Cook, 'A Space of One's Own: Autonomy, Privacy, Liberty', *Philosophy and Social Criticism*, 1 (1999).
- 4 For a well-ordered presentation of the different philosophical attempts to

- define 'privacy', see H. J. McCloskey, 'Privacy and the Right to Privacy', *Philosophy*, 55 (1980).
- 5 For a similar approach, see for example Daniel J. Solove, *Understanding Privacy* (Cambridge, MA, and London, 2008), chap. 3.
- 6 Cf. Philippe Ariès and Georges Duby, eds, *A History of Private Life*, 5 vols (Cambridge, MA, 1992); Jeff Weintraub and Krishan Kumar, eds, *Public and Private in Thought and Practice: Reflections on a Grand Dichotomy* (Chicago, 1997). Cf. Barrington Moore Jr, *Privacy: Studies on Social and Cultural History* (Armonk, NY, 1984).
- 7 Samuel D. Warren and Louis D. Brandeis, 'The Right to Privacy', *Harvard Law Review*, 5 (1890).
- 8 Judith Jarvis Thompson, 'The Right to Privacy', *Philosophy and Public Affairs*, 4 (1975).
- 9 *Katz v. United States*, 389 U.S. 347 (1967). <http://supreme.justia.com>.
- 10 James Rachels, 'Why Privacy is Important', *Philosophy and Public Affairs*, 4 (1975).
- 11 Erving Goffman, *The Presentation of Self in Everyday Life* (New York, 1959).
- 12 T. S. Eliot, *The Complete Poems and Plays* (London and Boston, 1969), p. 14.
- 13 Jeremy Bentham, *Panopticon*, in *The Panopticon Writings*, ed. Miran Bozovic (London, 1995), p. 31.
- 14 Torbjörn Tännsjö, *Privatliv* (Lidingö, 2010).
- 15 Cf. Daniel J. Solove, *Nothing to Hide: The False Tradeoff Between Privacy and Security* (New Haven, CT, and London, 2011), chap. 2.
- 16 FORSA, 'Meinungen der Bundesbürger zur Vorratsdatenspeicherung', FORSA: Gesellschaft für Sozialforschung und statistische Analysen mbH, Berlin 2008. www.vorratsdatenspeicherung.de.
- 17 Brendan O'Neill, 'The Truth about the "Surveillance Society"', *Spiked*, 8 May 2008, www.spiked-online.com.
- 18 Steven Swinford and Nicola Smith, 'Word on the Street . . . They're Listening', *Sunday Times*, 26 November 2006.
- 19 Ben Wilson, *What Price Liberty?* (London, 2009), p. 5, 330.
- 20 Isaiah Berlin, 'Two Concepts of Liberty', in Isaiah Berlin, *Four Essays on Liberty* (Oxford, 1969), p. 7.

12

Freedom of Expression

- 1 John Milton, *Areopagitica*, in *Complete Poems and Major Prose*, ed. Merritt Y. Hughes (Indianapolis, IN, 2003), p. 720.
- 2 Ronald Dworkin, 'Rights as Trumps', in *Theories of Rights*, ed. Jeremy Waldron, (New York, 1985).
- 3 For a discussion of this idea, see for example Rawls, *Political Liberalism*, pp. 340–56.
- 4 *Brandenburg v. Ohio*, 395 U.S. 444 (1969), at <http://supreme.justia.com>.
- 5 John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN, 1978), chap. 2.
- 6 *Ibid.*, p. 11.
- 7 *Ibid.*, p. 16.

- 8 Ibid., pp. 16, 61.
- 9 Ibid., pp. 34, 61.
- 10 Ibid., pp. 36f., 61.
- 11 Ibid., p. 9.
- 12 Cf. *ibid.*, p. 76f.
- 13 Ibid., p. 53.
- 14 I have explored this question further in the context of a sense of fear in Lars Fr. H. Svendsen, *A Philosophy of Fear* (London, 2008).
- 15 Though Voltaire never actually spoke these words, they so accurately represent his thoughts that he might as well have.
- 16 For a good discussion of this development, see Frank Furedi, *On Tolerance: A Defense of Moral Independence* (London and New York, 2011).
- 17 John Locke, *A Letter Concerning Toleration*, in *Two Treatises of Government and A Letter Concerning Toleration*, ed. Ian Shapiro (New Haven, CT, and New York, 2003).

13

Realizing Freedom

- 1 Charles Taylor, *Sources of the Self: The Making of Modern Identity* (Cambridge, MA, 1989), p. 14.
- 2 Viktor E. Frankl, *The Will to Meaning*, revd edn (New York, 1998), p. ix.
- 3 Ibid., p. 38.
- 4 Friedrich Nietzsche, *The Gay Science*, trans. Josefine Nauckhoff, ed. Bernard Williams (Cambridge, 2001), §270, cf. §335.
- 5 Cf. Anthony Giddens, *Modernity and Self-identity: Self and Identity in the Late Modern Age* (Cambridge, 1991), p. 5 and Anthony Giddens, *The Transformations of Intimacy* (Oxford, 1992), p. 30.
- 6 Michel Foucault, *Ethics: Subjectivity and Truth: Essential Works of Michel Foucault, 1954–1984* (New York, 1997), vol. 1, p. 262.
- 7 Michel Foucault, *The Use of Pleasure: The History of Sexuality*, trans. Randy Hurley (New York, 1985), vol. 11, pp. 72–7.
- 8 Michel Foucault, *Ethics: Subjectivity and Truth*, pp. 137f.
- 9 Ibid., p. 318.
- 10 Cf. Michel Foucault, *Power: The Essential Works of Michel Foucault, 1954–1984* (New York, 2000), vol. 111, p. 241f.
- 11 Paul Ricoeur, *The Conflict of Interpretations*, trans. Kathleen McLaughlin et al., ed. Don Ihde (Evanston, IL, 1974).
- 12 Harry G. Frankfurt, *The Importance of What We Care About* (Cambridge, 1988), p. 170.
- 13 Harry G. Frankfurt, *The Reasons of Love* (Princeton, NJ, and New York, 2004), pp. 55f.
- 14 Ibid., p. 59.
- 15 Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA, 1985), p. 11.
- 16 Martin Heidegger, *Being and Time*, trans. Joan Stambaugh (Albany, NY, 1996), §39–43, 57, 61–6, 69 and 79f. *Sorge* is one of the most important concepts in *Being and Time*, and I have only highlighted the most central paragraphs here.
- 17 Harry G. Frankfurt, *Necessity, Volition, and Love* (Cambridge, 1999), p. 114f.

