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## Freedom! What's it good for?

In his 1979 essay “What’s wrong with Negative Liberty,”<sup>1</sup> Charles Taylor identifies Isaiah Berlin’s “Two Concepts of Liberty”<sup>2</sup> as the archaeological heritage to which he appeals in order to engage a discussion of freedom. However, Taylor employs Berlin’s concept of negative freedom (freedom from external interference) as the straw man for formulating an alternative notion of positive freedom to Berlin’s positive freedom. Berlin’s positive freedom is “coercive freedom” in the sense of Rousseau’s *Social Contract* through which the individual subordinates her-/himself to a “higher authority” such as parents or the state in order to increase one’s, or to achieve a greater, freedom. In contrast, Taylor’s positive freedom is not “coercive” but “purposive.” In other words, Taylor wants to acknowledge that freedom involves not merely an alternative between radical independence and external coercion, but positive freedom is concerned with “internal” elements (the individual’s desires) that lead to our pursuing purposive ends. For Taylor, then, Berlin’s notions of negative and positive freedom are inadequate to grasp the true character of positive freedom: the pursuit of ends governed by our internal desires. Because not all desires are moral, though, the desires that govern Taylor’s notion of positive freedom as “purposive” require a “second-order” reflection that invokes moral principles to govern our desires. For Taylor, the source of these moral principles is religion.

Axel Honneth from the Frankfurt School recently published a new book on freedom: *Das Recht der Freiheit: Grundriß einer demokratischen Sittlichkeit* (*The Right of Freedom: Outline of a Democratic Ethics*).<sup>3</sup> Honneth distinguishes among three meanings of „freedom:“ 1) negative freedom; 2) reflexive freedom; and 3) communicative freedom. In common with Berlin and Taylor, negative freedom means “freedom from” in the sense of rejection of any external determination of the individual. However, Honneth places Taylor’s discussion of positive freedom under the label of reflexive freedom, which means “freedom for” acting according to

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<sup>1</sup> Charles Taylor, ‘What’s Wrong with Negative Liberty’, in A. Ryan (ed.), *The Idea of Freedom*, Oxford: Oxford University Press, 1979), reprinted in *Philosophical Papers II*.

<sup>2</sup> Isaiah Berlin, ‘Two Concepts of Liberty’, in *Four Essays on Liberty*, London: Oxford University Press, 1969).

<sup>3</sup> Axel Honneth, *Das Recht der Freiheit: Grundriß einer demokratischen Sittlichkeit* [*The Right of Freedom: Outline of a Democratic Ethics*] (Berlin: Suhrkamp Verlag, 2011) I have chosen to translate „Sittlichkeit“ as „ethics“ and not „morality“ because the former is *hypothetical* and the latter is *categorical*. Honneth clearly is concerned with the development of an ethical system in the context of an institutional system that alone, in his judgment, is capable of guaranteeing freedom. Ethics is a second-order exercise that examines particular systems of ethics (e.g., a corporation, a society) whereas morality is concerned with absolute, self-legislated moral principles – if we decide that there are such non-relative principles.

one's own intentions (desires). For his part, Honneth defends a Hegelian notion of communicative freedom, which means "freedom with" others that can be achieved only through shared values and, most importantly, institutional structures that recognize the rights of individuals. In other words, Honneth embraces a form of Berlin's positive, "coercive" freedom.

On the one hand, *negative freedom* is a form of free choice that is reducible to the simple aphorism: "Nobody can tell me what to do." In its extreme form, it separates the individual from society and even the physical world, Berlin maintained, in that it can lead to *autarky* or withdrawal from all external influence. On the other hand, *reflexive freedom* is distinguished from negative freedom in that the individual assumes moral responsibility for her/his self-selected goals. According to Honneth, reflexive freedom depends upon the individual's obligation to ground one's actions in something like the "golden rule" by which one expects oneself to act as one would want all others to treat the agent. Honneth finds that such reflexive freedom, exemplified in both Immanuel Kant's "rational self-legislation" of moral principles (autonomy) and Johann Gottfried Herder's "discovery of one's authentic wishes" (authenticity), are in fact not truly free but governed by a socialization process, which unmasks free choice and authenticity as illusions because one has appropriated socially relative principles to govern one's actions *as if* they were absolute and self-legislated. According to Honneth,<sup>4</sup> Charles Taylor's positive freedom anchored in religious, moral principles, is just as self-contradictory because what is taken to be an autonomous, self-legislated principle is in fact the product of social construction (the social construction of a religious tradition's morality).

For his own defense of the right to freedom, Honneth draws on G.W.F. Hegel's *Grundlinien der Philosophie des Rechts* to argue for *communicative freedom* that, in his judgment, is the only strategy for respecting individual rights and enabling personal freedoms because it self-consciously acknowledges the role of social commitment to institutional structures that in turn guarantee such individual rights and freedoms. "Communicative freedom" can be achieved only through a shared social commitment to unhindered and unhampered rational discourse as guaranteed by mutually constructed social institutions that encourage such rational discourse.

Hegel, Berlin, Taylor, and Honneth are formulating the discussion of freedom out of a common trajectory of reflection that distinguishes among negative, spontaneous, and coercive notions of freedom. What is strikingly missing from this discussion is a trajectory of reflection from Leibniz, Hume, Sulzer, Tetens, and Kant that views freedom as a unique, causal capacity possessed by humanity *above but never independent of* physical causality,<sup>5</sup> yet governed by context-independent moral principles. This alternative trajectory of reflection allows a critique of

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<sup>4</sup> Theo Kobusch's latest reflections on freedom are in agreement with Honneth except for Honneth's reading of Taylor. See "Die Kultur des Humanen. Zur Idee der Freiheit" ("Human Culture: On the Idea of Freedom") in *Humanismus: Sein kritisches Potential für Gegenwart und Zukunft*, ed. by Adrian Holderegger (Fribourg: Academic Press, 2011): 357-368.

