

Coordonatele conceptului de libertate

Conceptul de libertate este descris de varii autori în maniere surprinzător de diferite. Adeseori chiar și același autor nu folosește termenul într-o manieră unitară, ci pune accent pe aspecte diferite în contexte diferite ale discuției. Aceste diferențe nu reprezintă neapărat opoziții de nedepășit, chiar dacă *uneori* apar trade-off-uri între ele.

Cea mai bună variantă de a înțelege problema este următoarea: Aceste concepte diferite despre libertate conturează un peisaj conceptual complex al problemei, peisaj definit de mai multe coordonate și nu doar de una, iar poziția unei persoane în legătură cu trade-off-urile ocazionale între concepte denotă judecățile valorice subiective din partea acestei persoane. Nu există deci atât o înțelegere „corectă” a conceptului de libertate, cât diferite poziționări normative față de posibilele trade-off-uri, diferite prioritizări ale acestor coordonate.

Una dintre ipotezele importante este următoarea: Persoane cu opinii politice diferite prioritizează valoric diferit aceste coordonate, chiar dacă toți le iau pe toate în considerare. Mulți autori, de la Isaiah Berlin la George Lakoff, consideră că oamenii au aceste opinii politice diferite *ca o consecință* a înțelegerii lor diferite a libertății. Această idee este verificabilă empiric dar nu a fost până acum încercată verificarea sau infirmarea ei.

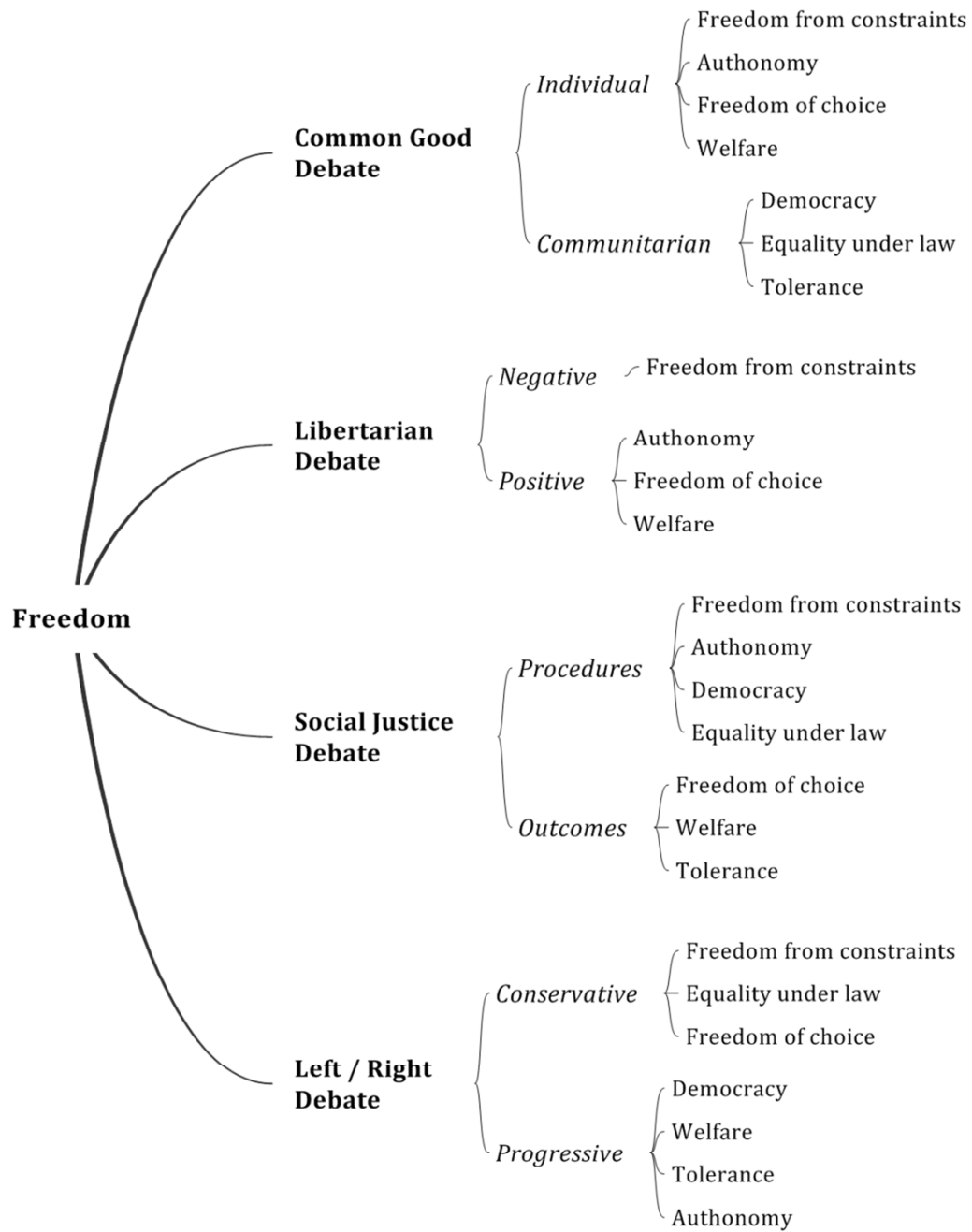
Am identificat șapte concepte diferite de libertate, care într-o anumită măsură reprezintă o

simplificare, iar în continuare dau o serie de citate din diverși autori cunoscuți care ilustrează fiecare concept în parte. La sfârșit sunt date și citate care reliefează felul în care conceptele se pot combina pentru a forma acel peisaj mai complex de care am vorbit.

Coordonatele după care poate fi înțeleasă libertatea:

- (1) libertatea de constrângeri (libertatea negativă);
- (2) libertatea sub lege – opusul stării în care ne aflăm la cheremul deciziilor arbitrare ale anumitor persoane;
- (3) libertatea politică (democrația) – capacitatea de a determina conținutul regulilor care mă privesc;
- (4) libertatea de alegere – abundența de opțiuni, opusul rarității;
- (5) autonomia (libertatea psihologică) – opusul manipulării;
- (6) toleranța – lipsa costurilor semnificative asociate exprimării identității de grup și protecția de care se bucură un asemenea grup (apărarea diversității);
- (7) bunăstarea – cantitatea de bunuri și servicii de care ne bucurăm.

Aceste concepte pot fi grupate în diferite moduri, iar anumite dezbateri pot fi structurate astfel. Figura de mai jos prezintă exemplele cele mai importante:



LIBERTATEA NEGATIVĂ

Thomas Hobbes, *Leviathan*, chapter XXI, 1651

Liberty, or freedom, signifieth properly the absence of opposition (by opposition, I mean external impediments of motion); and may be applied no less to irrational and inanimate creatures than to rational. For whatsoever is so tied, or environed, as it cannot move but within a certain space, which space is determined by the opposition of some external body, we say it hath not liberty to go further. And so of all living creatures, whilst they are imprisoned, or restrained with walls or chains; and of the water whilst it is kept in by banks or vessels that otherwise would spread itself into a larger space; we use to say they are not at liberty to move in such manner as without those external impediments they would. But when the impediment of motion is in the constitution of the thing itself, we use not to say it wants the liberty, but the power, to move; as when a stone lieth still, or a man is fastened to his bed by sickness.