- 18 Frankfurt, *Taking Ourselves Seriously and Getting It Right*.
- 19 Frankfurt, *Necessity, Volition, and Love*, p. 114.
- 20 Frankfurt, *The Reasons of Love*, p. 44.
- 21 For a good presentation of Eichmann's life and work, see David Cesarani, *Becoming Eichmann: Rethinking the Life, Crimes, and Trial of a 'Desk Murderer'* (Cambridge, 2007).
- 22 Ortwin de Graef et al., 'Discussion with Harry G. Frankfurt', *Ethical Perspectives*, 5 (1998), p. 18.
- 23 Frankfurt, *The Reasons of Love*, p. 97.
- 24 Graef et al., 'Discussion with Harry G. Frankfurt', p. 33.
- 25 Frankfurt, *Necessity, Volition, and Love*, p. 108.
- 26 Frankfurt, *The Reasons of Love*, p. 44.
- 27 Ibid., p. 25.
- 28 Ibid., p. 26.
- 29 Frankfurt, *Necessity, Volition, and Love*, p. 93.
- 30 Ibid., p. 162.
- 31 Ibid., p. 110.
- 32 Frankfurt, *Taking Ourselves Seriously and Getting It Right*, p. 24.
- 33 Frankfurt, *Necessity, Volition, and Love*, p. 94.
- 34 Ibid., p. 93.
- 35 Ibid., p. 94.
- 36 Aristotle, *Aristotle's Nicomachean Ethics*, 1114b22.
- 37 Frankfurt, *Taking Ourselves Seriously and Getting It Right*, p. 7.
- 38 Fyodor Dostoevsky, *Notes from the Underground*, trans. Constance Garnett, ed. Charles Guignon and Kevin Aho (Indianapolis, IN, 2009).
- 39 Charles Taylor, *The Ethics of Authenticity* (Cambridge, MA, 1992), p. 40.
- 40 Michel Foucault, *Ethics, Subjectivity and Truth*, p. 291.
- 41 Immanuel Kant, *The Metaphysics of Morals*, trans. and ed. Mary Gregor (Cambridge, 1996), pp. 191f.
- 42 Immanuel Kant, *Anthropology, History, and Education*, ed. Günter Zöller and Robert B. Loudon (Cambridge, 2007), pp. 132, 244f.
- 43 Frankfurt, *The Reasons of Love*, p. 6f.
- 44 Christine M. Korsgaard, *The Sources of Normativity* (Cambridge, 1996) and *Self-constitution: Agency, Identity and Integrity* (Oxford and New York, 2009).
- 45 Korsgaard, *Self-constitution*, p. 180. For Kant's formulation of the categorical imperative, see Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. and ed. Mary Gregor (Cambridge, 1997), p. 34.
- 46 Korsgaard, *Self-constitution*, p. 161.
- 47 Immanuel Kant, *Religion within the Limits of Reason Alone*, trans. Theodore M. Greene and Hoyt H. Hudson (New York, 1960), p. 23.
- 48 Susan Wolf, *Freedom Within Reason* (Oxford, 1990), pp. 68, 73.
- 49 Ibid., p. 79.
- 50 Susan Wolf, *Meaning in Life and Why it Matters* (Princeton, NJ, and London, 2010), pp. 9, 26.
- 51 Ibid., p. 40.
- 52 G.W.F. Hegel, *Hegel's Aesthetics: Lectures on Fine Art*, vol. 1, trans. T. M. Knox (Oxford, 1975), p. 64.
- 53 Wolf, *Meaning in Life*, p. 41.

- 54 Ibid., p. 42.
- 55 Fyodor M. Dostoevsky, *The House of the Dead*, trans. Constance Garnett (New York, 2004), p. 26.
- 56 Aristotle, *Aristotle's Nicomachean Ethics*, Book 1.
- 57 Cf. Pascal Bruckner, *Perpetual Euphoria: On the Duty to be Happy*, trans. Steven Rendall (Princeton, NJ, and Oxford, 2010).
- 58 Cf. Ziyad Marar, *The Happiness Paradox* (London, 2003).
- 59 G.W.F. Hegel, *Elements of the Philosophy of Right*, trans. H. B. Nisbet, ed. Allen W. Wood (Cambridge, 1991), §149.
- 60 Ibid., §158.

Afterword

- 1 David Foster Wallace, *This is Water: Some Thoughts on a Significant Occasion, about Living a Compassionate Life* (New York, Boston and London, 2009), p. 120.

BIBLIOGRAPHY

- Adorno, Theodor W., 'Über Statik und Dynamik als soziologische Kategorien', in *Gesammelte Schriften*, 8 (Frankfurt, 1972)
- Allison, Henry E., *Kant's Theory of Freedom* (Cambridge, 1990)
- Ariely, Dan, *Predictably Irrational: The Hidden Forces that Shape Our Decisions* (New York, 2008)
- Ariès, Philippe, and Georges Duby, eds, *A History of Private Life* (Cambridge, MA, 1992), vol. v
- Aristotle, *Aristotle's Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago, IL, 2011)
- , *Politics*, trans. Ernest Barker (Oxford, 1995)
- , *Physics*, trans. R. P. Hardie and R. K. Gaye, in *The Complete Works of Aristotle*, vol. 1, ed. Jonathan Barnes (Princeton, NJ, 1984)
- Ashraf, Nava, et al., 'Adam Smith: Behavioral Economist', *Journal of Economic Perspectives*, 3 (2005), pp. 131–45
- Ayer, A. J., *Philosophical Essays* (London, 1954)
- Babeuf, François-Noël, and Sylvain Marechal, 'The Manifesto of Inequality', in *Equality: Selected Readings*, ed. Louis P. Pojman and Robert Westmoreland (New York and Oxford, 1997)
- Balaguer, Mark, *Free Will as an Open Scientific Problem* (Cambridge, MA, and London, 2010)
- Baldwin, Tim, 'MacCallum and the Two Concepts of Freedom', *Ratio*, 2 (1984)
- Bales, Kevin, *Disposable People: New Slavery in the Global Economy*, 3rd revd edn (Berkeley and Los Angeles, CA, and London, 2012)
- Barry, Norman P., *On Classical Liberalism and Libertarianism* (New York, 1987)
- Beebe, Helen, Christopher Hitchcock and Peter Menzies, eds, *The Oxford Handbook of Causation* (Oxford and New York, 2009)
- Beitz, Charles R., *The Idea of Human Rights* (Oxford and New York, 2009)
- Bentham, Jeremy, *Panopticon*, in *The Panopticon Writings*, ed. Miran Božović (London, 1995)
- Berlin, Isaiah, 'The Bent Twig', in *The Crooked Timber of Humanity* (Princeton, NJ, 1998)
- , *Liberty* (Oxford, 2002)