<sup>5</sup> Immanuel Kant discusses free will as a cause independent of the cause of nature in his "Third Antinomy" in the *Critique of Pure Reason* B472f) and in Section III of *Groundwork of the Metaphysics of Morals* AA IV: 387-363. Otfried Höffe distinguishes between "dogmatic" (infallible) and "methodological" (assumed) determinism and sets Kant's "moral freedom" as a causality above empirical causality as the condition of possibility for action in Chapter 18, "Objection One: Determinism" of *Can Virtue Make Us Happy? The Art of Living and Morality*, trans. by Douglas McGaughey (Evanston: Northwestern University Press, 2010).

negative, spontaneous, and coercive freedom that enable us to see that the latter ultimately are *grounded* in the former.

What follows addresses freedom as “autarky” (Stoicism, Plotinus, Augustine); as “arbitrariness” or “mere spontaneity” (*Willkiir*) and, therefore, determined (Hegel); as “negative freedom” (rejected by Berlin and Taylor); as positive, “coercive freedom” (to a degree of value for Berlin); as “communicative” or “social freedom” (Hegel, Berlin, Honneth); and concludes with a defense of “autonomous freedom” (Leibniz, Hume, Sulzer, Tetens, Kant) as the condition of possibility for the affirmation of a good in a non-moral sense and for the achievement of our humanity that comes with our assuming moral responsibility for our creative freedom. Freedom, then, is the good that challenges us to become human.

### Freedom as Autarky (Extreme Negative Freedom)

The Stoics are famous for their notion of “apathy” or the aim of rising above the chaos of the appetites by seeking an internal calmness and harmony in the rational order of the mind. The Neoplatonist Plotinus developed the notion of autarky on the basis of apathy in his *Enneads* (especially in chapter VIII of the sixth *Ennead* entitled “On Free-Will and the Will of the One”). Here freedom means to be unmoved by anything but oneself, and the only thing that combines Being and Act in itself is the Intellectual-Principle of The Good. In other words, the only Being that is truly free is The Good/God. The individual soul can only “become free” when it “moves through the Intellectual-Principle towards The Good.”

It is precisely the individual’s “love of self to the contempt of God,” that leads Augustine of Hippo to deny human freedom because humanity is so corrupted by original sin (attachment to sensuous appetites) that it cannot on its own move through the Intellectual-Principle towards God. Only through grace, according to Augustine, can we become free.

For modern ears this understanding of freedom sounds completely strange if not incomprehensible. We are inclined to take the notion “good” to be a moral category in contrast to “evil” rather than to understand the Neoplatonic notion of The Good (or Plato’s First Principle of the Whole) to be a non-moral Good beyond good and evil. In order for us to obtain an adequate sense of freedom as autarky, it is necessary that we grasp the meaning of this good in a non-moral sense. The First Principle of the Whole is for Plato the origin of all that “is” – and, therefore, it is “good” that it is, for without it there would be no universe. The First Principle of the Whole, then, is not good because it does no evil, but it is good because it is what enables everything and anything to be.

At the end of Book VI of the *Republic*, Plato provides hints about (and conditions for thinking about) this Good in his two similes of the Sun and the Line. From the Simile of the Sun, we’re told that The Good as the “parent” of the “child” (the Sun) is to be thought as performing two functions in the intellect: 1) “illumination” and 2) in some respect a “condition of possibility” because the sun is what a) illuminates our world and makes physical sight possible and the sun b) is the condition of possibility that there is life on our planet. The crucial aspect of this condition of possibility that is the Parent (The Good or First Principle of the Whole) is that it is *epikeina*

*tes ousias* (translated by Jowett as “above essence” and thereby emphasizes that The Good is not a noun).

The Simile of the Line then describes the highest activity of consciousness to be reason, which contemplates The Good (the First Principle of the Whole) by means of a pure dialectic (thesis, antithesis, synthesis) that cannot change its thesis and antithesis (universals) because by definition universals are unchanging to search for their synthesis (something that unites them), which cannot be simply a “higher” universal because the Good is “above essence.” Therefore, dialectic seeks to “think” something (The Good) that unites all unchanging universals without “itself” (The Good) being a noun. We are challenged to undertake an incredible task: We are called to think of an absolute synthesis (a One-ness) that unites all universals and indirectly, of course, all things because for Plato things are copies of universals, but, because we require at least two-ness to experience, we cannot experience this One-ness directly or we would cease to experience. Plato suggests, therefore, that the only strategy for contemplating such a One-ness is indirectly through dialectic to obtain a “sense” of this unity that is not a thing.

If we employ the gerund Being, we can obtain a sense of what we are asked to contemplate. Gerunds are words that combine the two systems of language: nouns and verbs. The gerund *Being* is constituted out of two grammatical elements: a noun (being) and a verb (to be). Because the starting point for our dialectic is unchanging universals, we are commencing with nouns (beings). As nouns, two universals are clearly and absolutely distinct (e.g., the concepts, but not physically existing, elephant and ant). However, in order for us to think each universal, it must “be” (verb). Were either concept elephant or ant not “to be,” then we couldn’t think them. However, what they “have in common” is this shared verb (to be) that applies to all that “was, is, and will be.” In other words, the gerund Being allows us to contemplate a dialectic that takes us to a synthesis beyond nouns to the verb “to be” as an One-ness that unites all that is and, as well, is the condition of possibility for all that is to be.<sup>6</sup>

This dialectic satisfies the two conditions established by the Simile of the Sun as the child of the parent, The Good or First Principle of the Whole. Whereas the physical sun is what allows us to physically see, The Good is the “illumination” of the mind that allows us to “see” (i.e., to distinguish between what is otherwise an illimitable whole because consciousness has no beginnings and ends and universals have no size that allows us to say where they stop and start) universals. Remove the sun from our planet, and we would cease not only to have light to see but also all life on our planet would cease. Remove “The Good” (First Principle of the Whole) and we would cease to be able to distinguish between and among universals because universals would cease to be, but, as well the entire universe would cease to be.

Whether or not such a contemplation by means of dialectic would be acceptable for them, Plotinus and the Neoplatonists locate freedom in its highest and complete sense in The Good or First Principle of the Whole that we can approach only through The Intelligible at the level of

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<sup>6</sup> A non-metaphysical dialectic would use the two-ness, yet sameness, of actuality and concealed possibilities to contemplate a unity of possibility that is a concealed multiplicity in actuality – nonetheless, “uniting” all that is.

intellect called “reason,” which is above understanding concerned with making sense of the visible world.

