Introduction

> Nothing highlighted freedom – if it did not in fact create it – like slavery.
>
> —Toni Morrison, *Playing in the Dark*, 50

Reference to freedom or liberty is ubiquitous in the theoretical, political, and popular discourse of the modern age. It is central in the constitutional design of the new modern republics from the Renaissance to the eighteenth century. The idea of liberty has therefore been at the center of philosophical discussions of the basic principles upon which those constitutional designs rest and indeed picks out one of the fundamental values of liberal democracies. Given that role, philosophical explication of the idea of freedom has typically proceeded by looking at how the notion operates in such well-ordered constitutional regimes, ones led initially by elite (white) men of stable means and, over much time, extending to all adult citizens.

However, the idea of freedom functions in even more powerful ways in settings rather different from the architectural principles of settled constitutional democracies and from the perspective of the elites in those democracies. Rather, demands for freedom and liberty are loudest in those moments in human history where the fight is against oppression and abject domination, made by those who are denied not only citizenship but also fundamental humanity, the most extreme of which is the practice of slavery. As Orlando Patterson has argued, slavery is nearly ubiquitous in human social history, and freedom – when it arises as a fundamental social value – arises out of opposition to the status of being a slave (Patterson 1991, 9–10).

That is to say, the revolutions that motivate much mainstream political thinking about freedom are those bourgeois revolutions like the American War of Independence or the English Civil War or the French Revolution. These were fights for equal rights in republican representative democracies. However, by contrast, the prototypical revolution that embodies the motivational function of freedom in the present study is one that takes

place not in France or England or Massachusetts, but in Haiti in 1803. It is the fight against slavery and other forms of extreme oppression that will set the stage for the examination of freedom that will happen here. Works of abolitionists and antislavery tracts are the motivational texts for the conceptual construction that I attempt here rather than, or in addition to, the Declaration of Independence or the Declaration of the Rights of Man and Citizen.

The result is not one where those other discussions are irrelevant. Indeed, arguments for conceptions of liberty used to defend liberal democracy will be accepted as viable variants of that idea. But the motivation to see freedom in the way I try to set out in this book is grounded in abolitionism rather than constitutionalism. One fundamental reason for this is that the development of the ideals of freedom and equality expressed in the defense of constitutional democracies was importantly *incomplete* while the institution of slavery and other related patterns of structural oppression, like the denial of equal rights to women, were in place. Abolitionism and the expansion of the scope of freedom's protections were necessary for the idea of freedom to be fully embraced as a social value that extended to all adults. Further, only when the ravages of poverty and material depravation – often highly correlated with those other forms of domination – are alleviated will freedom be truly realized. Shifting from discussions of liberal democracy among elites who enjoyed the privileges of class, race, and gender to those who suffered under the yoke of the severest forms of domination is necessary to best grasp the contours of important ideals like freedom.

As I will spell out further in Chapter 1, this approach to understanding key value terms in our philosophical political discourse will be motivated by the view that such terms gain their meaning in their use, in particular in the social discussions and practices in which they figure most centrally and from which they arise historically. I will therefore take it as a methodological motivation that the meanings of concepts like "freedom" arise out of such discursive contexts, and we will look at many examples to illustrate how this functions. For examining the way that the idea of freedom and its cognates are handled in slave narratives and abolitionist literature shows striking consistency of use and meaning, and the conceptual models developed here are meant as the best structural account of that use.

It must be acknowledged, however, that the language of freedom and liberty varies tremendously across geopolitical and historical contexts, and very often the word "freedom" is simply used as a stand-in for whatever state the speaker favors. More specifically, freedom often refers to what the

user implies is a just or more just social state, tout court (or escape from an unjust one). However, I take it as canonical that conditions of slavery, forced labor, and imprisonment are states where one clearly lacks what we want to explicate as freedom. And although I won't *define* "freedom" in moral terms, I will also assume that whatever freedom means, and whatever view of justice one has, freedom is a fundamental sociopolitical value centrally related to justice.