- , ‘The Pursuit of the Ideal’, in *The Crooked Timber of Humanity* (Princeton, NJ, 1998)
- , ‘Reply to Robert Kocis’, *Political Studies*, 31 (1983)
- , ‘Two Concepts of Liberty’, in Isaiah Berlin, *Four Essays on Liberty* (Oxford, 1969)
- , and Beata Polanowska-Sygulska, *Unfinished Dialogue* (Amherst, NY, 2006)
- Blakemore, Colin, *The Mind Machine* (London, 1988)
- Blokland, Hans, *Freedom and Culture in Western Society* (London, 1997)
- Boaz, David, ed., *The Libertarian Reader* (New York, 1997)
- Bobbio, Norberto, *Liberalism and Democracy*, trans. Martin Ryle and Kate Soper (London and New York, 1990)
- Boswell, James, *The Life of Johnson* (London, 2008)
- Bruckner, Pascal, *Perpetual Euphoria: On the Duty to be Happy*, trans. Steven Rendall (Princeton, NJ, and Oxford, 2010)
- Burke, Edmund, *On Empire, Liberty and Reform: Speeches and Letters* (New Haven, CT, and London, 2000)
- Butler, Samuel, *Erewhon* (London, 1985)
- Camerer, Colin F., et al., *Advances in Behavioral Economics* (Princeton, NJ, 2003)
- Campbell, Joseph Keim, et al., eds, *Freedom and Determinism* (Cambridge, MA, and London, 2004)
- Carter, Ian, et al., eds, *Freedom: A Philosophical Anthology* (Malden, MA, and Oxford, 2007)
- Cartwright, Nancy, *How the Laws of Physics Lie* (Oxford, 1983)
- Cesarani, David, *Becoming Eichmann: Rethinking the Life, Crimes, and Trial of a ‘Desk Murderer’* (Cambridge, 2007)
- Charvet, John, ‘Quentin Skinner and the Idea of Freedom’, *Studies in Political Thought*, 2 (1993)
- Chisholm, Roderick M., ‘Human Freedom and the Self’, in *Free Will*, 2nd edn, ed. Gary Watson (Oxford, 2003)
- Christman, John, ed., *The Inner Citadel: Essays on Individual Autonomy* (Oxford and New York, 1989)
- , *The Politics of Persons: Individual Autonomy and Socio-historical Selves* (Cambridge, 2009)
- , and Joel Anderson, eds, *Autonomy and the Challenges to Liberalism: New Essays* (Cambridge and New York, 2005)
- Clarke, Randolph, *Libertarian Accounts of Free Will* (Oxford, 2003)
- Clayton, Matthew, and Andrew Williams, eds, *The Ideal of Equality* (New York, 2000)
- Cohn, Norman, *The Pursuit of the Millennium: Revolutionary Millenarians and Mystical Anarchists of the Middle Ages* [1957] (London, 1970)
- Constant, Benjamin, ‘The Liberty of the Ancients Compared with that of the Moderns’, in *Political Writings*, ed. Biancamaria Fontana (Cambridge and New York, 1988)
- Cook, Maeve, ‘A Space of One’s Own: Autonomy, Privacy, Liberty’, *Philosophy and Social Criticism*, xxv/1 (1999), pp. 22–53
- Crick, Francis, *The Astonishing Hypothesis: The Scientific Search for the Soul* (New York, 1994)
- Dahl, Robert A., Ian Shapiro and Jose Antonio Cheibub, eds, *The Democracy Sourcebook* (Cambridge, MA, and London, 2003)

- Dallaire, Bernadette, et al., 'Civil Commitment Due to Mental Illness and Dangerousness: The Union of Law and Psychiatry Within a Treatment-control System', *Sociology of Health and Illness*, xxi/5 (2000), pp. 679–99
- Damico, Alfonso J., ed., *Liberals on Liberalism* (Totowa, NJ, 1986)
- Darwin, Charles, *The Descent of Man and Selection in Relation to Sex* (Princeton, NJ, 1981)
- Dennett, Daniel C., *Elbow Room: Varieties of Free Will Worth Wanting* (Cambridge, NJ, 1984)
- , *Freedom Evolves* (London, 2003)
- Dewey, John, *Human Nature and Conduct* (New York, 1922)
- Dikötter, Frank, *Mao's Great Famine: The History of China's Most Devastating Catastrophe, 1958–1962* (London, 2010)
- Dillon, John, and Tania Gergel, eds, *The Greek Sophists* (London, 2003)
- Doherty, Brian, *Radicals for Capitalism: A Freewheeling History of the Modern American Libertarian Movement* (New York, 2007)
- Dostoevsky, Fyodor M., 'Environment', in *A Writer's Diary*, trans. Kenneth Lantz (Evanston, IL, 1994), vol. 1
- , *The House of the Dead*, trans. Constance Garnett (New York, 2004)
- , *Notes from the Underground*, trans. Constance Garnett, ed. Charles Guignon and Kevin Aho (Indianapolis, IN, 2009)
- Dunn, John, *Democracy: A History* (New York, 2005)
- Dupre, John, *The Disorder of Things: Metaphysical Foundations of the Disunity of Science* (Cambridge, MA, and London, 1993)
- , *Human Nature and the Limits of Science* (Oxford, 2001)
- Dworkin, Gerald, 'Paternalism', in *Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/paternalism>
- , *The Theory and Practice of Autonomy* (Cambridge, 1988)
- Dworkin, Ronald, 'Liberalism', in *A Matter of Principle* (Oxford, 1985)
- , 'Rights as Trumps', in *Theories of Rights*, ed. Jeremy Waldron (New York, 1985)
- , *Sovereign Virtue* (Cambridge, MA, 2000)
- Ekstrom, Laura Waddell, ed., *Agency and Responsibility: Essays on the Metaphysics of Freedom* (Boulder, CO, 2000)
- Eliot, T. S., *The Complete Poems and Plays* (London and Boston, MA, 1969)
- Evans, Edward Payson, *The Criminal Prosecution and Capital Punishment of Animals* (London, 1906)
- Feinberg, Joel, *Harm to Self* (Oxford and New York, 1986)
- Fischer, John Martin, and Mark Ravizza, *Responsibility and Control: A Theory of Moral Responsibility* (Cambridge, 1999)
- Fleischacker, Samuel, *A Short History of Distributive Justice* (Cambridge, MA, 2004)
- Flikschuh, Katrin, *Freedom: Contemporary Liberal Perspectives* (London, 2007)
- FORSA, 'Meinungen der Bundesbürger zur Vorratsdatenspeicherung' (Berlin, 2008), www.vorratsdatenspeicherung.de
- Foucault, Michel, *Ethics, Subjectivity and Truth: Essential Works of Michel Foucault, 1954–1984* (New York, 1997)
- , *Power: The Essential Works of Michel Foucault, 1954–1984* (New York, 2000), vol. III
- , *The Use of Pleasure: The History of Sexuality*, trans. Randy Hurley (New York, 1985), vol. II