All “creatures” of The Good are victims of their finitude. If they desire anything less than The Good, they are precisely *not free* because they are slaves to whatever it is they desire. Here we have the prototype for Augustine’s notion of freedom in his dialog *On Free Choice of the Will*,<sup>7</sup> and we have a dismissal of any definition of freedom grounded in desire (e.g., as Plotinus and Hegel rejected freedom in terms of such purposiveness). We are only free to the extent that we direct our attention toward God (The Good or First Principle of the Whole). The Neoplatonic notion of freedom, then, is what leads Augustine to what for us is the shocking conclusion that God’s purpose when it comes to the suffering of children is to instruct the parents that their freedom is in God, and, in any event, the suffering of the children will pass quickly enough. Our children, according to Augustine, are the consequence and continuing source of our desire for less than God, and our salvation consists in our learning to love God to the contempt of self and to passive acceptance of the suffering of our children.

God is here, according to Augustine, instrumentally using the suffering of children to instruct the parents of the enslavement caused by their desires. As we shall see in our discussion of “autonomy” in the Kantian sense, what is wrong with Augustine’s rejection of purposive freedom (the pursuit of desire) is not that it is “not free” because it loves less than God but that it treats our children as a mere “means” to discover our *true freedom in God* rather than to treat our children as “ends” in themselves.

#### Freedom as Arbitrariness or Spontaneity (*Willkür*)

Embedded in Plotinus’ discussion of freedom as the approaching of The Good through the Intelligible is Plotinus’ discussion of what G.W.F. Hegel called the “freedom of arbitrariness” or “spontaneity” (*Willkür*) that Hegel (just as Plotinus and Augustine) dismisses as actually determinism. Here we encounter a contrast with Charles Taylor. Whereas the Neoplatonists and Hegel reject personal pursuit of spontaneous desires as a form of determinism, Taylor defends a notion of “positive freedom” precisely on the basis of the individual’s capacity to pursue her/his own personal goals/desire.

To be sure, when it comes to freedom as “arbitrariness” or “spontaneity,” we seem to be on more familiar territory than is the case with the freedom of autarky, because this spontaneous freedom is concerned with our choices. We are free to the extent that we can establish our own goals and pursue our self-selected options/desires. This is the core of what Axel Honneth calls “reflexive” freedom, referred to above, so that it is clear that Honneth rejects both the Neoplatonists/Hegel’s and Taylor’s notions of freedom with respect to desires.

Hegel does not dismiss such reflexive freedom, however, as does Honneth, on the basis of the socially constructed moral principles that undermine the absoluteness of freedom by their cultural relativity. Rather, for Hegel as for Plotinus, the pursuit of such ends (desires) is not freedom at all but subjecting oneself to the determinism required by the attainment of those

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<sup>7</sup> Augustine, *On Free Choice of the Will* (Indianapolis: Bobbs-Merrill Co., 1964).

desired ends.<sup>8</sup> If I want to purchase a home, I have to “enslave” myself to a job that will provide sufficient income for me to purchase the home that I want. The home becomes the vehicle for my lack of freedom as it is mistakenly taken to be my free choice. Arbitrary freedom (*Willkür*), according to the Neoplatonists and Hegel, confronts us only with the illusion of freedom. It is more properly a form of determinism.

To the extent that we view freedom as free choice in the marketplace (the desire that drives consumption), what we are actually talking about is best called “liberty,” not freedom, because the more choices, the greater liberty. However, we will see with our discussion of freedom as “autonomy” below that we can lose such liberty (choice) and still be free (creative) – without invoking the autarkic freedom of Neoplatonic metaphysics to turn away from the world of appetites.

Nevertheless, Taylor defends such arbitrary pursuit of personal desires as the constitutive moment of “positive” freedom (in contrast to Rousseau’s and Isaiah Berlin’s notion of “positive” freedom as social coercion). However, Taylor acknowledges that not all desires are an expression of freedom. Certain desires, like addiction, are clearly un-free so that Taylor invokes what he calls “second-order” desires (“desires of desires”) to adjudicate among “first-order” desires, which allows him to speak of the “strong evaluation” by which we discern that some desires and goals are extremely more significant than others and suggest that these judgments are independent of the desires themselves (220); hence, free.

Taylor proposes that religion is the source of these values that are independent of our desires and are embraced in the second-order reflection with respect to desires. Taylor writes: “... we have a background understanding, too obvious to spell out, of some activities and goals as highly significant for human beings and others as less so. One’s religious belief is recognized, even by atheists, as supremely important, because it is that by which the believer defines himself as a moral being” (218). We will propose to the contrary, below, that, rather than moral principles having their origin in religion, religion has its origin in moral principles and the causality that makes moral principles necessary.

### Negative Freedom

Negative freedom is frequently confused for “autonomy.” This is the notion that freedom exists to the degree that one is independent from tradition, the social order, and institutions. In short, it is “freedom from” any external constraints. In this version of negative freedom, then, one adamantly refuses to conform to any external law either from tradition, society, or institution and maintains the radical liberty of self-determination to decide what one ought to do.

The external (civic) law is viewed here to be restrictive of one’s freedom rather than (as we will see below) civic law constituting a positive freedom that makes greater (or more prized) freedom possible by establishing a set of rules necessary for the governance of public affairs (e.g.,

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<sup>8</sup> Such determinism is what Kant described in Section II of the *Groundwork of the Metaphysics of Morals* AA IV: 414-421 as “hypothetical,” *technical* and *pragmatic necessities* in contrast to the “categorical” necessities of practical reason (morality).

contractual obligations, social solidarity in the form of taxation to provide necessary services in a just and fair manner to all citizens, etc.).

Perhaps best known in the form of “rugged individualism” rather than Neoplatonic autarky, negative freedom is extremely appealing in political rhetoric in democratic societies – especially by “Libertarians,” but it is viewed by traditional societies as a culturally relative value of northern European and western cultures. Traditional societies in contrast value compromise and cooperation in which the individual is subordinate to the social order, not independent of the social order.

