

## 28 pieces on Freedom

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*There are too many items in the blog that are related to freedom, such as those on the good life, ethics, morality, virtues, democracy, politics, trust, to include them all-in one bundle. I restrict the bundle to items directly concerned with freedom*

### 5. Free will?

published 27-7-2012

There is no free will, says brain science. 'We are our brain'. Our brains behind our backs concoct our choices. Afterwards we contrive reasons to rationalize our conduct and we believe in them because we are not conscious of the processes that in fact determine our choices. The philosopher Nietzsche, and before him Schopenhauer, and before him Spinoza, already said that free will is an illusion. Nietzsche said: the ship follows the stream, not the steering by the captain. If this is true, what remains of responsibility for our actions? What sense remains of reward and punishment?

In the debate there is confusion that can easily be cleared up, as follows. Next to unconscious impulse, conscious thought does have an effect on our actions even if we do not have full free will. One can have influence without being in control. The famous experiment in brain research that triggered the present debate showed that actions preceded awareness of them, and this was taken as the proof of the absence of free will. However, the experiment does not prove that conscious thought has no causal effect. An unconscious impulse to action may previously have been fed by conscious thought, and conscious thought may after the impulse affect its execution. We can consciously execute unconscious motives.

There is extensive experimental evidence in social psychology. While actions may be triggered unconsciously they are often preceded by conscious preparation, in mental simulation of the actions and possible repercussions, including reward and punishment, in anticipation of possible regret, and in reflection on outcomes from past conduct. We consciously analyze the pro's and cons of an option, explore scenario's of what might happen if ....., discuss it with others, and then leave it up to 'intuition' to form a decision. In buying a house we do engage in rational pro's and cons of location, state of repair, price, sewage, parking, etc., and then 'after a good night's sleep' leave it up to 'how it feels'. Though conscious deliberation does not clinch the choice, it does affect it. Reward and punishment also affect the development of unconscious impulses for future actions.

It has also been argued that the prime importance of conscious thought is of a social and cultural nature, in the use of language in communication. Unconscious thought

can hardly be expressed, and conscious thought is needed for handling series of words in sentences, a chain of logical argument, and a chain of causes and effects.

In sum: We are not in control but we do have influence on the will

#### 46. Intolerance and altruism are instinctive

published 22-10-2012

My hypothesis is that there is an inclination towards intolerance, xenophobia and discrimination in our genes, and that it goes together with an instinct for altruism only within the group.

In evolution a striving for self-interest favours survival, so that is what evolution leaves in our genes. That egotism is tempered in case of family, since our genes can also be transmitted through them. A step further is that if people resemble us that may be an indication of genetic similarity. People who do not look like us, in appearance and conduct, are suspect.

Damasio reported that revulsion from the foreign is anchored in the brain centre where smell and taste are located. Originally, in evolution, that was a mechanism against ingesting poison. With this, the aversion to the foreign is accompanied not only by emotions of threat but also with feelings of contamination and poisoning.

One might think that loyalty and altruism are good for survival of the group and for that reason could be an outcome of evolution. Charles Darwin thought that. It has long been thought in evolutionary theory that this cannot be so, since potential properties lie in the genes of individuals, and groups have no genes. People with altruistic genes would be vulnerable to an invasion of egotists that prey on them, so that in time the altruists would be pushed out.

However, altruism can survive if in the group deviant, excessively egotistic conduct is identified and punished because a sufficient number of group members commit themselves to it, even if for it they need to bring sacrifices that go beyond their self-interest. Such victory over self-interest requires a strong emotional loading.

That can be derived from religion. From fear of death and human fragility people have an urge towards belief in a myth of immortality. That transcends the limitations of mortal, vulnerable existence, and causes the self to rise above itself. The emotional force of it is strong enough to make sacrifices for a higher cause. If, next, the only true God is that of the own group, then outgroup discrimination is supported by religion, and altruism within the group becomes viable at the price of mistrust of outsiders. There is internal cohesion at the price of external intolerance.

It can be different, with a constitutional state with the rule of law in which misuse of dependence and good faith is punished, and whose cost one is willing to share. Thus divine order can be replaced by the order of law as a source of solidarity.

But even then the instinct towards trust within and distrust outside the group still slumbers, and can be roused when the uncertainty of existence increases due to a crisis or trust in the constitutional state is undermined, with suspicions of failing integrity and abuse of power of

police, judiciary or politics. That awakening of the instinct for intolerance and distrust can be fired with an appeal to religion, ideology and nationalism.

#### 49. What freedom?

Centuries of philosophical debate on freedom have led to a distinction between different forms or levels of freedom.

First, the *freedom of action*: in freedom *from* and freedom *to*. Freedom *from*, also called *negative* freedom, is freedom from external constraint, coercion, intimidation, manipulation, etc. Freedom *to*, also called *positive* freedom, is access to resources, competencies, economic, political, social and cultural processes, etc. These freedoms of action differ from *freedom of will*. Freedom of action may mean that one is at the mercy of unconscious desires, drives, impulses, instincts, addiction, etc.