- Frankfurt, Harry G., *The Importance of What We Care About* (Cambridge, 1988)
- , *Necessity, Volition, and Love* (Cambridge, 1999)
- , *The Reasons of Love* (Princeton, NJ and New York, 2004)
- , *Taking Ourselves Seriously and Getting It Right* (Stanford, CA, 2006)
- Frankl, Viktor E., *The Will to Meaning*, exp. edn (New York, 1998)
- Frede, Michael, *A Free Will: Origins of the Notion in Ancient Thought* (Berkeley and Los Angeles, CA, and London, 2011)
- Freeman, Michael, *Human Rights* (Cambridge, 2002)
- Freeman, Samuel, 'Illiberal Libertarians: Why Libertarianism Is Not a Liberal View', *Philosophy and Public Affairs*, 2 (2002)
- Fried, Charles, 'Privacy', *Yale Law Journal*, 3 (1968)
- Friedman, Milton, *Capitalism and Freedom* [1962] (Chicago, 2002)
- Fukuyama, Francis, *The End of History and the Last Man* (New York, 1992)
- , 'The Future of History: Can Liberal Democracy Survive the Decline of the Middle Class?', *Foreign Affairs*, xciv/1 (2012)
- , *The Origins of Political Order: From Prehuman Times to the French Revolution* (London, 2011)
- Furedi, Frank, *On Tolerance: A Defense of Moral Independence* (London and New York, 2011)
- Gallie, W. B., 'Essentially Contested Concepts', *Proceedings of the Aristotelian Society*, 167 (1956)
- Garnsey, Peter, *Thinking about Property: From Antiquity to the Age of Revolution* (Cambridge, 2008)
- Gaus, Gerald F., *Contemporary Theories of Liberalism* (London, 2003)
- Gazzaniga, Michael S., *Who's in Charge? Free Will and the Science of the Brain* (New York, 2011)
- Getty, J. Arch, and Oleg V. Naumov, *The Road to Terror: Stalin and the Self-destruction of the Bolsheviks, 1932–39* (New Haven, CT, and London, 1999)
- Giddens, Anthony, *Modernity and Self-identity: Self and Identity in the Late Modern Age* (Cambridge, 1991)
- , *The Transformations of Intimacy* (Oxford, 1992)
- Gilovich, Thomas, et al., eds, *Heuristics and Biases: The Psychology of Intuitive Judgment* (Cambridge, 2002)
- Girgen, Jen, 'The Historical and Contemporary Prosecution and Punishment of Animals', in *Animal Law Review*, ix (2003)
- Glaeser, Edward L., 'Paternalism and Psychology', *University of Chicago Law Review*, lxxiii/1 (2006)
- Goffman, Erving, *The Presentation of Self in Everyday Life* (New York, 1959)
- Graef, Ortwin de, 'Discussion with Harry G. Frankfurt', *Ethical Perspectives*, v/1 (1998)
- Gray, John, *Black Mass: Apocalyptic Religion and the Death of Utopia* (London, 2007)
- , *Isaiah Berlin* (Princeton, NJ, 1996)
- , *Liberalism*, revd edn (Buckingham, 1995)
- , *Post-liberalism* (London, 1993)
- , *The Two Faces of Liberalism* (Cambridge, 2000)
- , 'Where Pluralists and Liberals Part Company', *International Journal of Philosophical Studies*, vi (1998), pp. 17–36
- Grayling, A. C., *Towards the Light: The Story of the Struggles for Liberty and Rights* (London, 2007)