We will see that negative freedom is all too frequently, yet nonetheless inappropriately, called “autonomous freedom” and that viewing them as synonymous constitutes a classic case of “metaphor interference” as a preconceived notion of autonomy as negative freedom with respect to freedom from all external authority takes the place of true autonomy as the internal self-legislation of moral principles.

### Positive, Coercive Freedom

Rousseau’s *Social Contract*<sup>9</sup> is the paradigm for what Isaiah Berlin calls positive, “coercive” freedom. The social contract requires us to surrender some of our negative freedom (our personal liberty) for the sake of a “higher,” “larger/greater,” “rational” freedom. Plato described this kind of social contract already in Book II of the *Republic*. He offers as the explanation for the establishment of the (city) state that no person is able to supply all of the needs or possess all of the skills necessary for successful living. He adds later that a community needs, in addition to a division of labor and social roles, a defense force in order to protect itself and flourish. It is “rational” for persons to compromise their negative freedom in order to achieve a “higher” freedom that comes through the mutual cooperation of positive, coercive freedom.

Such coercive freedom not only applies to the state. It is the logic of employers and parents as well as social relationships in which rationalization and reason are valued over the self-determination of individuals and children. The “superior” knows what is best for her/his charge, and s/he is granted that freedom to limit the negative freedom (the personal liberty) of others for a more valued purpose. It is easy to understand how the appeal to a higher, rational purpose can be invoked to justify not only the surrender of one’s negative freedom for a higher and greater freedom but also to justify the position of the tyrant as well as any oligarchy or aristocracy, literally and figuratively.

We will see that autonomous freedom doesn’t eliminate this kind of positive freedom that compromises the negative freedom of the individual for the sake of a higher, more “rational” purpose. Autonomous freedom also recognizes the rational limitations of the civic law for the

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<sup>9</sup> Jean-Jacques Rousseau, *The Social Contract and Discourses*, trans. by Rose M. Harrington (New York: G.P. Putnam’s Sons, 1893).

securing of ends greater than the individual is capable of accomplishing on her/his own. However, the civic law requires the “higher” moral law to ensure that it serves justice, and autonomous freedom requires that all involved be treated as “ends” with their own creative freedom rather than mere “means” for the rational purposes of greater powers.

### Communicative or Social Freedom

Axel Honneth’s communicative freedom shares much in common with Berlin’s “social” freedom. Communicative freedom invokes Hegel’s discussion of freedom not as spontaneity (*Willkür*) but as the product of a rational, social order committed to a set of institutions that respects the dignity of individuals and seeks to provide the social framework for the pursuit of individual goals within the parameters of the civic order. The individual is subordinate to the rationality of the social order.

Honneth and the Frankfurt School call this “communicative” freedom because it is nothing natural and requires a social construction generated by commitment by all individuals and groups in society and accomplished by all concerned engaging in an open discourse to secure shared and optimal values. Communicative freedom requires a commitment to respect the voices of all and to conform to the decision of the majority within an institutional framework that protects the “rights” of the minority. Here Honneth joins forces with his colleague, Jürgen Habermas, in the pursuit of distributive justice based upon the construction of appropriate social institutions devoted to facilitating such justice.

Communicative freedom acknowledges, Honneth points out, that different institutional systems will recognize such freedom to varying degrees and in different respects. One can view social systems in terms of the degree to which they, in fact, further the “right to freedom” among their participants/citizenry. Because no institutional system can be perfect, however, there is no one system of communicative freedom that is universal, and any given institutional system requires the continued vigilance and effort of its membership in order to continually renew the commitment to freedom.

“Communicative” freedom is a version of Berlin’s “rational,” coercive freedom that acknowledges the necessity of surrendering elements of negative freedom. Berlin, though, made a case not merely for such positive, coercive freedom in society, but he also championed what he called “social” freedom that is a special case of Honneth’s “communicative” freedom. Whereas Honneth’s “communicative” freedom is concerned with society as a totality, Berlin’s “social” freedom is concerned with minorities within a dominant society. Hence “social” freedom is distinguishable from “communicative” freedom because the latter is concerned more with nation states whereas “social” freedom is the freedom to obtain *status and recognition within a minority social unit* of a dominant society. Nonetheless, the strategy that establishes both forms of freedom are the same except that “social” freedom recognizes its dependence upon and support from a larger community for its minority status to be possible. The status of “social” freedom is more precarious than is the case with “communicative” freedom that is concerned to establish for society as a whole that institutional framework necessary for the preservation of greater freedoms that are incapable of being accomplished by means of individual, negative freedom. Honneth is careful to include into communicative freedom the need to build in



protection of minority rights into the institutional framework that guarantees the right to freedom.

The silent and pernicious limit to communicative and social freedom is what Habermas calls “systematic distortion.”<sup>10</sup> The agreed upon values, goals, and calls for individual sacrifices for the sake of the community or minority social unity are well and good so long as the values, goals, and calls for individual sacrifices are grounded in a “rational” order of justice. When the society as a whole or social unit, however, agrees to a system-wide distorted vision of society and, thereby, distorts status and recognition into violation of that which “autonomous freedom” calls the dignity of humanity, then communicative freedom breaks down – frequently in the form of threatening the “social” freedom of minority groups. Vigilance and the reflective, rational engagement of the citizenry informed by “autonomous freedom” discussed below offer the necessary strategy to protect society from such systematic distortions.

One may view John Rawls’ theory of social justice as a version of communicative freedom in that it depends upon the presumption of a “veil of ignorance” with respect to social status and education (or what Aristotle calls “merit”) as the starting point for the pursuit of distributive justice. The discernment of moral principles for governing such a social experiment requires a “universalization” process to establish the legitimacy of one’s principles before one can act.