Also, I use the terms "freedom" and "liberty" interchangeably, as is generally the case in recent philosophical literature on the subject. However, I do grant that the words, in English,[1] don't always carry the same connotations in different historical contexts. And one prominent writer – Hannah Arendt – specifically argued that the terms were not equivalent. She claimed that "liberty" refers to *liberation*, where oppressive conditions are overthrown or escaped from; whereas "freedom" for her required full democratic citizenship and participation (Arendt 1963). Although I bracket Arendt's claim in this work, I will follow her part way in looking at how reference to liberation, on the one hand, and the capacity to shape the forces that structure one's social existence, on the other hand, are relevant to the concept of freedom/liberty we are examining.

In short, there are several concepts of liberty, most of which are perfectly coherent ideas that represent fundamental social and political values. Indeed, Eric Foner argues that in the American context, from the eighteenth to the twentieth centuries, there are multiple different though overlapping conceptions of freedom. "Freedom has always been a terrain of conflict," he writes, "subject to multiple and competing interpretations, its meaning constantly created and recreated" (Foner 1998, xv).[2] The idea that will be unpacked here, however, is one such meaning that can be constructed from the use of it in a particular but powerful context: the fight against slavery.

The fundamental aim of this study, then, will be to urge us to alter our perspective in thinking through the nature of freedom, specifically to take the viewpoint of those struggling to attain that state as well as (indeed instead of) that of those who already enjoy it. Doing so, I will argue, will not only show more readily why freedom is a fundamental social value for those who think it is worth fighting for, but also that freedom should be seen as more than merely immunity from interference with individual action (even immunity from arbitrary interference) but as a condition that

[1] Most other languages have only one term for liberty/freedom: *liberté*, *freiheit* and so forth.
[2] See also De Dijn 2020.

includes capabilities, social relations of a certain sort, and social recognition of one's status as an agent. That is, this shift in perspective will help motivate arguments in favor of adopting a *positive* conception of freedom.[3]

So my starting point in these reflections is that there is a compelling line of thinking (and acting on the basis of such thinking) that understands freedom as informed by the ideas of *liberation* and *self-government*, typified by the fights against slavery in the nineteenth century as well as the gender liberation and anti-colonial struggles in the twentieth. And while this may not be the only dominant approach to understanding liberty, it is a powerful one and one that continues to capture the motivations and thinking of broad swaths of people in different social contexts.[4]

I Introducing Competing Conceptions

It is commonplace now to acknowledge the essential contestedness of the concept of freedom, in that whatever normative conclusions the idea is used to support will be indirectly necessary to accept to make plausible the reading of it on offer. Many libertarians, for example, will insist on a normative conception of freedom (as noninterference) in a way that includes property rights, so that taxation or property regulation will be considered an incursion on people's liberty and hence unjust. But, of course, one will accept that conceptualization of liberty only if one already agrees with those conclusions about taxation.

More generally, it must be accepted that there are several plausible accounts of the meaning of freedom that arise out of sections of public and intellectual discourse and so could be claimed as "valid" definitions of the term. Nothing said here will gainsay that. I want, however, to offer a view of freedom that contrasts with the other significant competing accounts and which better captures a powerful array of usage in contexts where freedom discourse is most prominent.

Theoretical discussions of the concept of liberty for a significant period centered around the contrast between so-called positive and negative accounts, following Isaiah Berlin's famous lectures on the topic (Berlin 1969a). That debate has been overshadowed more recently by discussions of neo-republican accounts of freedom and the contrast between that

[3] For discussion of the various meanings of positive freedom, see the essays in Christman 2022b. For general overviews of the concept of freedom, see Carter 2022; Carter et al. 2007.

[4] Although my focus on slavery and abolition is unique in the philosophical literature on freedom, the view that freedom is paradigmatically a kind of liberation from oppression is not: see, for example, Cudd 2006; Young 1991.

approach and liberal/negative notions. I take it, then, that those conceptions – liberal freedom and republican freedom – are the major alternatives to the positive approach I pursue here.[5]

Both liberal and neo-republican accounts are self-avowedly "negative" models, in that both focus on the lack of interference with action as the locus of freedom. On the liberal account,[6] one is free to the extent that one faces no external physical obstacles to one's actions. Variations on this general approach limit the reference of "obstacles" (or constraints, impediments, etc.) to those placed by other human beings. Debates about this stipulation surround whether the placement of such obstacles needs to be intended or simply the result of some action or other, and, if intentional, must the act of placement have that placement as its aim, or merely its effect.[7] An even weaker position is to say that the placement must merely be something other persons must be *responsible* (causally? morally?) for. I consider this issue in Chapter 3.