And according to this proper and generally received meaning of the word, a freeman is he that, in those things which by his strength and wit he is able to do, is not hindered to do what he has a will to. [...]

Fear and liberty are consistent: as when a man throweth his goods into the sea for fear the ship should sink, he doth it nevertheless very willingly, and may refuse to do it if he will; it is therefore the action of one that was free: so a man sometimes pays his debt, only for fear of imprisonment, which, because no body hindered him from

detaining, was the action of a man at liberty. And generally all actions which men do in Commonwealths, for fear of the law, are actions which the doers had liberty to omit.

Herbert Spencer, *The Man versus the State*, 1884

[T]he liberty which a citizen enjoys is to be measured, not by the nature of the governmental machinery he lives under, whether representative or other, but by the relative paucity of the restraints it imposes on him; and that, whether this machinery is or is not one he shared in making, its actions are not of the kind proper to Liberalism if they increase such restraints beyond those which are needful for preventing him from directly or indirectly aggressing on his fellows — needful, that is, for maintaining the liberties of his fellows against his invasions of them: restraints which are, therefore, to be distinguished as negatively coercive, not positively coercive. (1.28)

Karl Popper, *Open Society and Its Enemies*, 1945

What I demand from the state is protection; not only for myself, but for others too. I demand protection for my own freedom and for other people's. I do not wish to live at the mercy of anybody who has the larger fists or the bigger guns. In other words, I wish to be protected against aggression from other men. I want the difference between aggression and defence to be recognized, and defence to be supported by the organized power of the state. ... I am perfectly ready to see my own freedom of action somewhat curtailed by the state, provided I can obtain protection of that freedom which remains, since I know that some limitations of my freedom are necessary; for instance, I must give up my

'freedom' to attack, if I want the state to support defence against any attack. But I demand that the fundamental purpose of the state should not be lost sight of; I mean, the protection of that freedom which does not harm other citizens. Thus I demand that the state must limit the freedom of the citizens as equally as possible, and not beyond what is necessary for achieving an equal limitation of freedom. (p. 115)

Isaiah Berlin, *Two concepts of freedom*, 1958

I am normally said to be free to the degree to which no man or body of men interferes with my activity. Political liberty in this sense is simply the area within which a man can act unobstructed by others. If I am prevented by others from doing what I could otherwise do, I am to that degree unfree; and if this area is contracted by other men beyond a certain minimum, I can be described as being coerced, or, it may be, enslaved.

Milton Friedman, *Capitalism and Freedom*, 1962

Political freedom means the absence of coercion of a man by his fellow men. The fundamental threat to freedom is power to coerce, be it in the hands of a monarch, a dictator, an oligarchy, or a momentary majority. The preservation of freedom requires the elimination of such concentration of power to the fullest possible extent and the dispersal and distribution of whatever power cannot be eliminated – a system of checks and balances. By removing the organization of economic activity from the control of political authority, the market eliminates this source of coercive power. It enables economic strength to be a check to political power rather than a reinforcement. (p. 15)

As liberals, we take freedom of the individual, or perhaps the family, as our ultimate goal in judging social arrangements. Freedom as a value in this sense has to do with the interrelations among people; it has no meaning whatsoever to a Robinson Crusoe on an isolated island (without his Man Friday). Robinson Crusoe on his island is subject to "constraint," he has limited "power," and he has only a limited number of alternatives, but there is no problem of freedom in the sense that is relevant to our discussion. Similarly, in a society freedom has nothing to say about what an individual does with his freedom; it is not an all-embracing ethic. Indeed, a major aim of the liberal is to leave the ethical problem for the individual to wrestle with. ... There are thus two sets of values that a liberal will emphasize the values that are relevant to relations among people, which is the context in which he assigns first priority to freedom; and the values that are relevant to the individual in the exercise of his freedom, which is the realm of individual ethics and philosophy. (p.12)

The basic problem of social organization is how to co-ordinate the economic activities of large numbers of people. ... The challenge to the believer in liberty is to reconcile this widespread interdependence [of people's activities] with individual freedom.

Fundamentally, there are only two ways of co-ordinating the economic activities of millions. One is central direction involving the use of coercion - the technique of the army and of the modern totalitarian state. The other is voluntary co-operation of individuals - the technique of the market place.

The possibility of co-ordination through voluntary co-operation rests on the elementary - yet frequently denied - proposition that both parties to an economic transaction benefit from it, provided the transaction is bi-laterally voluntary and informed. Exchange can therefore bring about co-ordination without coercion. A working model of a society organized through voluntary exchange is a free private enterprise exchange economy - what we have been calling competitive capitalism. (p. 12-13)

Murray Rothbard, *The Ethics of Liberty*, 1982

Liberty is the absence of physically coercive interference or invasion of an individual's person and property. (p.215)

The regime of pure liberty - the libertarian society - may be described as a society where no ownership titles are "distributed," where, in short, no man's property in his person or in tangibles is molested, violated, or interfered with by anyone else. But this means that absolute freedom, in the social sense, can be enjoyed, not only by an isolated Crusoe but by every man in any society, no matter how complex or advanced. For every man enjoys absolute freedom - pure liberty - if, like Crusoe, his "naturally" owned property (in his person and in tangibles) is free from invasion or molestation by other men. And, of course, being in a society of voluntary exchanges, each man can enjoy absolute liberty not in Crusoe-like isolation, but in a milieu of civilization, harmony, sociability, and enormously greater productivity through exchanges of property with his fellow men. Absolute freedom, then, need not be lost as the price we must pay for the advent of civilization; men are born free, and need never be in chains.

Man may achieve liberty and abundance, freedom and civilization. (p. 42)

LIBERTATEA SUB LEGE

John Locke, *Second Treatise of Government*, 1689

[T]he end of law is not to abolish or restrain, but to preserve and enlarge Freedom: For in all the states of created beings capable of Laws, where there is no Law, there is no Freedom. For Liberty is to be free from restraint and violence from others which cannot be where there is no Law: But Freedom is not, as we are told, A Liberty for every Man to do what he lists: (For who could be free, when every other Man's Humour might domineer over him?) But a Liberty to dispose, and order, as he lists, his Persons, Actions, Possessions, and his whole Property, within the Allowance of those Laws under which he is; and therein not to be subject to the arbitrary Will of another, but freely follow his own. (Chap. VI, §57, p. 306)

Benjamin Constant, *Political Writings*, 1815

[Freedom is] the right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals. It is the right of everyone to express their opinion, choose a profession and practice it, to dispose of property, and even to abuse it; to come and go without permission, and without having to account for their motives or undertakings. It is everyone's right to associate with other individuals, either to discuss their interests, or to profess the religion which they and their associates prefer, or even

simply to occupy their days or hours in a way which is most compatible with their inclinations or whims. Finally it is everyone's right to exercise some influence on the administration of the government, either by electing all or particular officials, or through representations, petitions, demands to which the authorities are more or less compelled to pay heed. (ed. Biancamaria Fontana, Cambridge University Press, 1988, p. 311)

John Stuart Mill, *On Liberty*, 1869

...Civil, or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over the individual. ... The struggle between Liberty and Authority is the most conspicuous feature in the portions of history with which we are earliest familiar, particularly in that of Greece, Rome, and England. But in old times this contest was between subjects, or some classes of subjects, and the government. By liberty, was meant protection against the tyranny of the political rulers. ... The aim, therefore, of patriots, was to set limits to the power which the ruler should be suffered to exercise over the community; and this limitation was what they meant by liberty. It was attempted in two ways. First, by obtaining a recognition of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which, if he did infringe, specific resistance, or general rebellion, was held to be justifiable. A second, and generally a later expedient, was the establishment of constitutional checks; by which the consent of the community, or of a body of some sort supposed to represent its interests, was made a necessary condition to some of the more important acts of the governing power.