Jennifer Uleman calls this insistence upon establishing the “universality” of one’s moral principle in advance of one’s decision-making the “cold fish” version of universalized moral principles because its implementation would so delay the individual’s decision-making that, were one to arrive at an appropriate principle (a highly unlikely prospect in itself), it would no longer be applicable to the live situation to which the principle was a response.<sup>11</sup> “Cold fish,” moral principles constitute a major limitation to the effectiveness of communicative freedom, but, more importantly, the development of complicated strategies for discernment of a “universal” principle overlooks that the “absolute” character of a moral principle is established not by rational proofs but by the moment of decision making (with or without reflective strategies of testing its universality). No matter how universal the principle, combination of the facts that the individual cannot not act and that in acting the individual articulates a *should* by acting results in the individual taking the principle behind the *should* to be absolute. *This* is where the meta-ethical nature of Kant’s three forms of the Categorical Imperative<sup>12</sup> have their advantage because they provide criteria not for determining the status of the moral principle itself so much as criteria that preserve the *conditions of possibility for moral action*. In other words, the self-expectation that one’s moral principle be “universal *as if* a law of nature” is not a call to go off in search of such principles that unequivocally establish moral principles to be laws of nature, which would be a μετάβασις εἰς ἄλλο γένος. Rather, the first version of the Categorical Imperative is only requiring that one checkmate one’s *merely* (!) *personal self-interest* in the concrete situation with the full recognition (see the opening of Section II of the *Groundwork of the Metaphysics of Morals*) that we can never be certain of, or entirely eliminate, self-interest in our actions. Further, when the second version of the Categorical Imperative calls for us to treat

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<sup>10</sup> See Jürgen Habermas, “On Systematically Distorted Communication” in *Inquiry* 13 (1970): 205-218.

<sup>11</sup> See Jennifer K. Uleman, *An Introduction to Kant’s Moral Philosophy* (Cambridge University Press, 2010).

<sup>12</sup> See *Groundwork of the Metaphysics of Morals* AA IV: 421, 429, 434.

others and ourselves as “ends” and not mere “means,” it does not require that we root out every hint of our using one another as “means” to our individual “ends,” but, rather, requires that we checkmate *use of one another as mere (!) means*. Finally, when the third version of the Categorical imperative requires that we acknowledge that the other is also a free, creative agent who self-legislates moral principles for her-/himself, we are requiring of ourselves to acknowledge the *dignity of the other* and to recognize that no external coercion (e.g., the legislations of the civic in contrast to the moral law) can ever ensure the agent’s selection of, and acting upon, any particular moral principle. This is why we will see below that, although the social order is a *necessary condition* for moral agency, it is not because society legislates morality (an impossible task that violates human dignity) but because society provides the encouragement and support of the individual “to do the right thing because it is right” and not because it will bring personal advantage.

“Communicative freedom” itself is incapable of establishing a just society not because persons will always act “irrationally” but because it is profoundly dependent upon “autonomous freedom” and the commitment to absolute moral principles in order to ensure that any system of “communicative freedom” grounded in civic law can be just. This is because one can do everything legally correct according to the civic law and within the parameters of communicative freedom and still be unjust. Higher than the civic laws that govern social institutions and that are necessary for facilitating (never guaranteeing) justice, is the “moral law” *grounded in autonomous freedom* because justice is achieved not by mere fulfillment of the civic law alone but by the individual’s adherence to the moral law in conformity with those civic laws meant to preserve freedom, liberty, and justice.

### Autonomous Freedom

The notion of “autonomous freedom” is usually associated with Immanuel Kant. However, it by no means originates from Kant. Johann Georg Hamann wrote in a letter to Johann Gottfried Herder that, as Kant was writing the *Critique of Pure Reason*, Johannes Tetens’ two volume *Philosophische Versuche über die menschliche Natur und ihre Entwicklung (Philosophical Investigations on Human Nature and its Development)*<sup>13</sup> were on his desk.<sup>14</sup> Tetens’ second volume is devoted to the discussion of the significance of humanity’s possession of what appears to be a unique causality over against the blind determinism of nature, our ability to initiate a sequence of events that nature cannot accomplish on its own. Johannes Sulzer treated the notion three years prior to the publication of Tetens’ reflections in his *Vermischte philosophische*

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<sup>13</sup> Johann Nicolas Tetens, *Philosophische Versuche über die menschliche Natur und ihre Entwicklung*, Vol. II (Leipzig: Weidmanns Erben und Reich, 1777).

<sup>14</sup> Fom Marie Luisa Allemeyer, „Kein Land ohne Deich--!“: *Lebenswelten einer Küstengesellschaft in der Frühen Neuzeit* (Göttingen: Vandenhoeck & Ruprecht, 2006): 215, n. 192.

*Schriften (Compiled Philosophical Writings)*.<sup>15</sup> Kant, Tetens, and Sulzer probably have the theme from Leibniz<sup>16</sup> and Hume (see, as well, Kremer and Wolff in bibliography).

Rather than autonomous freedom consisting of “freedom from” external restraints as is the case with negative freedom for our authors (Berlin, Taylor, Honneth, Kobusch) or “freedom from” desires as is the case with spontaneous/*Willkür* (Plotinus/Hegel), autonomous freedom is grounded in humanity’s causal capacity to initiate a sequence of events that nature (physical causality) on its own cannot accomplish – Kant calls precisely this independence from the physical law and desires *negative freedom* (*Critique of Practical Reason* §8). Physical events occur blindly according to the deterministic laws of physics. Human creativity necessarily presupposes the blind, “mechanical,” and deterministic processes of nature, but it is not reducible to them.

Because we only experience causes as effects and never directly, there is no way for us to prove (or disprove) by means of empirical data whether or not we possess this causal capacity. However, of those ideas that we must assume and that are incapable of confirmation in the senses, creative freedom is the one that comes closest to empirical certitude. We experience ourselves as capable of purposive behavior that requires our selection not only of the goals of our actions but also the determination of the appropriate materials, means, identification of the proper tools, and cultivation of the necessary skills for us to accomplish those goals. The *origin* of this sequence of *hypothetical* necessities with respect to materials, means, tools, and skills is a causality that is *categorical*: it arises solely from ourselves. No other animal is capable of the degree of purposive behavior like we are. In fact, much of what is viewed as purposive in other species is instinctual, not *categorical and rational* (i.e., initiated solely on the part of the individual through the purposive selection of an end, not otherwise found in nature, by way of reflection to govern the selection of appropriate means to accomplishing those *non-natural* goals).