The claim that freedom should be defined only in terms of obstacles put in place by other people is a way of emphasizing that freedom is essentially a matter of *social* relations (see Steiner 1994, 44). Natural constraints on our actions do not count as things that affect our freedom in the relevant sense. This leads naturally to the other rival notion of liberty, the neo-republican account, according to which the aim of freedom is to enjoy robust protection against being subject to another's arbitrary will.

Hence, the second approach to liberty that dominates the literature is the neo-republican conception developed by Quentin Skinner and Philip Pettit (Pettit 1997a; Skinner 2012). Pettit's version of the republican account is that liberty is having the status of being protected from "arbitrary" interference with one's actions, meaning interferences that one cannot control.[8] The key difference between republican freedom and liberal freedom lies in the fact that the latter counts as limitations

[5] Of course, there are also rival accounts of positive freedom, which I discuss at various points in what follows. Other major theorists who have developed a self-described positive account include Brenkert 1994; Crocker 1980; Dimova-Cookson 2020; Gould 1988; Hirschmann 2003; Honneth 2014; Sen 1992.

[6] I use the term "liberal" to refer to these negative, pure opportunity views, as this has become the dominant nomenclature. But this does not imply that seeing freedom in the positive sense I will lay out as a fundamental political value departs from liberalism as an overall political framework. I leave that question open.

[7] For discussion of this issue, see Flathman 1987, 18 n. 2.

[8] Pettit has shifted his phrasing in ways indicated by the terms in quotes. The language of arbitrary interference comes from his earlier work – for example, Pettit 1997a, 25. He revised this to the language of "control" in order to avoid the appearance of presenting a "normative" account of liberty. See Pettit 2012, 58.

on liberty only and actual restrictions on choice, while republican accounts include situations where others are in a position to interfere with your choice but choose not to do so; that is, they can, but they don't. Such cases are counted as a lack of freedom because they represent domination of that person over you.[9]

These two approaches to defining freedom, then, the liberal and the republican, will serve as the contrast class to the conception of liberty that will be constructed here, and reference to particular aspects of those models will be made as necessary both to clarify the alternative we favor as well as to help highlight its comparative value as an account.

II Exercise and Opportunity

Putting these two negative accounts of freedom aside makes way for a view that goes beyond protecting simply choice, either from any imposition by another or from domination. Positive conceptions of liberty admit of numerous variations, and many criticisms of the concept have centered on the most problematic of those variations. For example, Philip Petit uses Rousseau as a source for one approach that sees freedom as obedience to a law one imposes on oneself by way of a unified general will determined by a process in which one is an equal participant (Pettit 2013). However, one can see self-government as a core element in freedom – obeying only those norms and forces that are in some sense an extension of one's own will – without claiming that a unified, egalitarian political structure in which one is an active participant is the only manifestation of that extension.

Further, Berlin identified the strain in political theory running through Kant that saw freedom as necessarily involving rule by the "rational" part of oneself, rather than simply one's desires (Berlin 1969a). This idea of self-mastery by one's reason is certainly present in some conceptions of positive liberty. But the motivation for moving toward such a view, namely that freedom is undercut when one acts out of compulsion, addiction, or other "alien" aspects of the self, need not require that the "internal" – non-alien – part of the self that governs free persons is identified with reason. More nuanced and flexible accounts of self-government are available that can capture this worry about addictions and compulsions without such a commitment. I attempt to develop such an account in Chapter 5.

[9] There is debate about whether there is a real difference between the liberal and republican accounts on this score: see Carter 2008 for discussion.

Charles Taylor makes a distinction in concepts of liberty that is worth touching upon here, familiar though it is: the difference between freedom as either an *opportunity* concept or an *exercise* concept. What motivates Taylor echoes the point just noted about "alien" desires. That is, views of freedom that see it as manifested in the unimpeded operation of choice have no resources with which to capture the way that acting on some desires, ones we do not value having and which do not accord with our reflective judgments about what we should do, are not instances of freedom in a meaningful sense. Those negative accounts reduce freedom to mere opportunity, open spaces within which we can act if we so desire. This is contrasted with more robust accounts of liberty as also requiring acts of self-valuation – rule by what Taylor calls "strong evaluations" by the agent, for example. Such accounts see freedom as more than mere opportunity but involving mental and emotional activity that must be exercised by the free person. As he puts it: "On this view, one is free only to the extent that one has effectively determined oneself and the shape of one's life. The concept of freedom here is an exercise concept" (Taylor 1985b, 213).