- Green, Thomas Hill, 'Liberal Legislation and Freedom of Contract' (1881), in *Lectures on the Principles of Political Obligations and Other Writings* (Cambridge, 1986)
- Griffin, James, *On Human Rights* (Oxford, 2008)
- Gwartney, James, et al., *Economic Freedom of the World: 2011 Annual Report* (Vancouver, 2011)
- Habermas, Jürgen, 'The Language Game of Responsible Agency and the Problem of Free Will: How Can Epistemic Dualism Be Reconciled with Ontological Monism', *Philosophical Explorations*, x (2007), pp. 13–50
- Haines, John-Dylan, 'Beyond Libet: Long-term Prediction of Free Choices from Neuroimaging Signals', in *Conscious Will and Responsibility: A Tribute to Benjamin Libet*, ed. Walter Sinnott-Armstrong and Lynn Nadel (Oxford, 2011)
- Hamowy, Ronald, ed., *The Encyclopedia of Libertarianism* (Thousand Oaks, CA, and London, 2008)
- Hampshire, Stuart, *Morality and Conflict* (Cambridge, MA, 1984)
- , *Thought and Action* (London, 1959)
- Hayek, Friedrich, *The Constitution of Liberty*, ed. Ronald Hamowy (Abingdon, 2011)
- , 'Individualism: True and False', in *Individualism and Economic Order* (Chicago, 1980)
- , *Law, Legislation and Liberty*, vol. I: *Rules and Order* (Chicago, 1973)
- , *Law, Legislation and Liberty*, vol. II: *The Mirage of Social Justice* (Chicago, 1976)
- , *Law, Legislation and Liberty*, vol. III: *The Political Order of a Free People* (Chicago, 1979)
- Hegel, G.W.F., *Elements of the Philosophy of Right*, trans. H. B. Nisbet, ed. Allen W. Wood (Cambridge, 1991)
- , *The Encyclopedia Logic: Part 1 of the Encyclopaedia of Philosophical Sciences*, trans. T. F. Geraets et al. (Indianapolis, IN, 1991)
- , *Hegel's Aesthetics: Lectures on Fine Art*, trans. T. M. Knox (Oxford, 1975), vol. 1
- , *Lectures on the Philosophy History*, trans. J. Sibree (Mineola, NY, 2004)
- , *Phenomenology of Spirit*, trans. A. V. Miller, ed. J. N. Findlay (Oxford, 1977)
- Hempel, Carl Gustav, *Philosophy of Natural Science* (Inglewood Cliffs, NJ, 1966)
- Hobbes, Thomas, *Leviathan* (Cambridge, 1991)
- , *Of Liberty and Necessity*, in *Hobbes and Bramhall on Liberty and Necessity*, ed. Vere Chappell (Cambridge, 1999)
- , *On the Citizen*, trans. and ed. Richard Tuck and Michael Silverthorne (Cambridge, 1998)
- , 'Selection from *The Questions concerning Liberty, Necessity, and Chance*', in *Hobbes and Bramhall on Liberty and Necessity*, ed. Vere Chappell (Cambridge, 1999)
- Hollander, Paul, 'Revisiting the Banality of Evil: Political Violence in Communist Systems', *Partisan Review*, LXIV/1 (1997)
- Holmes, Stephen, *Passions and Constraint* (Chicago, 1995)
- Houellebecq, Michel, *The Elementary Particles*, trans. Frank Wynne (New York, 2000)
- Humboldt, Wilhelm von, *The Limits of State Action*, ed. J. W. Burrow (London, 1969)
- Hume, David, *A Treatise of Human Nature*, ed. David Fate Norton and Mary J. Norton (Oxford, 2007), vol. 1

- Høyer, Georg, et al., 'Paternalism and Autonomy: A Presentation of a Nordic Study on the Use of Coercion in the Mental Health Care System', *International Journal of Law and Psychiatry*, xxv/2 (2002)
- Inwagen, Peter van, *An Essay on Free Will* (Oxford, 1983)
- Ishay, Madeline R., ed., *The Human Rights Reader*, 2nd edn (London and New York, 2007)
- Jacobs, Jonathan, *Choosing Character: Responsibility for Virtue and Vice* (Ithaca, NY, and London, 2001)
- Jahanbegloo, Ramin, *Conversations with Isaiah Berlin* (London, 1992)
- James, William, *The Will to Believe and Other Essays* (New York, 1956)
- Kane, Robert, *The Significance of Free Will* (Oxford and New York, 1996)
- , ed., *The Oxford Handbook of Free Will* (Oxford, 2002)
- Kahneman, Daniel, *Thinking, Fast and Slow* (New York, 2011)
- , and Amos Tversky, eds, *Choices, Values and Frames* (Cambridge, 2000)
- , et al., eds, *Judgment under Uncertainty: Heuristics and Biases* (Cambridge, 1982)
- Kant, Immanuel, 'Anthropology from a Pragmatic Point of View', in *Anthropology, History, and Education*, trans. Mary Gregor, ed. Günter Zöllner and Robert B. Louden (Cambridge, 2007)
- , *Dreams of a Spirit-seer Elucidated by Dreams of Metaphysics*, in *Theoretical Philosophy, 1755–1770*, trans. and ed. David Walford (Cambridge, 1992)
- , *Groundwork of the Metaphysics of Morals*, trans. and ed. Mary Gregor (Cambridge, 1997)
- , 'Lectures on Pedagogy', in *Anthropology, History, and Education*, trans. Mary Gregor, ed. Günter Zöllner and Robert B. Louden (Cambridge, 2007)
- , *The Metaphysics of Morals*, trans. and ed. Mary Gregor (Cambridge, 1996)
- , 'On the Common Saying, "This May Be True in Theory, But It Does Not Apply in Practice"', in *Kant's Political Writings*, trans. N. B. Nisbet, ed. Hans Reiss (Cambridge, 2003)
- , *Religion within the Limits of Reason Alone*, trans. Theodore M. Greene and Hoyt H. Hudson (New York, 1960)
- , 'Remarks in the *Observations on the Feeling of the Beautiful and Sublime*', in *Observations on the Feeling of the Beautiful and Sublime and Other Writings*, trans. and ed. Patrick Frierson and Paul Guyer (Cambridge, 2011)
- Keane, John, *The Life and Death of Democracy* (London, 2009)
- Kelly, Paul, *Liberalism* (London, 2005)
- Kojève, Alexandre, *Introduction to the Reading of Hegel: Lectures on the Phenomenology of Spirit*, trans. James H. Nichols Jr, ed. Allan Bloom (Ithaca, NY, 1980)
- Korsgaard, Christine M., *Self-constitution: Agency, Identity and Integrity* (Oxford and New York, 2009)
- , *The Sources of Normativity* (Cambridge and New York, 1996)
- Kymlicka, Will, *Contemporary Political Philosophy* (Oxford, 1990)
- , *Multicultural Citizenship* (Oxford, 1995)
- Lenin, Vladimir I., *The State and Revolution*, trans. and ed. Robert Service (London, 1993)
- Libet, Benjamin, 'Consciousness, Free Action and the Brain', *Journal of Consciousness Studies*, 8 (2001)