If creative freedom is a form of causality that rises above but is never independent from physical causality, creative freedom is also not mere random spontaneity (*Willkür*).<sup>17</sup> If dreams have no other value, they surely have the value of reminding us that “clarity and distinctness” of perception in and of itself is insufficient for any sense of “causal order.” What obviously distinguishes dreams from the waking state is that the former is not whereas the latter is governed by a causal *order*(!). This causal order is imperceptible to the senses, hence, it is

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<sup>15</sup> Johann George Sulzer, *Vermischte philosophische Schriften* (Leipzig: Weidmanns Erben und Reich, 1773).

<sup>16</sup> Ernst Cassirer suggests that Pico Mirandola’s “De hominis dignitate” is the source of this “revolutionary” idea of creative freedom, and Cassirer points out that Mirandola is the source of this idea for Leibniz. See “‘Über die Würde des Menschen’ von Pico della Mirandola” in *Studia humanitatis*, 12 (1959): 48-61.

<sup>17</sup> Kant distinguishes between *Willkür* and *Wille*. *Willkür* (spontaneousness, arbitrariness) Kant calls our general condition of “pathological” (i.e., passive) attraction to sensuous desires (*Critique of Practical Reason* §7, “Comment”) as well as our capacity to generate maxims whatsoever. *Wille* (will) he reserves for our actually self-legislating a moral law to govern our action. For the distinction between *Willkür* and *Wille*, see “Introduction to the Metaphysics of Morals,” Part IV: “Preconceptions of the Metaphysics of Morals” in the *Metaphysics of Morals*, AA 225-226).

incapable of absolute proof (or disproof), but it makes all the difference in the world whether or not we approach the physical world as if its events conform to a causal order of physical laws.

There is an important consequence of this assumption of causal order in nature when it comes to the temptation to accept a miracle as a causal explanation of an event. Even when we cannot prove or disprove that miracles occur (i.e., that events can occur that violate the causal order of physical laws), we must reject the notion of miracle as an explanation of events if for no other reason than that it paralyzes reason's search for objective laws governing physical events. When we add that the acceptance of miracle as a causal explanation immediately shifts our attention toward wanting to please God as the source of the miracle, we find that the very nature of our autonomous freedom is undermined by miracles rather than aided. In short, we cease to be concerned with *doing the right thing because it is right* to *doing what we must do to obtain the benefits from the author of the miracle*. We shift our focus from morality to mere self-interest.

What dreams and the physical world teach us, then, is that, where we have causality, there we have a causal order that we can depend upon and must depend upon for the expansion of our understanding and future actions. The same applies to the causality that is our creative freedom. Creative freedom is no mere capricious spontaneity, but, rather, it is a causal system governed by the one system of laws that are compatible with freedom: a self-legislated moral order.

Here we have an "autonomy" (an auto-nomos, self-legislated order of moral laws), but this is a system of laws that are *analytic* to creative freedom, not blindly determinative of creative freedom. A judgment is "analytic" when its predicate is contained in its subject (e.g., all bodies have extension). A judgment is "synthetic" when it involves adding something to the judgment in order to understand it (e.g., this table is 3' x 6'). In the latter judgment about the table, we have to add the measurement system of feet and inches in order to understand the judgment. We could just as easily have said that the table is 1 x 2 meters. However, anyone unfamiliar with either measurement system would not be able to understand the judgment. To say that moral principles are *analytic* to the *synthetic* judgment of autonomous freedom is to say that freedom is the condition of possibility for there to be any system of morals. If this causal capacity of creative freedom did not exist, then there would be no system of moral principles. In short, *freedom grounds moral principles but is not identical with them any more than to say that "All unmarried men are bachelors" means that the status of bachelorhood exhausts what it means to be an unmarried man*. The purposiveness that is creative freedom is inseparable from moral principles, but it is not reducible to moral principles. Creative freedom is autonomous because it self-legislates the moral principle that it decides is to govern its purposive action. This is what Kant calls *positive freedom* (see *Critique of Practical Reason* §8) in contrast to Berlin, Taylor, Honneth, and Kobusch.

Moral principles, furthermore, cannot be derived from anything in the senses (e.g., nature, society, or revelation). Were they to be derived from the senses, they would be *hypothetical* and *heteronomous*. Something is *hypothetical* not merely as a tentative judgment in anticipation of understanding a particular set of phenomena (the meaning of hypothetical with which we are most familiar as the scientific method). Rather, something is *hypothetical* in a broader sense to the extent that it depends upon a particular, empirical situation. The construction of a bridge

involves *hypothetical technical imperatives* (the necessary steps to construct the bridge) because the intended bridge can only be built at a particular location on a particular river. The hypothetical nature of this project is expressed by an “if:” “If this bridge is to be constructed here, then it is necessary that we take the following steps ...” These hypothetical steps toward the actualization of the bridge are governed by physical laws and skills in conformity with physical laws. However, the capacity to build a bridge in the first place (i.e., the capacity to construct something that nature cannot construct on its own) is a causal capacity *entirely independent of the particular situation*. In other words, the causal capacity of our creative freedom is *categorical, not hypothetical*.

To say that moral principles are *categorical* is merely to say that the only “order” appropriate to the causal capacity of our creative freedom is an order of moral principles that, just as the capacity itself, is *categorical*. The authority and application of the moral principle is an exercise of humanity’s autonomous, categorical capacity. In other words, a moral principle has no authority until it is selected by an individual to govern the exercise of that individual’s creative freedom. Furthermore, no one but the individual can legislate this moral principle, and no one but the individual can know whether or not s/he has in fact legislated a good or an evil maxim as the principle to govern her/his actions.

The analytic and categorical status of moral principles means that they cannot be legislated externally for the individual. The civic law can regulate external affairs of the individual, but the internal affairs that include the principles governing one’s conformity or non-conformity to the civic law cannot be regulated by *heteronomous* (external) civic laws. Rather, moral principles are the consequence of *autonomous self-legislation*.