What Taylor is claiming is that the kind of self-government freedom requires involves active reflection and judgment on the part of an agent, a process in which one must overtly engage rather than passively accept. However, in my discussion later, I will construct a conception of positive freedom that responds to the worry about compulsions and alien desires but also embraces the way that free action is often habitual and automatic, and even is such that leads us away from our best judgments about what we should do. People are free when they can pursue actions and ways of life that they have reason to value from the perspective of their practical identities, but this is consistent with acting in unreflective and even suboptimal ways at times. What matters is that the pursuits reflect our capacities for self-governing choice and which lie within the (broad) horizon of meaningfulness that our evaluative perspectives define for us.

So while I will want to depart from Taylor's understanding of positive liberty in some respects, I accept the general contrast he makes between views that see freedom as opportunities to act (unimpeded by others) and views, like my own, that see it as something more.

Another way to understand the differences between conceptions of freedom is not to see them as an array of separate concepts but rather to point out that the idea of freedom potentially contains a number of components and elements, some of which are left out of some models and others emphasized. For example, all notions of liberty refer to the

absence of constraints on action, but only defenders of pure negative concepts *limit* their accounts to that element. Other possible components of freedom are conditions that *enable* action rather than constrain it. Still others relate to the social embeddedness of the person and her actions, including the need for interpersonal recognition of one's place in that social nexus.[10]

In addition, the *locus* of freedom – the aspect of the human situation that freedom or unfreedom centrally affects – may be *agency* (generally), *action, activity and social practices*, or *ways of life*. These last items refer to ways of being that cannot be reduced to merely acting as an individual. That is, I may be prevented from being a gay person publicly in ways that do not reduce simply to being restricted from acting in any particular ways. I explain this claim in Chapter 3.

Another way to make this point is to ask: What is the "subject" of freedom? How does one describe the being who "enacts" freedom, and what is this enactment? I put the question in this cryptic way so as not to bias the answers to it. For a typical reply is that the subject of freedom is a *person* in relation to her *actions*. MacCallum, in a famous schema, puts it this way: All conceptions of freedom express the idea that a person x is free (or not) from something y to do or be something z (MacCallum 1967). But notice how much is suppressed in this formulation, at least until you unpack the key notions. For that subject (x) could be described as simply a human being acting intentionally or as a person identified under a descriptor like "mother," "prime minister," "priest," or "athlete." In each case, the descriptor in question will frame the way that the action, activity, social practice, and so on is described and understood. Correspondingly, what will count as undercutting the ability of that person from engaging in that action will vary with such descriptors. A person moving her arm in a downward motion is fundamentally different from a judge bringing down a gavel after declaring a verdict in a trial. In the latter case, countless factors that are completely disconnected from that bodily movement, both past and present, bear on the success of the person's carrying out her intention. Hence, how we understand her freedom to do so is affected crucially by these factors. This is important because it brings to the fore the broader social implications of the obligation to protect and promote freedom. This is an issue we will take up in Chapter 4 and in a different way in Chapter 6.

[10] For a discussion of liberty that similarly lists its potential components, see Brenkert 1994, 8–9.

III The Value of Freedom and Principles of Justice

As I pointed out initially, the overall framework of this study is the use of the concept of freedom in what we could generally call "liberation struggles." The use of the word "freedom" and its cognates is ubiquitous in such contexts. And while the view worked out here will not equate freedom and liberation in a straightforward way, I very much want to construct a model of the concept that makes sense of its power in those settings and the general connection it is meant to have to liberation efforts.