- , 'Do We Have Free Will?', in Robert Kane, ed., *The Oxford Handbook of Free Will* (Oxford, 2002)
- , *Mind Time: The Temporal Factor in Consciousness* (Cambridge, MA, and London, 2004)
- , 'Unconscious Cerebral Initiative and the Role of Conscious Will in Voluntary Action', *Behavioural and Brain Sciences*, viii/4 (1985), pp. 529–39
- Lincoln, Abraham, 'Address at Sanitary Fair, Baltimore, Maryland, Apr. 11, 1864', in *Collected Works of Abraham Lincoln*, ed. Roy P. Basler, vol. vii (New Brunswick, NJ, 1953)
- Loewenstein, George, *Exotic Preferences: Behavioral Economics and Human Motivation* (Oxford, 2008)
- Locke, John, *A Letter Concerning Toleration*, in *Two Treatises of Government and A Letter Concerning Toleration*, ed. Ian Shapiro (New Haven, CT, and New York, 2003)
- , *The Correspondence of John Locke* (Oxford, 1979), Book iv
- , *The First Treatise of Government*, in *Two Treatises of Government* (Cambridge, 2005)
- , *The Second Treatise of Government*, in *Two Treatises of Government* (Cambridge, 2005)
- Lucretius, *On the Nature of Things*, trans. Frank O. Copley (New York, 1977)
- MacCallum, Gerald C. Jr, 'Negative and Positive Freedom', *Philosophical Review*, lxxvi (1967)
- McCloskey, H. J., 'Privacy and the Right to Privacy', *Philosophy*, lv/211 (1980), pp. 17–38
- McDowell, John, 'Having the World in View: Lecture One', *Journal of Philosophy*, xcv (1998)
- McKenna, Michael, and Paul Russell, ed., *Free Will and Reactive Attitudes: Perspectives on P. F. Strawson's 'Freedom and Resentment'* (Farnham and Burlington, VT, 2008)
- Mackie, John, *Ethics: Inventing Right and Wrong* (London, 1977)
- Manent, Pierre, *An Intellectual History of Liberalism*, trans. Rebecca Balinski (Princeton, NJ, 1995)
- Marar, Ziyad, *The Happiness Paradox* (London, 2003)
- Marx, Karl, *Critique of the Gotha Program* [1875] in *Karl Marx, Selected Writings*, ed. Lawrence H. Simon (Indianapolis, IN, 1994)
- , 'From *The German Ideology*', trans. D. Easton and Kurt H. Guddat, in *Writings of the Young Marx on Philosophy and Society: The German Ideology* (Indianapolis, IN, 1997)
- , 'On the Jewish Question', in *Early Political Writings*, trans. and ed. Josef O'Malley (Cambridge, 1994)
- Mason, Andrew, ed., *Ideals of Equality* (Oxford 1998)
- Mele, Alfred R., *Autonomous Agents: From Self-control to Autonomy* (Oxford and New York, 1995)
- Merleau-Ponty, Maurice, *Phenomenology of Perception*, trans. Colin Smith (London, 1989)
- Mill, John Stuart, *Collected Works of John Stuart Mill*, vol. viii: *A System of Logic Ratiocinative and Inductive* (Toronto and London, 1974)
- , *Collected Works of John Stuart Mill*, vol. viii: *An Examination of Sir William Hamilton's Philosophy* (Toronto and London, 1974)

- , 'Nature', *Collected Works of John Stuart Mill* (Toronto and London, 1974), vol. x
- , *Collected Works of John Stuart Mill*, vol. viii: *Principles of Political Economy with some of their Applications to Social Philosophy* (Toronto and London, 1974)
- , *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN, 1978)
- Miller, Terry, et al., *2012 Index of Economic Freedom* (Washington and New York, 2012)
- Milton, John, 'Areopagitica', in *Complete Poems and Major Prose*, ed. Merritt Y. Hughes (Indianapolis, IN, 2003)
- Montesquieu, *The Spirit of the Laws*, trans. and ed. Anne M. Cohler et al. (Cambridge, 2005)
- Moore, Barrington Jr., *Privacy: Studies on Social and Cultural History* (Armonk, NY, 1984)
- Murphy, Nancey, and Warren S. Brown, *Did My Neurons Make Me Do It? Philosophical and Neurobiological Perspectives on Moral Responsibility and Free Will* (Oxford and New York, 2006)
- , et al., eds, *Downward Causation and the Neurobiology of Free Will* (Berlin and Heidelberg, 2009)
- Nagel, Thomas, *The View from Nowhere* (Oxford, 1986)
- Nelkin, Dana Kay, *Making Sense of Freedom and Responsibility* (Oxford, 2011)
- Nichols, Shaun, 'After Incompatibilism: A Naturalistic Defense of Reactive Attitudes', *Philosophical Perspectives*, xxi (2007)
- , and Joshua Knobe, 'Moral Responsibility and Determinism: The Cognitive Science of Folk Intuitions', *Noûs*, xli/4 (2007), pp. 663–85
- Nietzsche, Friedrich, *The Gay Science*, trans. Josefine Nauckhoff, ed. Bernard Williams (Cambridge, 2001)
- Noble, Denis, *The Music of Life: Biology Beyond Genes* (Oxford and New York, 2006)
- Noë, Alva, *Out of Our Heads: Why You Are Not Your Brain, and Other Lessons From the Biology of Consciousness* (New York, 2009)
- Nozick, Robert, *Anarchy: State and Utopia* (New York, 1974)
- Nussbaum, Martha, *Creating Capabilities: The Human Development Approach* (Cambridge, MA, and London, 2011)
- , *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge, MA, 2006)
- , 'The Future of Feminist Liberalism', *Proceedings and Addresses of the American Philosophical Association*, 74 (2000)
- , and Amartya Sen, ed., *The Quality of Life* (Oxford, 1993)
- , *Women and Human Development: The Capabilities Approach* (Cambridge, 2000)
- O'Neill, Brendan, 'The Truth About the "Surveillance Society"', *Spiked* (8 May 2008)
- Paine, Thomas, *Agrarian Justice*, in *Political Writings*, ed. Bruce Kuklick (Cambridge, 2000)
- , *Rights of Man, Part II*, in *Political Writings*, ed. Bruce Kuklick (Cambridge, 2000)
- Patterson, Orlando, *Freedom*, vol. 1: *Freedom in the Making of Western Culture* (New York, 1991)
- Paul, Ellen Frankel, et al., eds, *Autonomy* (Cambridge and New York, 2003)
- , ed., *Liberalism: Old and New* (Cambridge, 2007)
- , ed., *Natural Rights Liberalism from Locke to Nozick* (Cambridge, 2005)
- Pereboom, Derk, *Living Without Free Will* (Cambridge, 2001)
- Pettit, Philip, *The Common Mind: An Essay on Psychology, Society and Politics* (Oxford, 1996)