Friedrich Hayek, *The Road to Serfdom*, 1944

To the great apostles of political freedom the word had meant freedom from coercion, freedom from the arbitrary power of other men, release from the ties which left the individual no choice but obedience to the orders of a superior to whom he was attached. (p.26)

Though this ideal can never be perfectly achieved, since legislators as well as those to whom the administration of the law is entrusted are fallible men, the essential point, that the discretion left to the executive organs wielding coercive power should be reduced as much as possible, is clear enough. While every law restricts individual freedom to some extent by altering the means which people may use in the pursuit of their aims, under the Rule of Law the government is prevented from stultifying individual efforts by ad hoc action. Within the known rules of the game the individual is free to pursue his personal ends and desires, certain that the powers of government will not be used deliberately to frustrate his efforts. (p. 76)

Friedrich Hayek, *The Constitution of Liberty*, 1960

Coercion ... cannot be altogether avoided because the only way to prevent it is by the threat of coercion. Free society has met this problem by conferring the monopoly of coercion on the state and by attempting to limit this power of the state to instances where it is required to prevent coercion by private persons. This is possible only by the state's protecting known private spheres of the individuals against interference by others and delimiting these private spheres, not by specific assignation, but by creating conditions under

which the individual can determine his own sphere by relying on rules which tell him what the government will do in different types of situations.

The coercion which a government must still use for this end is reduced to a minimum and made as innocuous as possible by restraining it through known general rules, so that in most instances the individual need never be coerced unless he has placed himself in a position where he knows he will be coerced. Even where coercion is not avoidable, it is deprived of its most harmful effects by being confined to limited and foreseeable duties, or at least made independent of the arbitrary will of another person. Being made impersonal and dependent upon general, abstract rules, whose effect on particular individuals cannot be foreseen at the time they are laid down, even the coercive acts of government become data on which individual can base his own plans. Coercion according to known rules, which is generally the result of circumstances in which the person to be coerced has placed himself, then becomes an instrument assisting the individuals in the pursuit of their own ends and not a means to be used for the ends of others. (p.21)

The conception of freedom under the law that is the chief concern of this book rests on the contention that when we obey laws, in the sense of general abstract rules laid down irrespective of their application to us, we are not subject to another's man will and are therefore free. It is because the lawgiver does not know the particular cases to which his rules will apply, and it is because the judge who applies them has no choice in drawing the conclusions that follow from the existing body of rules and the particular facts of the case, that it can be said that laws and not men

rule. Because the rule is laid down in ignorance of the particular case and no man's will decides the coercion used to enforce it, the law is not arbitrary. This, however, is true only of by 'law' we mean the general rules that apply equally to everybody.

It is not to be denied that even general, abstract rules, equally applicable to all, may possibly constitute severe restrictions on liberty. But when we reflect on it we see how very unlikely that is. (p.154)

LIB. POLITICĂ (DEMOCRAȚIA)

Robert Dahl, *Democracy and Its Critics*, 1989

As a result of the rights inherently required for the democratic process, together with a political culture and a broader domain of personal freedom associated with that process, democracy tends to provide a more extensive domain of personal freedom than any other kind of regime can promise.

However, democracy is uniquely related to freedom in still another way: It expands to maximum feasible limits the opportunity for persons to live under laws of their own choosing. The essence of the argument might be summarized as follows: To govern oneself, to obey laws that one has chosen for oneself, to be self-determining, is a desirable end. Yet human beings cannot attain this end by living in isolation. To enjoy satisfactory lives, they must live in association with others. But to live in association with others necessarily requires that they must sometimes obey collective decisions that are

binding on all members of the association. The problem, then, is to discover a way by which the members of an association may make decisions binding on all and still govern themselves. Because democracy maximizes the opportunities for self-determination among the members of an association, it is the best solution. (p.89)

George Lakoff, *Whose Freedom?*, 2006

Political freedom is about the state and how well a state can maximize freedom for all its citizens. A state can act to guarantee freedoms, to provide more freedom, or to take away freedom. From this perspective, states are to be judged on the basis of how well they guarantee freedoms for all their citizens and provide for as much freedom as possible, while restricting freedom as little as possible.

In America, democracy is usually seen as the form of government that maximizes freedom through its institutions: free elections, free press, civil liberties, free markets, civilian control of the military, freedom of religion, and checks and balances on the powers of the branches of government.

A free society is one in which such "basic freedoms" are guaranteed by the state. (p.26)

LIBERTATEA DE ALEGERE

Ortega y Gasset, *Revolt of the Masses*, 1930, chapter 4, "The increase of life"

[T]he really important increase of our world does not lie in its greater dimensions, but in its containing many more things. Each of these things

— the word is to be taken in its widest acceptation — is something which we can desire, attempt, do, undo, meet with, enjoy or repel; all notions which imply vital activities. Take any one of our ordinary activities; buying, for example. Imagine two men, one of the present day and one of the 18th Century, possessed of equal fortunes relatively to money — values in their respective periods, and compare the stock of purchasable things offered to each. The difference is almost fabulous. The range of possibilities opened out before the present-day purchaser has become practically limitless. It is not easy to think of and wish for anything which is not to be found in the market, and vice versa, it is not possible for a man to think of and wish for everything that is actually offered for sale. I shall be told that with a fortune relatively equal, the man of today cannot buy more goods than the man of the 18th Century. This is not the case. Many more things can be bought today, because manufacture has cheapened all articles. ...

When people talk of life they generally forget something which to me seems most essential, namely, that our existence is at every instant and primarily the consciousness of what is possible to us. If at every moment we had before us no more than one possibility, it would be meaningless to give it that name. Rather would it be a pure necessity. ... To say that we live is the same as saying that we find ourselves in an atmosphere of definite possibilities. This atmosphere we generally call our "circumstances." All life means finding oneself in "circumstances" or in the world around us. For this is the fundamental meaning of the idea "world." The world is the sum-total of our vital possibilities. It is not then something apart from and foreign to our existence, it is its actual

periphery. It represents what it is within our power to be, our vital potentiality. ...