Let me take this last point more slowly. Often the language of liberation is such that freedom is understood as escape from the oppressive circumstances one finds oneself or one's people in. As I noted, this is akin to what Arendt called "liberty" – the escape from oppression and domination. But often that term is used in a way that makes clear that its user and audience share a vision of injustice and oppression such that escape from these conditions is clearly justified. But not all resistance movements can be plausibly characterized as having freedom, in a defensible sense, as their object. The Reagan administration labeled the Contra forces in Nicaragua fighting the Sandinista regime "freedom fighters" in the 1980s, though the objectives of those groups would hardly qualify, in my view, as aimed at "freedom" in any generalizable sense.

The broader theoretical issue concerns how to understand the relation between the concept of freedom and that of other fundamental normative concepts like "justice." Some theorists, notably Robert Nozick and (in a different way) Ronald Dworkin, understood liberty as that arena of action that is or would be allowed under a just regime of individual rights. That which we have a right to, however our principles of justice define that space, is what we are free to do (Dworkin 1977; Nozick 1974). Others may focus on the ideas of "oppression" and "domination" and define freedom relative to those conditions (Cudd 2006).

However, for various reasons, I think it is problematic to construct the concept of liberty in this way. The main reason is that presumably we will want to build a theory of justice with the idea of freedom as an *input*, so that accounts of justice (and, for that matter, conceptions of oppression) can be evaluated by how well they capture the value of and prioritize liberty, in the sense laid out and defended on independent grounds. That said, we will want our construction of the concept to make intelligible the use of it in contexts of struggle against injustice, precisely because such oppressive circumstances systematically deny people their freedom.

Initially in Chapter 3 and in a bit more detail in Chapter 7, we will revisit this issue and discuss the general relation between the conception of freedom I defend here and certain aspects of principles of justice. Broadly speaking, though, we will want to avoid adopting a concept of freedom that simply derives it, or aspects of it, from principles of justice or morality.

This connects to the more general question of whether the idea of freedom should be seen as a "moralized" (or normative) concept at all. That is, should "freedom" be defined with reference to valid moral norms or not? For example, defining freedom as the absence of *unjust* constraints or as the pursuit of *virtue* would count as utilizing a normative concept. In all such cases, there is a conceptual connection between being free and being right, in a moral sense (see, e.g., Bader 2018).

Theorists have given various reasons, however, for avoiding this connection, as have I.[11] In addition to the reason just given – that questions of moral rightness can be appraised by how they allot freedom to individuals so we do not want simply to define freedom as that which we have a moral right to – we also want our concept to capture general usage in ways that make adopting a moralized definition inapposite. For example, a criminal who is justifiably imprisoned (assuming we can imagine such a clear case) is obviously robbed of something we would want to call *freedom* when they are jailed. But if this action is justified, then we could not say such an obvious thing if we define freedom in moral terms. Consider another example: A person tries to walk down a city street but is stopped by a person in uniform and wearing a badge and is prevented from passing; on a different day, another person is also stopped by a uniformed, badge-wearing person. The first uniformed person was a police officer executing a valid ordinance that prohibits pedestrians from using this street; but the second was simply a civilian in a costume acting on a dare. On a moralized conception, we would have to say that only the second person was made less free by this action, since in the first case the person was stopped for morally valid reasons (we can presume). But do we want to understand freedom in a way that makes this distinction? Isn't there something that we want to label freedom or liberty that *both* people are denied?

We will presently consider a further reason to define freedom in a morally neutral manner. But this discussion raises a related question, one we touched on briefly earlier, namely the relation between freedom and *values*. One approach to the concept is to define freedom in a way that makes reference to what the (free) person values. Typically, this connection

[11] Christman 1993. See also Cohen 1986a; Cohen 1986b; Brenkert 1994, chapter 1.

is expressed in terms of what the person *desires*, and a standard worry about defining freedom in these terms is that a person can be made more free by changing her desires rather than changing the world, a problematic implication it is said.[12] However, what can also be considered is the claim that freedom is a function of what a person *can* desire, in the sense of being an option which the person could intelligibly value pursuing, even if it is not currently her most preferred option. As we will discuss later, this is the tack I take here.