Rather than a *heteronomous* list of moral principles that can be imposed upon the individual, the principles that govern our creative freedom are *autonomous*, categorical principles selected on the basis of their conformity with the three forms of the *categorical imperative*. Unlike *hypothetical imperatives*, such as the technical imperatives we must follow to successfully construct a bridge, *categorical imperatives* are a set of criteria for evaluating our moral principles that are entirely independent of particular situations. As we have seen, Kant proposed three: 1) act on the basis of a moral principle that you would want to be universal *as if* it were a law of nature (clearly a strategy to rein in, but by no means eliminate, personal interest); 2) always treat the other and oneself as ends and never as mere means; and 3) recognize that all other persons are autonomous self-legislators of their moral principles. These categorical imperatives are not going to bring about moral perfection, but they are going to provide rigorous criteria for check-mating our acting on the basis of mere personal interest, and, more importantly, they focus our moral effort on that over which we have control, the self-legislating of moral principles to govern our actions, not on the consequences of our action over which we have no control.

In other words, the categorical imperatives constitute a rejection of utilitarian calculations of consequences in a situation because we cannot know the consequences and we have no (or almost no) control over those consequences. The notion of justice defended by Thrasymachus in Book I of the republic suffers from the same limitation as Utilitarianism and Ayn Rand. Thrasymachus claimed that justice meant to harm one’s enemies and aid one’s

friends. Utilitarianism's criterion for just action is to seek the greatest good for the greatest number. Ayn Rand encourages the unbridled pursuit of self-interest as the best strategy to obtain what are Utilitarian ends. The problem is the same for all three: human limitation. We are incapable of knowing who our *real* enemies and friends are any more than we are able to determine what the *real* greatest good for the greatest number is. Speaking before a Congressional committee after the economic collapse of the banking world in 2008, Alan Greenspan said: "I made a mistake in presuming that the self-interests of organizations, specifically banks and others, were such that they were best capable of protecting their own shareholders and their equity in the firms." Why should we be surprised? No more than with our enemies or with determining what is good for all, we can at best identify our self-interest within an extremely limited horizon of understanding. In all three cases (Thrasymachus, Utilitarianism, and Rand), we are acting blindly on the basis of very short-sighted grasp of our *hypothetical* situations over which we have very little control.

In contrast, autonomous freedom is an extraordinary *categorical* capacity over which we do have control with respect to the selection of the principle upon which we will act, and autonomous freedom is not reducible to any other form of freedom (autarky, arbitrariness, negative, coercive, or communicative/social). Autonomous freedom involves an acknowledgement of our creativity that can self-legislate the principles to govern the application of that creativity – even in a fashion contrary to our personal self-interest.

It would be a denial of our creative freedom and our status as human beings for us to sacrifice the material world, our interests/appetites, our desire for status and prestige in the eyes of others, or our creative activity in the physical world as autarky demands. Assuming our place in the physical world, then, creative freedom commits us to technical and pragmatic imperatives (i.e., necessities), but these are possible only because we are beings with a causality *higher than nature* capable of exercising that causality in conformity with nature. When we do so act in conformity with self-legislated moral principles, we experience no higher satisfaction – even when we fail in our aim and when we act contrary to our personal interests.

Unlike negative freedom, then, autonomy is no arbitrary rejection of tradition, social orders, or institutions. Creative freedom can only occur in a material world and under social conditions, but our autonomy raises us above them to assume personal responsibility for our actions. What autonomous, creative freedom shares with the radical form of negative freedom, autarky, is that it can never be taken from us so long as we're alive. Of course, in contrast to autarky that calls for our removal from the offensive restrictions upon our liberty represented by nature and society, autonomous, creative freedom affirms that the only freedom that we can possess is because we are in a physical world in communities. Rather than seek to escape the conditions of possibility for our exercising of freedom, autonomous, creative freedom calls us to exercise our obligation as the *end of creation* with moral responsibility *in the world and in society*.

Nonetheless, even communicative freedom is only possible where we are concerned with autonomous individuals. Not only is communicative freedom dependent upon individuals embracing the civic law in light of self-legislated moral principles, but also the "dignity" of the individual is grounded in her/his creative freedom. The individual has dignity not because a particular, historical revelation, the bible, claims that humanity is created in the "image of

God.” We are able to employ the analogy of the *imageo dei* because we know we exercise a categorical creativity governed by self-legislated moral principles. In Kant’s politically incorrect language in the *Critique of Judgment*: Humanity’s status is grounded in its being the “end of creation” – in the sense that we alone (as far as we can tell) possess a creative potential to consciously (not instinctually) change nature. This creative freedom in principle, Kant observed in his *Vorlesung zur Moralphilosophie*<sup>18</sup> (*Lecture on Moral Philosophy*) in 1775, gives us the power to destroy the earth. In other words, the significance of our creative freedom and morality are not interpreted in terms of their divine *origin* as established by the bible, but the significance of our creative freedom and morality are only established by *what we accomplish* and *will yet accomplish*. Our capacities are not the consequence of a claim found in the bible, but the bible has validity to the extent that it concurs with our creative freedom and morality that are necessary for us to be human.

Furthermore, we can lose our liberties of desire (spontaneous freedom/*Willkür*), we can lose our positive, coercive freedoms by tyranny, we can lose our communicative/social freedoms by corrupt and oppressive civic laws and institutions, but we can never lose our autonomous, creative freedom so long as we’re alive. It is what makes it possible for us to survive incarceration, oppression, persecution, and tyranny because it is *grounded in a causality* not in our material conditions alone.

What is significant about autonomous freedom is not its purposiveness but its subjective causality. This is the meaning of the Copernican Turn in Critical Idealism: we shift the focus from empirical phenomena, which we cannot ever know with certainty, to concentrate on the necessary, subjective capacities that we must be able to exercise if we are to be the species that we take ourselves to be. The choice is ours: we can view ourselves as blind automatons of mechanical, natural processes, or we can view ourselves as creatively free and self-legislating moral beings. In short, we are moral beings not because *we must be but because we can be*. This is what it means to be free. Our capacities themselves confront us with the call to *become human* and to exercise this extraordinary freedom responsibly.