But what I wanted to make clear just now was the extent to which the life of man has increased in the dimension of potentiality. It can now count on a range of possibilities fabulously greater than ever before. In the intellectual order it now finds more "paths of ideation," more problems, more data, more sciences, more points of view. Whereas the number of occupations in primitive life can almost be counted on the fingers of one hand — shepherd, hunter, warrior, seer — the list of possible avocations today is immeasurably long. Something similar occurs in the matter of pleasures, although (and this is a phenomenon of more importance than it seems) the catalog of pleasures is not so overflowing as in other aspects of life. Nevertheless, for the man of the middle classes who lives in towns — and towns are representative of modern existence — the possibilities of enjoyment have increased, in the course of the present century, in fantastic proportion. ...

All this fills his mind with an impression of fabulous potentiality. By what I have said I do not mean to imply that human life is today better than at other times. I have not spoken of the quality of actual existence, but of its quantitative advance, its increase of potency. I believe I am thus giving an exact description of the conscience of the man of today, his vital tone, which consists in his feeling himself possessed of greater potentiality than ever before and in all previous time seeming dwarfed by the contrast.

Friedrich Hayek, *Road to Serfdom*, 1944

Chapter 1, "The abandoned road"

The gradual transformation of a rigidly organised hierarchic system into one where men could at least attempt to shape their own life, where man gained the opportunity of knowing and choosing between different forms of life, is closely associated with the growth of commerce. ...

Wherever the barriers to the free exercise of human ingenuity were removed man became rapidly able to satisfy ever-widening ranges of desire. And while the rising standard soon led to the discovery of very dark spots in society, spots which men were no longer willing to tolerate, there was probably no class that did not substantially benefit from the general advance. We cannot do justice to this astonishing growth if we measure it by our present standards, which themselves result from this growth and now make many defects obvious. To appreciate what it meant to those who took part in it we must measure it by the hopes and wishes men held when it began: and there can be no doubt that its success surpassed man's wildest dreams, that by the beginning of the twentieth century the working man in the Western world had reached a degree of material comfort, security, and personal independence which a hundred years before had seemed scarcely possible.

What in the future will probably appear the most significant and far-reaching effect of this success is the new sense of power over their own fate, the belief in the unbounded possibilities of improving their own lot, which the success already achieved created among men.

Tyler Cowen, *Creative Destruction*

[W]e cannot help but wonder whether the market does in fact expand our positive liberties and increase the menu of choice. If not, the freedom to engage in marketplace exchange will stand in conflict with other notions of freedom, such as an individual's ability to choose or maintain a particular cultural identity. More generally, the question at stake is what kinds of freedom are possible in the modern world. (p. 4)

I do not seek to promote any single definition of what "quality" in global culture might consist of. One virtue of a broad menu of choice is to economize on the need for unanimity of opinion, which is hard to achieve. (p.13)

p. 128-31:

The observed increases in homogeneity [between countries] and heterogeneity [within countries] are two sides of the same coin, rather than opposing processes. Trade, even when it supports choice and diverse achievement, homogenizes culture in the following sense: it gives individuals, regardless of their country, a similarly rich set of consumption opportunities. It makes countries or societies "commonly diverse," as opposed to making them different from each other.

This co-movement of homogenization and heterogenization is clearest in the long run. Since the beginning of humankind, the world has developed an enormous variety of musics and arts. The scope of market exchange—on the rise throughout much of this period—has supported rather than thwarted these increasingly diverse creative achievements.

At the same time individuals now share more common cultural components than before. I know many of the same songs, movies, and corporate logos as do numerous people in Bangkok. This was not true in the nineteenth century, or even as recently as thirty years ago. Different cultures have more common components than before, and individuals around the world are selecting from a commonly diverse menu of choice. The freedom to be different also means the freedom to sometimes choose the same things. ...

One option is to stake out a purely individualistic position on the meaning and desirability of diversity. In this view, diversity within society—which reflects positive freedom of choice—is the relevant standard for judging cross-cultural trade. We need not worry if societies "look more alike," provided that they resemble each other by offering individuals many diverse options.

The individualist position suggests that diversity across societies matters only in instrumental terms. Societal differences can help expand the menu of choice ... If each society were exactly alike, we might all end up with less to choose from. Some degree of cultural specialization and difference, by generating more innovations, enriches the menu for everyone. ...

These remarks help account for the common intuition that diversity across societies is desirable to some extent, yet without elevating that "collectivist" metric into an independent or intrinsic value. Diversity across societies, as a collectivist concept, may in fact be needed to realize a highly individualistic vision of freedom of choice across a broad range of opportunities.

AUTONOMIA (LIBERTATEA PSIHOLOGICA)

Isaiah Berlin, *Two concepts of freedom*, 1958

The 'positive' sense of the word 'liberty' derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men's, acts of will. I wish to be a subject, not an object; to be moved by reasons, by conscious purposes, which are my own, not by causes which affect me, as it were, from outside. I wish to be somebody, not nobody; a doer - deciding, not being decided for, self-directed and not acted upon by external nature or by other men as if I were a thing, or an animal, or a slave incapable of playing a human role, that is, of conceiving goals and policies of my own and realising them. This is at least part of what I mean when I say that I am rational, and that it is my reason that distinguishes me as a human being from the rest of the world. I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for my choices and able to explain them by reference to my own ideas and purposes. I feel free to the degree that I believe this to be true, and enslaved to the degree that I am made to realise that it is not.

Jean Paul Sartre, "Existentialism is a Humanism", 1946

[In Existentialism from Dostoyevsky to Sartre, ed. Walter Kaufman, Meridian Publishing Company, 1989]

What do we mean by saying that existence precedes essence? We mean that man first of all exists, encounters himself, surges up in the world - and defines himself afterwards. If man as the existentialist sees him is not definable, it is because to begin with he is nothing. He will not be anything until later, and then he will be what he makes of himself. Thus, there is no human nature, because there is no God to have a conception of it. Man simply is. Not that he is simply what he conceives himself to be, but he is what he wills, and as he conceives himself after already existing - as he wills to be after that leap towards existence. Man is nothing else but that which he makes of himself. That is the first principle of existentialism. [...] If, however, it is true that existence is prior to essence, man is responsible for what he is. Thus, the first effect of existentialism is that it puts every man in possession of himself as he is, and places the entire responsibility for his existence squarely upon his own shoulders. [...]

[Existentialism] cannot be regarded as a philosophy of quietism since it defines man by his action; nor as a pessimistic description of man, for no doctrine is more optimistic, the destiny of man is placed within himself. Nor is it an attempt to discourage man from action since it tells him that there is no hope except in his action, and that the one thing which permits him to have life is the deed. Upon this level therefore, what we are considering is an ethic of action and self-commitment. [...]

One can judge a man by saying that he deceives himself. Since we have defined the situation of man as one of free choice, without excuse and without help, any man who takes refuge behind

the excuse of his passions, or by inventing some deterministic doctrine, is a self-deceiver. [...] The self-deception is evidently a falsehood, because it is a dissimulation of man's complete liberty of commitment. [...]