While we do want to tie the account of the meaning of freedom to the person's overall value perspective, it is a mistake, I think, to link that account to any particular value or virtue or moral principle. Susan Wolf has argued, for example, that a person is free if they pursue the True and the Good (Wolf 1980). And an older tradition of positive liberty tied that condition to the pursuit of virtue and social obligations. But in both cases, taking this route means that the category of free agent or free action becomes inapplicable to cases where people are mistaken or wrongheaded or, more to the point, pursue lifestyles that by all appearances are desultory, self-destructive, or indifferent to the social good. By contrast, the idea of freedom that we want to capture here, I will insist, should apply to such cases, if its other conditions are met.

Indeed, the main motivation for disconnecting the definition of liberty from any "objective" (agent invariant) conception of the good or the right is that such ideas are themselves highly contentious and subject to reasonable disagreement. There is no consensus about what way of life is truly virtuous or morally right (even if we might all agree on some limit cases of morally *wrong* actions). Moreover, the question of whether people *have* civic obligations to promote the good of their societies is very much a matter of reasonable debate. Yet, I submit, we do not want the question of whether people enjoy freedom or roughly how free they are to be postponed until those debates are settled (so, ever?).

This point marks the commitment to *pluralism* that will guide our reflections here. That is, freedom should be defined in ways that are disconnected from a person's commitment to any one conception of the good life or even to a narrow range of such conceptions. We will therefore be searching for an "anti-perfectionist" view of freedom, where "anti-perfectionism" refers to the view that concepts such as liberty should not be definitionally tied to singular moral or social ideals. As will emerge at various points in the discussion, certain alternative conceptions of freedom

[12] See, for example, Berlin 1969a, section III; Carter 1999, chapter 5, for discussion.

will be put aside precisely because they carry with them these sorts of perfectionist entailments.

That said, a plausible account of freedom must still capture its *value*, insofar as it is valued in certain times and places. That is, while freedom will not be *by definition* tied to the pursuit of objective values or moral principles, it is still deeply and profoundly valuable to those who seek or enjoy it. The framing of our examination of the notion of freedom around the struggles of the abolitionists will underscore this point profoundly, in that the idea we are constructing refers to conditions that countless people fought and died to attain, for themselves and for others. The account we give of this idea must make sense of this fact.

Notice also that I said "in certain times and places." It is not assumed in this work that the freedom here defined is of *universal* value or that it is constitutive of all practical reason or the preeminent human good. I neither affirm nor deny that good. I rely only on the more meager claim that in certain times and places in human history, freedom emerged as a dominant value in those particular social geographies. In particular, the social landscapes focused on in this work – Europe and the Americas and, in general, the "West" in the late modern age) – are examples of such a location.[13] As I will discuss in detail, the language of liberty pervades the public discourse and theoretical accounting of these and other societies, and it is that idea that we are after here.

That is also not to say either that social fabrics *not* referenced in this examination lack a conception of liberty as a pre-eminent value or that if they don't there is something defective about them. I remain completely agnostic about the question of the universal value of freedom, and I will therefore avoid conceiving of it in ways that presuppose that status. These and related questions are explored in more detail in Chapter 7.

With these preliminaries in place, I now want to begin the task of constructing such a conception. The success of that project should be measured by how well it fits with general (albeit inchoate and variable) intuitions we generally have about concepts as well as how well it captures the use of the term and the value it has for those who use it. I accept that accounts such as this one are very much *constructions* in that I can make no claim of merely deducing the definition from some unassailable set of concepts or propositions.[14] As I mentioned (and will repeat), there can be

[13] Because I include anti-colonial struggles and the dynamics of the slave trade in my examination of discourses of freedom, the locations in question also lie in what is often called the "global south."

[14] See B. Williams 2001 for a similar point.

more than one plausible understanding of the idea of liberty, as long as it captures what people seem to be talking about when they use the term or any of its cognates. What I will argue is that the construction I give here best captures a certain profoundly important use of the concept in the social and political landscape from which I write along with the historical dynamics that gave that landscape its shape.