- , 'The Instability of Freedom as Noninterference: The Case of Isaiah Berlin', *Ethics*, 4 (2011)
- , 'Keeping Republican Freedom Simple: On a Difference with Quentin Skinner', *Political Theory*, xxx/3 (2002), pp. 339–56
- , *Republicanism: A Theory of Freedom and Government* (Oxford, 1989)
- , *A Theory of Freedom: From the Psychology to the Politics of Agency* (Oxford, 2001)
- Pink, Thomas, and Martin Stone, eds, *The Will and Human Action: From Antiquity to the Present Day* (London, 2003)
- Pitkin, Hanna Fenichel, 'Are Freedom and Liberty Twins?', *Political Theory*, xvi/4 (1988), pp. 523–52
- Plato, *The Laws of Plato*, trans. and ed. Thomas L. Pangle (Chicago, IL, 1988)
- , *The Republic of Plato*, 2nd edn, trans. and ed. Allan Bloom (New York, 1991)
- Pojman, Louis P., and Robert Westmoreland, eds, *Equality: Selected Readings* (New York and Oxford, 1997)
- Popper, Karl R., *Conjectures and Refutations* (London, 1989)
- , *The Open Society and Its Enemies*, vol. 1: *The Spell of Plato* (London, 2005)
- Rachels, James, 'Why Privacy is Important', *Philosophy and Public Affairs*, iv/4 (1975), pp. 323–33
- Rawls, John, *Justice as Fairness: A Restatement* (Cambridge, MA, 2001)
- , *Political Liberalism* (New York, 2005)
- , *A Theory of Justice* (Cambridge, MA, 1971)
- Raz, Joseph, *The Morality of Freedom* (Oxford, 1986)
- Reznek, Lawrie, *Evil or Ill? Justifying the Insanity Defense* (London and New York, 1997)
- Rhinehart, Luke, *The Dice Man* (New York and Woodstock, 1971)
- Ricoeur, Paul, *The Conflict of Interpretations*, trans. Kathleen McLaughlin et al., ed. Don Ihde (Evanston, IL, 1974)
- Rigoni, Davide, et al., 'Inducing Disbelief in Free Will Alters Brain Correlates of Preconscious Motor Preparation: The Brain Minds Whether We Believe in Free Will or Not', *Psychological Science*, xxi/5 (2011), pp. 613–18
- Ringen, Stein, *What Democracy Is For: On Freedom and Moral Government* (Princeton, NJ, and Oxford, 2009)
- Ritter, Joachim, and Karlfried Gründer, eds, *Historisches Wörterbuch der Philosophie* (Darmstadt, 1980)
- Röpke, Wilhelm, *Das Kulturideal des Liberalismus* (Frankfurt, 1947)
- Rousseau, Jean-Jacques, *The Reveries of the Solitary Walker*, trans. Charles E. Butterworth (Indianapolis, IN, 1992)
- , *The Social Contract*, trans. and ed. Victor Gourevitch (Cambridge and New York, 1997)
- Sarkassian, Hagop, et al., 'Is Belief in Free Will a Cultural Universal', *Mind and Language*, xxv/3 (2010), pp. 346–58
- Schmidtz, David, and Jason Brennan, *A Brief History of Liberty* (Oxford, 2010)
- Schopenhauer, Arthur, *Prize Essay on the Freedom of the Will*, ed. Günter Zöller, trans. Eric F. J. Payne (Cambridge, 1999)
- Schwartz, Barry, *The Paradox of Choice: Why More is Less* (New York, 2004)
- Searle, John R., *Intentionality: An Essay in the Philosophy of Mind* (Cambridge, 1983)
- Sen, Amartya, *Development as Freedom* (Oxford, 1999)
- , *The Idea of Justice* (London, 2009)

- , *Inequality Reexamined* (Cambridge, MA, 1992)
- , *Poverty and Famines: An Essay on Entitlement and Deprivation* (Oxford, 1981)
- , 'Rational Fools: A Critique of the Behavioral Foundations of Economic Theory', *Philosophy and Public Affairs*, vi/4 (1977), pp. 317–44
- , *Rationality and Freedom* (Cambridge, 2002)
- Shearer, David R., *Policing Stalin's Socialism: Repression and Social Order in the Soviet Union, 1924–1953* (New Haven, CT, and London, 2009)
- Simhony, Avital, and David Weinstein, eds, *The New Liberalism: Reconciling Liberty and Community* (Cambridge, 2001)
- Sinnott-Armstrong, Walter, and Lynn Nadel, eds, *Conscious Will and Responsibility: A Tribute to Benjamin Libet* (Oxford, 2011)
- Skinner, B. F., *Walden Two* [1948] (Indianapolis, IN, and Cambridge, 2005)
- Skinner, E. Benjamin, *A Crime So Monstrous: Face-to-Face with Modern-day Slavery* (New York, 2009)
- Skinner, Quentin, *Liberty Before Liberalism* (Cambridge, 1998)
- , *Vilkårslig makt: Essays om politisk frihet* (Oslo, 2009)
- Smilansky, Saul, *Free Will and Illusion* (Oxford, 2000)
- Smith, Adam, *An Inquiry into the Nature and Causes of the Wealth of Nations*, Glasgow Edition, vol. II (Indianapolis, IN, 1981)
- , *Lectures on Jurisprudence*, Glasgow Edition, vol. V (Indianapolis, IN, 1982)
- , *Theory of Moral Sentiments*, Glasgow Edition, vol. I (Indianapolis, IN, 1982)
- Solove, Daniel J., *Nothing to Hide: The False Tradeoff Between Privacy and Security* (New Haven, CT, and London, 2011)
- , *Understanding Privacy* (Cambridge, MA, and London, 2008)
- Soon, Chun Siong, et al., 'Unconscious Determinants of Free Decisions in the Human Brain', *Nature Neuroscience*, XI (2008), pp. 543–5
- Soysa, Indra de, and Hanne Fjelde, 'Is the Hidden Hand an Iron Fist? Capitalism and Civil Peace, 1970–2005', *Journal of Peace Research*, XLVII/3 (2010), pp. 287–98
- Starr, Paul, *Freedom's Power: The True Force of Liberalism* (New York, 2007)
- Steward, Helen, *A Metaphysics for Freedom* (Oxford, 2012)
- Stocker, Michael, *Plural and Conflicting Values* (Oxford, 1990)
- Strawson, Galen, *Freedom and Belief* (Oxford, 1991)
- , 'The Impossibility of Moral Responsibility', *Philosophical Studies*, LXXV/1–2 (1994)
- Strawson, Peter F., *Freedom and Resentment and Other Essays* [1974] (London, 2008)
- Streatfeild, Dominic, *Brainwash: The Secret History of Mind Control* (London, 2006)
- Suppes, Patrick, 'The Transcendental Character of Determinism', *Midwest Studies in Philosophy*, XVII/1 (1993), pp. 242–57
- Svendsen, Lars Fr. H., *A Philosophy of Fear* (London, 2008)
- , *Work* (Durham, 2008)
- Swinford, Steven, and Nicola Smith, 'Word on the Street . . . They're Listening', *Sunday Times* (26 November 2006)
- Talbott, William J., *Which Rights Should Be Universal?* (Oxford and New York, 2005)
- , *Human Rights and Human Well-being* (Oxford and New York, 2010)
- Tallis, Raymond, *Aping Mankind: Neuromania, Darwinitis and the Misrepresentation of Mankind* (Durham, 2011)
- Tännsjö, Torbjörn, *Privatliv* (Lidingö, 2010)