Those who hide from this total freedom, in a guise of solemnity or with deterministic excuses, I shall call cowards. Others, who try to show that their existence is necessary, when it is merely an accident of the appearance of the human race on earth – I shall call scum. But neither cowards nor scum can be identified except upon the plane of strict authenticity. Thus, although the content of morality is variable, a certain form of this morality is universal. [...] principles that are too abstract break down when we come to defining action. [...] The content is always concrete, and therefore unpredictable; it has always to be invented. The one thing that counts, is to know whether the invention is made in the name of freedom.

Herbert Marcuse

Repressive Tolerance, 1965

Liberty is self-determination, autonomy - this is almost a tautology, but a tautology which results from a whole series of synthetic judgments. It stipulates the ability to determine one's own life: to be able to determine what to do and what not to do, what to suffer and what not. But the subject of this autonomy is never the contingent, private individual as that which he actually is or happens to be; it is rather the individual as a human being who is capable of being free with the others. And the problem of making possible such a harmony between every individual liberty and the other is not that of finding a compromise between competitors, or between freedom and law,

between general and individual interest, common and private welfare in an established society, but of creating the society in which man is no longer enslaved by institutions which vitiate self-determination from the beginning. In other words, freedom is still to be created even for the freest of the existing societies. And the direction in which it must be sought, and the institutional and cultural changes which may help to attain the goal are, at least in developed civilization, comprehensible, that is to say, they can be identified and projected, on the basis of experience, by human reason.

Essay on liberation, 1969

But beyond these limits, there is also the space, both physical and mental, for building a realm of freedom which is not that of the present: liberation also from the liberties of exploitative order — a liberation which must precede the construction of a free society, one which necessitates an historical break with the past and the present. ...

For the world of human freedom cannot be built by the established societies, no matter how much they may streamline and rationalize their dominion. Their class structure, and the perfected controls required to sustain it, generate needs, satisfactions, and values which reproduce the servitude of the human existence. This "voluntary" servitude (voluntary inasmuch as it is introjected into the individuals) , which justifies the benevolent masters, can be broken only through a political practice which reaches the roots of containment and contentment in the infrastructure of man, a political practice of methodical disengagement from and refusal of the Establishment, aiming at a radical transvaluation of values. Such a practice involves a break with the

familiar, the routine ways of seeing, hearing, feeling, understanding things so that the organism may become receptive to the potential forms of a nonaggressive, nonexploitative world. ...

The order and organization of class society, which have shaped the sensibility and the reason of man, have also shaped the freedom of the imagination. It had its controlled play in the sciences, pure and applied, and its autonomous play in poetry, fiction, the arts. Between the dictates of instrumentalist reason on the one hand and a sense experience mutilated by the realizations of this reason on the other, the power of the imagination was repressed; it was free to become practical, i.e., to transform reality only within the general framework of repression; beyond these limits, the practice of the imagination was violation of taboos of social morality, was perversion and subversion. In the great historical revolutions, the imagination was, for a short period, released and free to enter into the projects of a new social morality and of new institutions of freedom; then it was sacrificed to the requirements of effective reason.

Charles Taylor, "What's wrong with negative liberty", 1985

in *Law and Morality*. 3rd ed. Ed. David Dyzenhaus, Sophia Reibetanz Moreau and Arthur Ripstein. Toronto: U of Toronto P, 2008. 359-368.

By contrast an exercise concept of freedom requires that we discriminate among motivations. If we are free in the exercise of certain capacities, then we are not free, or less free, when these capacities are in some way unfulfilled or blocked. But the obstacles can be internal as well as external. And this must be so, for the capacities relevant to freedom must involve some self-

awareness, self-understanding, moral discrimination and self-control, otherwise their exercise could not amount to freedom in the sense of self-direction; and this being so, we can fail to be free because these internal conditions are not realized. But where this happens, where, for example, we are quite self-deceived, or utterly fail to discriminate properly the ends we seek, or have lost self-control, we can quite easily be doing what we want in the sense of what we can identify as our wants, without being free; indeed, we can be further entrenching our unfreedom.

Once one adopts a self-realization view, or indeed any exercise-concept of freedom, then being able to do what one wants can no longer be accepted as a sufficient condition of being free. For this view puts certain conditions on one's motivation. You are not free if you are motivated, through fear, inauthentically internalized standards, or false consciousness, to thwart your self-realization.

TOLERANȚA

Thomas Jefferson, *Virginia Statute for Religious Freedom*, 1779

[N]o man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

Martin Luther King, Jr., *I have a dream*, delivered 28 August 1963, at the Lincoln Memorial, Washington D.C.

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity.

But one hundred years later, the Negro still is not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land. And so we've come here today to dramatize a shameful condition. [...]

And there will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges. [...]

There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality. We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long

as the negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as our children are stripped of their self-hood and robbed of their dignity by signs stating: "For Whites Only." We cannot be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until "justice rolls down like waters, and righteousness like a mighty stream." (Amos 5:24) [...]

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident, that all men are created equal."

I have a dream that one day on the red hills of Georgia, the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today!

I have a dream that one day, down in Alabama, with its vicious racists, with its governor having his lips dripping with the words of "interposition" and "nullification" — one day right there in Alabama little black boys and black girls will be

able to join hands with little white boys and white girls as sisters and brothers. [...]

And when this happens, when we allow freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual:

Free at last! Free at last!

Thank God Almighty, we are free at last!

Gay Liberation Front: *Manifesto*, London, 1971, revised 1978

Gay people are oppressed. As we've just shown, we face the prejudice, hostility and violence of straight society, and the opportunities open to us in work and leisure are restricted, compared with those of straight people. Shouldn't we demand reforms that will give us tolerance and equality? Certainly we should – in a liberal-democratic society, legal equality and protection from attack are the very least we should ask for. They are our civil rights. [...]

The long-term goal of Gay Liberation, which inevitably brings us into conflict with the institutionalised sexism of this society, is to rid society of the gender-role system which is at the root of our oppression. This can only be achieved by eliminating the social pressures on men and women to conform to narrowly defined gender roles. It is particularly important that children and young people be encouraged to develop their own talents and interests and to express their own

individuality rather than act out stereotyped parts alien to their nature. [...]

The starting point of our liberation must be to rid ourselves of the oppression which lies in the head of every one of us. This means freeing our heads from self oppression and male chauvinism, and no longer organising our lives according to the patterns with which we are indoctrinated by straight society. It means that we must root out the idea that homosexuality is bad, sick or immoral, and develop a gay pride. In order to survive, most of us have either knuckled under to pretended that no oppression exists, and the result of this has been further to distort our heads. Within gay liberation, a number of consciousness-raising groups have already developed, in which we try to understand our oppression and learn new ways of thinking and behaving. The aim is to step outside the experience permitted by straight society, and to learn to love and trust one another. This is the precondition for acting and struggling together.

Allen Young, "Out of the closet: into the streets", In *Out of the Closets: Voices of Gay Liberation*, Karla Jay, Allen Young (eds.), 1972

Gay liberation, on the surface, is a struggle by homosexuals for dignity and respect – a struggle for civil rights. Of course, we want to 'come out' (that is, to end our hiding), to forbid such terms as "faggot," "dyke," and "queer," to hold down jobs without having to play straight, and to change or abolish those laws which restrict and denigrate us. [...]