V Plan of the Book

The book proceeds roughly through the stages of *methodology*, *history*, *philosophy*, and *applications*. Part I concerns the basic methodological innovation of the book, namely the shift in perspective through which our search for an adequate view of freedom will operate. Chapter 1 connects this shift to the move to "nonideal theory" prominent in recent political philosophy, and I briefly comment on the way I understand that shift and how attention to it will guide the discussion here. I then explain how my examination of the practices of slavery and the discourse around abolition and liberation function as a source for an understanding of liberty, and how doing this is grounded in a kind of nonideal theory. Specifically, I argue that such an approach takes as a given that the social world to which normative principles are meant to apply – for example, the worlds in which freedom is taken as a fundamental social value – is marked by profound inequities, violence, and domination. This means that understanding central normative concepts like freedom must help explain how those ideas perform a powerful motivational role in the efforts to respond to and resist those nonideal conditions. Further, I argue how the discourses around slavery and abolition (and companion struggles such as the fight for women's equality and anti-colonialism) can provide the backdrop for a unique and powerful understanding of the idea of freedom in the late modern and contemporary world.

This is to be contrasted with many approaches to theory construction in political philosophy that proceed by developing in broad terms principles of justice for fully functioning societies, ones marked by expectations of full compliance with the principles in question as well as other idealized background conditions concerning information, rationality, motivation, and frictionless social relations.[15] When one takes as one's starting point in the construction of concepts and principles a world where none of these idealizing conditions hold systematically, the construction of those concepts

[15] See, for example, Rawls 1971, though he is hardly unique in proceeding in this manner.

and principles will follow a different path. Moreover, I will argue, the concepts that emerge on such a path more plausibly apply to the nonideal social worlds we actually inhabit.

This discussion continues in Chapter 2, where I look more specifically at the conditions of chattel slavery in the Atlantic world and the discourses of resistance and abolition in that sphere, which I claim provide crucial lessons about what a prominent sense of freedom should be taken to mean. In so doing, I explain and defend my choice to focus on this manifestation of human oppression (and not others), with an emphasis on modern chattel slavery and particularly practices and debates in the U.S. and Anglophone worlds. I admit that such an examination is selective and piecemeal but argue that such selectivity does not stand in the way of the role I need this historical examination to play. For I take this locality to be paradigmatic of a wider set of discursive settings where concepts of freedom and liberation are similarly operative.

In this discussion, I also include consideration of the debates between labor reformers and abolitionists over the language of "slavery" (about whether "wage slavery" was a kind of enslavement) in order to draw further lessons about the conditions of freedom we will want to carry with us as we proceed. Finally, I look at conditions *after* emancipation – Reconstruction and Jim Crow in the U.S., for example – to see how mere eradication of the legal category of "slave" was insufficient to provide poor and formerly enslaved people the resources and social status needed for them to enjoy basic freedom. The broad outlines of a conception of freedom emerges from these events and debates, I argue, that contrasts in significant ways with competing notions also found at the time, such as liberal freedom and republican liberty.

Part II is then concerned with the construction and defense of that understanding of freedom. To move to that task, Chapter 3 walks us through the transition from historical interpretation to conceptual analysis. In the chapters that follow, I continue to make significant references to historical conditions touched on earlier, but the major objective of these discussions is to clarify concepts and make important distinctions, taking the specific elements of a positive conception of freedom in turn and defending their centrality to the concept against familiar objections. I also return to the list of competing conceptions of freedom mentioned earlier and bring out important details about them that I will want to contrast with my proposed model.

Chapter 4 begins the task of constructing that model by arguing that the "locus" of freedom should not be seen as individual *acts* (discrete

behaviors) but rather as *activities*, *practices*, and *ways of life*. I show how this marks a significant shift from the atomistic assumptions of, for example, liberal negative accounts of liberty that attach that idea to individualized, specific actions and choices. The implications of this shift to assuming social practices as the manifestation of freedom include the idea that measures of overall freedom cannot involve simply aggregating the specific actions a person is free to perform. This is because social practices are highly integrated with each other and hence must be interwoven by a set of rules of social cooperation that makes greater freedom for more people possible. I draw out those implications in a preliminary way in anticipation of a further discussion of them in Chapter 8 and the Conclusion.