## Conclusion

Autonomous, creative freedom is humanity’s capacity to initiate a sequence of events that nature cannot accomplish on its own (Kant calls it *negative freedom*). Creative freedom is the causal “ground,” which can be neither proved nor disproved, that makes it possible for us to become human. It is the condition of our dignity because it is irreplaceable by anything else and is uniquely the individual’s own. It is exercised properly only in light of the self-legislation of an order appropriate to such freedom (Kant calls this *positive freedom*), the moral order. However, the community can play a significant role in the individual’s exercising of this freedom.

In *Religion within the Boundaries of mere Reason*,<sup>19</sup> Kant asks “... how could one expect to construct something completely straight from such crooked wood” (111) that is humanity?” One answer would be, “We can’t, and, therefore, we’re dependent upon the grace of God to straighten

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<sup>18</sup> *Vorlesung zur Moralphilosophie* (1774/1775). Edited by Werner Stark and Manfred Kühn. Berlin: Walter de Gruyter, 2004.

<sup>19</sup> *Religion Within the Boundaries of mere Reason* AA VI: 1-202. 1793.

us out.” Such a strategy, though, threatens the exercising of the capacity it is meant to assist. As with the case of miracles, once such transforming grace is invoked, the individual immediately ceases to be concerned with “doing the right thing because it is right” in order to be concerned about receiving the blessings of this divine agency. It is a short step to transforming such transforming grace into an entire system of prevenient, transforming, sustaining, and salvific grace precisely because humanity is incapable of “earning” the grace it needs for such salvation. If we could earn that divine assistance, we would be succumbing to “works righteousness.”

However, Kant provides another answer in his *Reflexionen Kants zur Anthropologie*<sup>20</sup> (*Kant's Reflections on Anthropology*), a supplement to his writings on themes concerned with life wisdom. Here in answer to the issue of the crooked wood of humanity, he applies an analogy to the forest. The way one gets crooked wood to grow straight is for it to be part of a forest that encourages all trees to grow toward the light. In other words, the individual needs the encouragement of the social order in order to exercise her/his autonomous, creative freedom properly.

One can readily understand why Nietzsche would view such a strategy as indicative that Kant succumbed to the Lutheran, bourgeois, value system of his society<sup>21</sup> just as Goethe had viewed Kant's discussion of “radical evil” as indicative that Kant fell back into the Pietism of his childhood.<sup>22</sup> However, both readings have powerful alternatives. “Radical evil” consists of the necessarily, ineradicable alternative evil maxims to good maxims that are the necessary option required for humanity to be truly free and responsible for its creativity. Were evil not a live option, we would not be free. Likewise, Kant's social forest is not the prevailing value system of any particular society (secular or religious, bourgeois or aristocratic, western or eastern) but the invisible “Kingdom of Ends” that is constituted out of the autonomous (not heteronomous) moral order and dignity of all human beings. This Kingdom of Ends is the metaphorical Kingdom of God that constitutes what Kant calls “culture.” Without a supporting culture that encourages the individual to do what is right merely because it is right and not because it satisfies personal interest, it is extremely difficult, if not nearly impossible, for the individual to even strive for the realization of her/his creative, moral potential. In such an invisible Kingdom only the individual knows whether or not s/he has acted on the basis of a moral principle. Culture is not the product of attempting to legislate morality through the civic law. The community can legislate all that it wants, but the individual must self-legislate the principle to govern her/his actions. Nonetheless, it helps greatly if the individual knows that s/he is acting with the moral support of a community committed to moral means and ends.

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<sup>20</sup> *Reflexionen Kants zur Anthropologie*, Vol. I (Leipzig: Fues's Verlag (R. Reisland), 1882).

<sup>21</sup> See Friedrich Nietzsche's „Preface“ to *The Dawn of Day* (New York: MacMillan, 1911) and *The Antichrist*. NY: A.A. Knopf, 1920. Nietzsche, *The Antichrist*, (NY: A.A. Knopf, 1920), §§10-11.

<sup>22</sup> See Goethe's letter to Johann Gottfried and Caroline Herder June 7, 1793: „It took a long lifetime for Kant to wash his philosophical cloak of many stains and prejudices. But now [in his Religion book] he has wantonly slobbered on it with the stain of radical evil, just so that Christians, too, might be enticed to kiss its hem.“ („[...] tat aber auch Kant seinen philosophischen Mantel, nachdem er ein langes Menschenleben gebraucht hat, ihn von mancherlei sudelhaften Vorurtheilen zu reinigen, freventlich mit dem Schandfleck des radicalen Bösen beschlabbert, damit doch auch Christen herbeigelockt werden, den Saum zu küssen.“ (McGaughey trans.) [From <http://www.zeno.org/Literatur/M/Goethe,+Johann+Wolfgang/Briefe/1793> (July 2019)].



Autonomous, creative freedom is dependent upon the “givenness” of the universe that includes its own moral as well as the physical order without which creative freedom is impossible. It is dependent upon the assumption of creative freedom as well as the mutual support of the community not to be something that one is incapable of being (given our limits it is impossible for us to be perfect) but to make one’s best moral effort regardless of one’s personal interest. In other words, autonomous freedom requires an invisible, internal Kingdom to which *the entire community is committed* in order for straightening out the crooked wood of humanity. Autonomous, creative freedom is the highest expression of faith because it is anchored in an “as if” (*für Wahrhalten*) that empowers us to exercise the capacities that we have been given.

Autonomous freedom is the only freedom that is *good for anything* because it is the freedom that is inseparable from a moral order. This is not the moral order acquired through *heteronomous*, external, culturally relative conditions (texts, institutions, families). It is the *autonomous* moral order that is “given” along with the creative freedom that alone can act in light of such a moral order. Autonomous freedom is grounded in faith in the good in a non-moral sense (creative freedom) that requires the assumption of the only order that can accompany such freedom: an autonomous, moral order.

Because autarky denies the physical order upon which creative freedom depends, mere spontaneity (*Willkür*) is a slave to its desires, negative freedom is driven by self-interest (and in its extreme form to autarky), positive coercive freedom threatens to reduce individuals to mere means, and communicative freedom is ultimately dependent upon the “good” that can only be accomplished by autonomous, creative freedom, there is no other freedom than autonomous freedom that can be good and simultaneously enable us to become human. That’s what freedom is good for ...

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