But the movement for a new definition of sexuality does not, and cannot, end there. The definition of sexism, as developed by women's liberation and gay liberation, presupposes a struggle against the main perpetrators of sexism – straight white men – and against the manifestation of sexism as they appear in all people. The revolutionary goals of gay liberation, including the elimination of capitalism, imperialism and racism, are premised on the termination of the system of male supremacy. (p.10)

Marilyn Frye, "Oppression", From The Politics of Reality, 1983

The experience of oppressed people is that the living of one's life is confined and shaped by forces and barriers which are not accidental or occasional and hence avoidable, but are systematically related to each other in such a way as to catch one between and among them and restrict or penalize motion in any direction. It is the experience of being caged in: all avenues, in every direction, are blocked or booby trapped.

Cages. Consider a birdcage. If you look very closely at just one wire in the cage, you cannot see the other wires. If your conception of what is before you is determined by this myopic focus, you could look at that one wire, up and down the length of it, and be unable to see why a bird would not just fly around the wire any time it wanted to go somewhere. Furthermore, even if, one day at a time, you myopically inspected each wire, you still could not see why a bird would give trouble going past the wires to get anywhere. There is no physical property of any one wire, nothing that the closest scrutiny could discover, that will reveal how a bird could be inhibited or harmed by it except in the most accidental way. It is only when

you step back, stop looking at the wires one by one, microscopically, and take a macroscopic view of the whole cage, that you can see why the bird does not go anywhere; and then you will see it in a moment. It will require no great subtlety of mental powers. It is perfectly obvious that the bird is surrounded by a network of systematically related barriers, no one of which would be the least hindrance to its flight, but which, by their relations to each other, are as confining as the solid walls of a dungeon. [...]

The gallant gestures have no practical meaning. Their meaning is symbolic. The door-opening and similar services provided are services which really are needed by people who are for one reason or another incapacitated – unwell, burdened with parcels, etc. So the message is that women are incapable. The detachment of the acts from the concrete realities of what women need and do not need is a vehicle for the message that women's actual needs and interests are unimportant or irrelevant. Finally, these gestures imitate the behavior of servants toward masters and thus mock women, who are in most respects the servants and caretakers of men. The message of the false helpfulness of male gallantry is female dependence, the invisibility or insignificance of women, and contempt for women. [...]

As the cageness of the birdcage is a macroscopic phenomenon, the oppressiveness of the situations in which women live our various and different lives is a macroscopic phenomenon. Neither can be seen from a microscopic perspective. But when you look macroscopically you can see it – a network of forces and barriers which are systematically related and which conspire to the

immobilization, reduction and molding of women and the lives we live.

Declaration From the Autism Community That They Are a Minority Group, 2004

We recognise ourselves as a minority group based on the following factors – People in the autism community have their own way of using language and communication that is different from the general population, is often misunderstood and can cause a bias against us. Autism spectrum conditions are scientifically proven to be largely genetic and heritable. Many of those on the autism spectrum who have children bear children who are also on the spectrum, this needs to be recognised to avoid the frequency of criticism of autistic parents and discrimination that is suffered as to misunderstanding of the different needs, and communication between family members on the spectrum.

People on the autism spectrum have a unique social network, this is primarily using communication with text on the internet. It is an invaluable community for many of us. There should be increased availability and recognition for this autism community online so that isolated members of the autism community can join and participate.

People on the autism spectrum have our own cultural differences, unique habits, such as stemming and different perspectives than the norm. We feel it is essential that this is recognised as these "traits" are the things that some children and adults are forced to stop by some harsh and intensive therapies. We should have the right to

be ourselves, without the pressure to conform and change our cultural differences.

We experience discrimination in various forms, often because of our different use of language and communication, habitual differences such as stemming, and lack of acknowledgment that autistic parents may have autistic children, and differences in the children are not due to poor parenting, but the innate differences of our minority group.

BUNĂSTAREA

Amartya Sen, Development as Freedom, 1999

Development requires the removal of major sources of unfreedom: poverty as well as tyranny, poor economic opportunities as well as systematic social deprivation, neglect of public facilities as well as intolerance or over activity of repressive states. Despite unprecedented increases in overall opulence, the contemporary world denies elementary freedoms to vast numbers – perhaps even the majority – of people. Sometimes the lack of substantive freedoms relates directly to economic poverty, which robs people of the freedom to satisfy hunger, or to achieve sufficient nutrition, or to obtain remedies for treatable illness, or the opportunity to be adequately clothed or sheltered, or to enjoy clean water or sanitary facilities. In other cases, the unfreedom links closely to the lack of public facilities and social care, such as the absence of epidemiological programs, or of organized arrangements for health care or educational facilities, or of effective institutions for the maintenance of local peace and order. In still other cases, the violation of freedom

results directly from a denial of political and civil liberties by authoritarian regimes and from imposed restrictions on the freedom to participate in the social, political and economic life of the community. (p.3)

[...] the view of freedom that is being taken here involves both the processes that allow freedom of actions and decisions, and the actual opportunities that people have, given their personal and social circumstances. Unfreedom can arise either through inadequate processes (such as the violation of voting privileges or other political and civil rights) or through inadequate opportunities as the capability to escape premature mortality or preventable morbidity or involuntary starvation).

The distinction between the process aspect and the opportunity aspect of freedom involves quite a substantial contrast. It can be pursued at different levels. I have discussed elsewhere the respective roles and requirements of [...] it is very important to see freedom in a sufficiently broad way. It is necessary to avoid confining attention only to appropriate procedures (as so-called libertarians do, without worrying at all about whether some disadvantaged people suffer from systematic deprivation of substantive opportunities), or, alternatively, only to adequate opportunities (as so-called consequentialists sometimes do, without worrying about the nature of the processes that bring the opportunities about or the freedom of choice that people have). Both processes and opportunities have importance of their own, and each aspect relates to seeing development as freedom. (p.17)

ABORDĂRI COMPLEXE

Negativă + libertatea sub lege

James Buchanan, The Limits of Liberty: Between Anarchy and Leviathan, 1975

I examine the bases for a society of men and women who want to be free but who recognize the inherent limits that social interdependence places on them. Individual liberty cannot be unbounded, but the same forces which make some limits necessary may, if allowed to operate, restrict the range of human freedom far below that which is sustainable. (...)

In some personal and private baring of my soul, I may not "like" the observed results of a regime that allows other men to be free, and, further, I may not even place a high subjective value on my own freedom from the coercion of others. Such possible subjective rankings may exist, but the point to be emphasized is that the dominant role of individual liberty is imposed by an acceptance of the methodology of individualism and not by the subjective valuations of this or that social philosopher. (p.4)

Under regimes where individual rights to do things are well defined and recognized, the free market offers maximal scope for private, personal eccentricity, for individual freedom in its most elementary meaning. (p.24)

The reconciliation of individuals' desires to "do their own things" with the fact that they live together in society is accomplished largely by mutual agreement on spheres of allowable or tolerated activity. "Equal freedom," as a norm or rule for social intercourse, has little or no meaning

until and unless individuals are first identified in terms of acknowledged limits to behavior. The acceptance of such limits is so familiar to us all, pervading wide reaches of routine behavior as well as our attitudes toward the behavior of others, that we rarely think of the structure of individual "rights" that is underneath. Our attention is turned to definition of rights only when the tolerated limits are exceeded, when previously accepted boundaries are crossed. Only at this stage do we begin to consider drawing the limits more carefully, possibly calling on enforcement agents, or thinking about recourse to personal means of redress or defense.