The discussion of specific elements of freedom continues in Chapter 5 with a discussion of "capabilities," access to which I argue is necessary for meaningful freedom. Here I discuss views by Amartya Sen and his followers and defend a version of his approach modified for my purposes. In so doing, I also defend the use of capabilities in a concept of freedom against some powerful objections that have been raised against that approach. Chapter 6 contains arguments tying freedom with the capacity for self-government, the ability to deliberate on and develop a set of favored social activities and ways of life that one can claim as one's own in the requisite sense. In setting out this condition, I discuss those theorists who view ideology and other forms of discursive power as threats to freedom and argue that in some cases such critiques problematically import an overly perfectionist account of the self into their understanding of freedom (such that a person counts as free only if they lead particular kinds of flourishing lives). I reject this kind of perfectionism and argue in favor of a more robust pluralism of social values that conceptions of freedom must respect. In light of this, I sketch out a model of self-government that, I argue, is required to guard against freedom-undermining power structures but also remains faithful to this kind of value pluralism.

The final element to be discussed in this conception of liberty is the requirement that some theorists in the positive tradition have stressed the most as essential for freedom, namely *social recognition*. In this vein, Chapter 7 includes a discussion of such views – for example, as developed by Charles Taylor and Axel Honneth, and I argue that only a pared-down, minimalist rendering of the idea of social recognition is a plausible component of social freedom. This requirement, I argue, picks up on our historical lesson that slavery involved systemic dehumanization of the enslaved, implying that basic freedom must include broadly shared social acknowledgment of the free person's eligibility for the enjoyment of that

freedom. I explain how this understanding of social recognition best captures what is denied the enslaved and the oppressed and does not carry with it problematic metaphysical or philosophical baggage that plagues other views and which runs afoul of the pluralism that we want to maintain.

In Chapter 8, I tie together the various elements discussed so far and assemble the view of freedom that emerges. The view is of both *basic freedom* – what it means to be a free person – and *scalar freedom* (that which admits of degrees). In broad strokes, the view is that basic freedom involves having the opportunities and basic capabilities to pursue social activities that can be valued from the perspective of one's practical identity. (This last idea refers to the person's overall evaluative perspective grounded in their sense of themselves.) In addition, such freedom requires the general social acknowledgment that one is eligible for such pursuits (social recognition in the sense I described). Scalar freedom, then, must be determined as a function of the range of social activities that one can pursue in one's social setting as well as the degree of support that one has access to in pursuing activities within that range. However, this range must be ordered according to public social and legal norms that serve the coordinating function I referred to earlier, where various social practices are supported and interwoven to a maximally satisfactory degree. Such rules, I argue, must be *legitimate* in the minimal sense that all those living under them can accept them as enabling them to live self-governing lives without alienation. In sum, then, freedom refers to the range of socially constituted activities that one has the opportunity and capability to pursue, ordered by social rules that one can accept as a self-governing agent. Defined in this way, protecting and promoting freedom in a society entails a connection between individuals (and groups) enjoying freedom and the principles of justice operative in that society, principles that order the coordination rules just referred to. I close the chapter then with a preliminary discussion of the relation between freedom and justice and the ways that our commitment to pluralism shapes that connection.

A final concluding chapter continues the discussion of the relation between freedom, value pluralism, and democracy and, in so doing, further refines the notion of liberty constructed in the preceding chapters. Having completed this constructive project, at least at a certain level of specificity, I then turn to "applications" of the concept in a more critical register. That is, I look at some areas of contemporary life that can be referred to as "sites of unfreedom." These are phenomena and practices that manifest a lack of liberty in profound ways. As such, these practices

can be illuminated by the application of the view of freedom I develop. For example, I look at practices of *incarceration* where the specific mode of punishment adopted is the denial of freedom to inmates, and I argue that while such a practice could, in principle, be defended by relying on the understanding of freedom I work out, the practices of mass incarceration, the use of solitary confinement, capital punishment, and other aspects of the current prison system (in the U.S., for example) cannot be so justified. I also examine the phenomenon of mass *migration* and how this puts pressure on the supposed connection between freedom and citizenship in any one state. Finally, I turn to the case of *human trafficking*, where people's movement as well as the labor and life conditions they experience as a result of that movement have all the earmarks of a contemporary form of slavery for many. We will examine that claim but also develop ideas for how social policies should respond to such phenomena insofar as they aim at ensuring the basic freedom of those involved in it.

In these last cases, we see that the contemplation of the idea of freedom can most meaningfully take place while considering the conditions of its opposite: enslavement, oppression, and domination. Doing so both honors the struggles of those caught up in and fighting against those conditions as well as illuminating an understanding of liberty and freedom in its most powerful form.