- Taylor, Charles, *Sources of the Self: The Making of Modern Identity* (Cambridge, MA, 1989)
- , *The Ethics of Authenticity* (Cambridge, 1992)
- , 'What's Wrong with Negative Liberty?', *Philosophy and the Human Sciences*, 11 (Cambridge, 1985)
- Taylor, James Stacey, ed., *Personal Autonomy: New Essays on Personal Autonomy and Its Role in Contemporary Moral Philosophy* (Cambridge and New York, 2005)
- Thaler, Richard H., and Cass R. Sunstein, 'Libertarian Paternalism', *American Economic Review*, 2 (2003)
- , and —, 'Libertarian Paternalism Is Not an Oxymoron', *University of Chicago Law Review*, 4 (2003)
- , and —, *Nudge: Improving Decisions about Health, Wealth, and Happiness* (New Haven, CT, 2008)
- Thompson, Judith Jarvis, 'The Right to Privacy', *Philosophy and Public Affairs*, 14/4 (1975)
- Tocqueville, Alexis de, *The Ancien Régime and the French Revolution*, trans. Arthur Goldhammer, ed. Jon Elster (Cambridge, 2011)
- , *Democracy in America*, trans. Arthur Goldhammer (New York, 2004)
- Turnbull, Colin, *The Mountain People* (New York, 1972)
- Viroli, Maurizio, *Republicanism*, trans. Antony Shugaar (New York, 2002)
- Vohs, Kathleen D., and Jonathan W. Schooler, 'The Value of Believing in Free Will: Encouraging a Belief in Determinism Increases Cheating', *Psychological Science* 19/1 (2008), pp. 49–54
- Vonnegut, Kurt, 'Harrison Bergeron', in *Welcome to the Monkey House* (New York, 1950)
- Wall, Steven, *Liberalism: Perfectionism and Restraint* (Cambridge, 1998)
- Wallace, David Foster, *This Is Water: Some Thoughts on a Significant Occasion about Living a Compassionate Life* (New York and Boston, MA, and London, 2009)
- Walzer, Michael, *Thinking Politically: Essays in Political Theory* (New Haven, CT, 2007)
- Warren, Samuel D., and Louis D. Brandeis, 'The Right to Privacy', *Harvard Law Review*, 14/5 (1890)
- Watson, Gary, 'Free Agency', *Journal of Philosophy*, LXXII/8 (1975), pp. 205–20
- , ed., *Free Will* (Oxford, 2003)
- , 'Introduction', in *Free Will*, ed. Gary Watson (Oxford, 2003)
- Wegner, Daniel M., *The Illusion of Conscious Will* (Cambridge, MA, and London, 2002)
- Weintraub, Jeff, and Krishan Kumar, eds, *Public and Private in Thought and Practice: Reflections on a Grand Dichotomy* (Chicago, 1997)
- Werth, Nicholas, *Cannibal Island: Death in a Siberian Gulag*, ed. Steven Randall (Princeton, NJ, and Oxford, 2007)
- White, Stuart, *Equality* (Cambridge, 2007)
- Widerker, David, and Michael McKenna, eds, *Moral Responsibility and Alternative Possibilities: Essays on the Importance of Alternative Possibilities* (Aldershot and Burlington, VT, 2006)
- Wilde, Oscar, *Lady Windermere's Fan: Complete Works of Oscar Wilde* (London, 1966)
- Wilkinson, Nick, *An Introduction to Behavioral Economics: A Guide for Students* (New York and Basingstoke, 2007)

- Wilkinson, Richard, and Kate Pickett, *The Spirit Level: Why More Equal Societies Almost Always Do Better* (London, 2009)
- Williams, Bernard, 'Practical Necessity', in *Moral Luck: Philosophical Papers, 1973–1980* (Cambridge, 1981)
- , *Ethics and the Limits of Philosophy* (Cambridge, 1985)
- , 'From Freedom to Liberty: The Construction of a Political Value', *Philosophy and Public Affairs*, xxx/1 (2001), pp. 3–26
- Wilson, Ben, *What Price Liberty?* (London, 2009)
- Wilson, Edward O., *Consilience: The Unity of Knowledge* (London, 1999)
- , *On Human Nature* (Harmondsworth, 1978)
- Wittgenstein, Ludwig, *Culture and Value*, trans. Peter Winch (Chicago, 1984)
- , *Philosophical Occasions, 1912–1951* (Indianapolis, IN, and Cambridge, 1993)
- Wolf, Susan, *Freedom Within Reason* (Oxford, 1990)
- , *Meaning in Life and Why it Matters* (Princeton, NJ, and London, 2010)
- Wolfe, Alan, *The Future of Liberalism* (New York, 2009)
- Wu, Steven, 'When is a Nudge a Shove? The Case for Preference-neutrality', Columbia Law School (2009), <http://papers.ssrn.com>
- Young, Arthur, *The Farmer's Tour Through the East of England* (London, 1771)

ACKNOWLEDGEMENTS

My thanks to Gunnar C. Aakvaag, Kristin Clemet, Marius Doksheim, Pål Foss, Kirsten Rygh Kalleberg, Morten Kinander, Atle Ottesen Søyvik and Erik Thorstensen for their comments on the text. I also want to thank the Norwegian Non-fiction Fund and the Liberal Research Institute for their economic support. Last but not least, I want to thank the Department of Philosophy at Bergen University and the Civita think tank for giving me the time to work on this book.