The set of manners, the customary modes for personal behavior, which reflects the mutual acceptance of limits, will of course vary somewhat from culture to culture, but it is relatively easy to think of examples in any setting. (p.26)

Man's universal thirst for freedom is a fact of history, and his ubiquitous reluctance to "be governed" insures that his putative masters, who are also men, face never-ending threats of rebellion against and disobedience to any rules that attempt to direct and to order individual behavior. In a strictly personalized sense, any person's ideal situation is one that allows him full freedom of action and inhibits the behavior of others so as to force adherence to his own desires. That is to say, each person seeks mastery over a world of slaves. In a generalized social setting, however, and one that man can recognize as being within the realm of plausibility, the anarchistic regime of free men, each of whom respects the rights of others, becomes the utopian dream. Observed social orders depart from this dream, ongoing implicit social contract, embodied and

described in the institutions of the status quo, is exogenous to the participants, who have no sense of previous sharing in the making of the rules. To the extent that they divorce themselves from existing contractual order, their respect for “law” and for the agent assigned the enforcement task is diminished. Individuals come to feel that they are “governed” by institutions, by a system that is external in any current participatory sense, which, as suggested, is a necessary condition, while, at the same time, they consider these institutions to be wholly exogenous in any contractual sense. That is to say, persons may feel themselves being forced to abide by terms of a “social contract” never made and subjected to potential punishment by an enforcing agent over whom they exert no control, either directly or indirectly. Men want freedom from constraints, while at the same time they recognize the necessity of order. (p.117)

Autonomie + lege

Friedrich Hayek, The Constitution of Liberty, 1960

The state in which a man is not subject to coercion by the arbitrary will of another or others is often also distinguished as “individual” or “personal” freedom.” (p.11)

Our definition of liberty depends upon the meaning of the concept of coercion, and it will not be precise until we have similarly defined that term. In fact, we shall also have to give a more exact meaning to certain closely related ideas, especially arbitrariness and general rules or laws. [...] By ‘coercion’ we mean such control of the environment or circumstances of a person by another that, in order to avoid greater evil, he is

forced to act not according to a coherent plan of his own but to serve the ends of another. Except in the sense of choosing the lesser evil in a situation forced on him by another, he is unable either to use his own intelligence or knowledge or to follow his own aims or beliefs.[...]

Libertatea de alegere + autonomie

John Dewey, The Public & Its Problems, 1927

Liberty is that secure release and fulfillment of personal potentialities which take place only in rich and manifold association with others: the power to be an individualized self making a distinctive contribution and enjoying in its own way the fruits of association.

Negativă + autonomie

Burrhus Frederic Skinner, Beyond Freedom and Dignity, 1971

Without help or guidance people submit to aversive conditions in the most surprising way. This is true even when the aversive conditions are part of the natural environment. [...] And one of the most striking things about the struggle for freedom from intentional control is how often it has been lacking. Many people have submitted to the most obvious religious, governmental, and economic controls for centuries, striking for freedom only sporadically, if at all. The literature of freedom has made an essential contribution to the elimination of many aversive practices in government, religion, education, family life, and the production of goods. (p.31)

Freedom is a “possession”. A person escapes from or destroys the power of a controller in order to

feel free, and once he feels free and can do what he desires, no further action is recommended and none is prescribed by the literature of freedom, except perhaps eternal vigilance lest control be resumed.

The feeling of freedom becomes an unreliable guide to action as soon as would-be controllers turn to nonaversive measures, as they are likely to do to avoid the problems raised when the contolee escapes or attacks. Nonaversive measures are not as conspicuous as aversive and are likely to be acquired more slowly, but they have obvious advantages which promote their use. [...] What the layman calls a reward is a "positive reinforcer", the effects of which have been exhaustively studied in the experimental analysis of operant behaviour. The effects are not as easily recognized as those of aversive contingencies because they tend to be deferred, and applications have therefore been delayed, but techniques as powerful as the older aversive techniques are now available. (p.33)

The problem is to free men, not from control, but from certain kinds of control, and it can be solved only if our analysis takes all consequences into account. How people feel about control, before or after the literature of freedom has worked on their feelings, does not lead to useful distinctions.

[...] Although technology has freed men from certain aversive features of the environment, it has not freed them from the environment. We accept the fact that we depend upon the world around us, and we simply change the nature of the dependency. In the same way, to make the social environment as free as possible of aversive stimuli

we do not need to destroy that environment or escape from it; we need to redesign it." (p.42)

Man's struggle for freedom is not due to a will to be free, but to certain behavioural processes characteristic of the human organism, the chief effect of which is the avoidance of or escape from so-called "aversive" features of the environment. Physical and biological technologies have been mainly concerned with natural aversive stimuli; the struggle for freedom is concerned with stimuli intentionally arranged by other people. The literature of freedom has identified the other people and has proposed ways of escaping from them or weakening or destroying their power. It has been successful in reducing the aversive stimuli used in intentional control, but has made the mistake of defining freedom in terms of states of mind or feelings, and it has therefore not been able to deal effectively with techniques of control which do not breed escape or revolt but nevertheless have aversive consequences. It has been forced to brand all control as wrong and to misrepresent many of the advantages to be gained from a social environment. It is unprepared for the next step, which is not to free men from control but to analyze and change the kinds of control to which they are exposed. (p.42)

Judith Shklar, "Liberalism of fear"

in Nancy L. Rosenblum, ed., *Liberalism and the Moral Life*, Cambridge: Harvard University Press, 1989

Every adult should be able to make as many effective decisions without fear or favor about as many aspects of her or his life as is compatible with the like freedom of every other adult. That belief is the original and only defensible meaning

of liberalism. It is a political notion, because the fear and favour that have always inhibited freedom are overwhelmingly generated by governments, both formal and informal. And while the sources of social oppression are indeed numerous, none has the deadly effect of those who, as the agents of the modern state, have unique resources of physical might and persuasion at their disposal.

Limited government and the control of unequally divided political power constitute the minimal condition without which freedom is unimaginable in any politically organized society. It is not a sufficient condition, but it is a necessary prerequisite. No door is open in a political order in which public and private intimidation prevail, and it requires a complex system of institutions to avoid that. If negative freedom is to have any political significance at all, it must specify at least some of the institutional characteristics of a relatively free regime. Socially that also means a dispersion of power among the plurality of politically empowered groups, pluralism, in short, as well as the elimination of such forms and degrees of social inequality as expose people to oppressive practices.

Systematic fear is the condition that makes freedom impossible, and it is aroused by the expectation of institutionalized cruelty as by nothing else.

Where the instruments of coercion are at hand, whether it be through the use of economic power, chiefly to hire, pay, fire, and determine prices, or military might in its various manifestations, it is the task of a liberal citizenry to see that not one official or unofficial agent can intimidate anyone,

except through the use of well understood and accepted legal procedures. And that even the agents of coercion should always be on the defensive and limited to proportionate and necessary actions that can be excused only as a response to threats of more severe cruelty and fear from private criminals.

George Lakoff, Whose Freedom?, 2006

What keeps an individual from acting freely in the simple everyday situations?

- Internal impediments: emotional blockages, slavery to passions, or being overwhelmed, that is, a will weak in the face of some emotion or passion
- External impediments: an external authority, an enemy, or a lack of access (a lack of ability or resources)

These are all cases in which your exercise of free will cannot govern your actions, for one reason or another. Thus, freedom, in simple everyday cases, consists in the ability of free will to govern one's actions-in accordance with the force of reason and good judgement, and free from both internal and external impediments. [...]

freedom requires free will: government of the self by the self. Since the goals of a free person are set according to free will, they are goals for one-self. Thus, freedom requires government of the self, by the self, and for the self. In short, there is a metaphorical parallel between freedom for an individual and freedom in a democracy." (p.36)

Libertatea de alege + bunăstarea

Cass Sunstein and Richard Thaler, Nudge: Improving Decisions About Health, Wealth, and Happiness, 2008

The libertarian aspect of our strategies lies in the straightforward insistence that, in general, people should be free to do what they like — and to opt out of undesirable arrangements if they want to do so. [...] We strive to design policies that maintain or increase the freedom of choice. When we use the term libertarian to modify the word paternalism, we simply mean liberty-preserving. [...]

The paternalistic aspect lies in the claim that it is legitimate for choice architects to try to influence people's behavior in order to make their lives longer, healthier, and better. In other words, we argue for self-conscious efforts, by institutions in the private sector and also by government, to steer people's choices in directions that will improve their lives. In our understanding, a policy is "paternalistic" if it tries to influence choices in a way that will make choosers better off, as judged by themselves.

The approach we recommend does count as paternalistic, because private and public choice architects are not merely trying to track or to implement people's anticipated choices. Rather, they are self-consciously attempting to move people in directions that will make their lives better. They nudge.

A nudge, as we will use the term, is any aspect of the choice architecture that alters people's behavior in a predictable way without forbidding

any options or significantly changing their economic incentives. To count as a nudge the intervention must be easy and cheap to avoid. (p. 5-6)

Many people who favor freedom of choice reject any kind of paternalism. They want the government to let citizens choose for themselves. The standard policy advice that stems from this way of thinking is to give people as many choices as possible, and let them choose the one they like best (with as little government intervention or nudging as possible). The beauty of this way of thinking is that it offers a simple solution to many complex problems: Just Maximize (the number and variety of) Choices — full stop! The policy has been pushed in many domains, from education to prescription drug insurance plans. In some circles, Just Maximize Choices has become policy mantra. Sometimes the only alternative to this mantra is thought to be a government mandate which is derided as "One Size Fits All". Those who favor Just Maximize Choices don't realize there is plenty of room between their policy and a single mandate. They oppose paternalism, or think they do, and they are skeptical about nudges. We believe that their skepticism is based on a false assumption and two misconceptions.

The false assumption is that almost all people, almost all of the time, make choices that are in their best interest or at the very least are better than choices that would be made for them by someone else. We claim that this assumption is false — indeed, obviously false. In fact, we do not think that anyone believes it on reflection. [...]

The first misconception is that it is possible to avoid influencing people's choices. In many

situations, some organization or agent must make a choice that will affect the behavior of some other people. There is, in those situations, no way of avoiding nudging in some direction, and whether intended or not, these nudges will affect what people choose. [...]

The second misconception is that paternalism always involves coercion. In the cafeteria example, the choice of the order in which to present food items does not force a particular diet on anyone, yet Carolyn, and others in her position, might select some arrangement of food on grounds that are paternalistic in the sense that we use the term. Would anyone object to putting the fruit salad before the desserts at an elementary school cafeteria if the result were to induce kids to eat more apples and fewer Twinkies? Is this question fundamentally different if the customers are teenagers, or even adults? Since no coercion is involved, we think that some types of paternalism should be acceptable even to those who most embrace freedom of choice. (p. 9-11)

People adopt different strategies for making choices depending on the size and complexity of the available options. When we face a small number of well-understood alternatives, we tend to examine all the attributes of all the alternatives and then make trade-offs when necessary. But when the choice sets gets large, we must use alternative strategies, and these can get us into trouble.

Social science research reveals that as the choices become more numerous and/or vary on more dimensions, people are more likely to adopt simplifying strategies. The implications for choice architecture are related. As alternatives become

more numerous and more complex, choice architecture have more to think about and more work to do, and are much more likely to influence choices (for better or for worse). For an ice cream shop with three flavors, any menu listing those flavors in any order will do just fine, and effects on choices (such as order effects) are likely to be minor because people know what they like. As choices become more numerous, though, good choice architecture will provide structure, and structure will affect outcomes. (p. 96-7)

Toleranță + negativă

Murray Gell-Mann, The Quark and the Jaguar, 1994

[C]ultural diversity is itself a valuable heritage that should be preserved: that Babel of languages, that patchwork of religious and ethical systems, that panorama of myths, that potpourri of political and social traditions, accompanied as they are by many forms of irrationality and particularism. One of the principal challenges to the human race is to reconcile universalizing factors such as science, technology, rationality, and freedom of thought with particularizing factors such as local traditions and beliefs, as well as simple differences in temperament, occupation, and geography. (p. 341)

But how do we reconcile the critical examination of ideas, including the identification and labeling of error with tolerance—and even celebration and preservation—of cultural diversity? We have discussed how each specific cultural tradition has ideas and beliefs embedded in it as artistic motifs, defining and unifying social forces, and sources of personal comfort in the face of tragedy. As we have emphasized, many of those ideas and beliefs

are ones that science would label erroneous (or at least unjustified by evidence), while others represent precious discoveries about the natural world and about possible forms of human individual and social development (including, perhaps, the exploration of new realms of mystical experience and the formulation of value systems that subordinate the appetite for material goods to more spiritual appetites). The preservation of cultural diversity, however, must somehow transcend that distinction. The patterns or schemata that are elements of cultural DNA cannot readily be divided into those that are worth preserving and those that are not.

Yet the difficulty goes far deeper. Many of the local patterns of thought and behavior are associated not only with harmful error and destructive particularism but specifically with harassment and persecution of those who espouse the universalizing scientific and secular culture, with its emphasis on rationality and the rights of the human individual. And yet it is within that very culture that one often finds people concerned, as a matter of principle, with the preservation of cultural diversity.

Somehow the human race has to find ways to respect and make use of the great variety of cultural traditions and still resist the threats of disunity, oppression, and obscurantism that some of those traditions present from time to time. (p. 343)