Hence there are 'higher' levels of freedom, concerning the will that lies behind action. A second level of freedom is that of *self-reflection* and *self-restraint*. Here one has the internal freedom to ask oneself what one should want on the first level (desires, impulses ...) in agreement with a 'higher' level of the will. The question then is not 'what do I want' but 'what should I want'. Freedom on this level does not imply that it is good what one wants. One can be convinced that certain bad conduct is good. One can have the self-restraint to do evil. For example, in a violent ideology, for which the fanatic renounces pleasure and comfort.

Freedom of self-reflection and self-restraint are not as self-evident as they may seem. Neural research and social psychology have shown how dominant the unconscious is in our choice and action. Much is determined by unconscious impulse, intuition, instinct, and feelings, and often that yields effective decisions. I discussed this in a previous item (item 5) of this blog, on freedom of the will.

The third level is the freedom for *self-perfection*, to change what you want that you want, in an adaptation of norms of good and evil. Of course, the question then is where those come from. An important source is Christian morality of self-restraint, altruism, and sacrifice for the weak. The philosopher Nietzsche rejected this with gusto, as hypocritical, a false self-denial, and as a suppression of the forces of life and creativity.

A fourth level is freedom of the self to *form the self*, in a re-evaluation of values, in a shift of higher (third level) convictions of good and bad. This freedom to transcend and form the self could perhaps be called the freedom of Nietzsche, and earlier it was an ideal of romanticism. Many think that one *cannot* have this highest level of freedom, or at least not fully, because ultimately everyone is determined by

genetic properties, life course, and character that emerges from them. It is like the baron of Munchausen lifting himself from the morass by his bootstraps.

For the formation of the self, escape from the self, freedom *from* the self, one needs the other who offers opposition and contradiction and thereby offers new insight into what one might want. The good life requires that one grasp this opportunity. And that is different from Nietzsche, who shoves the other aside in the exercise of the will to power.

49. What freedom?

published 31-10 2012

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## 50. Power

published 4-11-2012

A customary definition of power is: the ability to influence the actions of others, by influencing the options from which they can choose or the choice they make. Such power can be negative in reducing options or by imposing the choice, but it can also be positive in creating more options by offering others new insights, means and room for choice. Power becomes negative when it becomes coercive, eliminating freedom by lock-in or exclusion. A monopoly excludes competing producers and thereby locks in consumers.

The exercise of influence on others is inevitable and happens all the time and everywhere. It contributes to subjugation but also to creative tension and the flourishing of life. Nietzsche's philosophy is a celebration of that. A debate without power for which Jürgen Habermas strove is an illusion and is undesirable. People need each other's opposition and opposition also is power. However, power relations must not be pre-determined, institutionalized or unassailable, and there must remain the opportunity of opposition, for the creation of counter-power or escape from power.

Power arises not only on the level of individuals but also on the level of collectives such as markets, professions, industries, regions, and states. In other words, power is also a matter of systems. In a preceding item (nr. 48) in this blog I showed how people get swept up in collective interests. It goes further. People are carried along in tacit presumptions, notions, visions, habits, practices, norms, values, and expectations that are part of cultures on different levels. These are what Said in his *Humanism and democratic criticism* called the 'cultural structures of reference and attitude', and what Foucault in his *technologies of the self* called 'power of habit'. Repression or exploitation are culturally sanctioned and made immune to criticism, expelled from the arena of legitimate discourse. Foucault showed how

cultural systems are internalized, how both those who exert power and those subjected to it may take it as self-evident.

What now? First of all, absolute freedom and justice cannot exist. One cannot abolish all limitation of means and possibilities. Everything that enables people to think and act also entails limits to them. One cannot look in one direction and at all others at the same time. That limitation one also imposes on oneself. There is no life without constraint.

How, then, can one escape from negative power? One can try to form countervailing power with arguments or with coalitions. That is the way of democracy. However, often arguments will not work because they go against what is taken as self-evident. Under the Soviet regime critics were seen as lunatics and put away in asylums. In democratic countries one is not imprisoned but simply ignored. Only if one commands a significant package of votes can one command attention. Ultimately, one can step outside and walk a path of one's own. That is what entrepreneurs, intellectuals and writers do. In the end that was also the way out for Michel Foucault: build your own life as a work of art.

## 51. Will to power

published 7-11-2012

Plato said that reason must manage a team of wild horses: the horse of passion (*eros*) and the horse of self-manifestation (*thymos*). Now (as happened before in history) reason has let loose, the horses have bolted and the chariot bounces behind in shambles.

Many philosophers, Spinoza among them, claimed that the fundamental drive of nature is *conatus*, the drive to survive and manifest the self.

Nietzsche argued that the fundamental drive of nature is *will to power*, not survival. People often risk survival in order to manifest their will to power. For him, Christian morality is perverse in overruling the flourishing of life, and the demand for self-sacrifice is a ruse of the weak to control the strong.

So let us see. Does a teacher exert power over a pupil? The developmental psychologist Lev Vygotsky proposed the notion of the *Zone of proximal development*. A teacher draws a pupil into the next ('proximal') stage of development, to which the pupil by itself would not be capable. That can be negative, in forcing a child in certain direction, but mostly it is beneficial.

In the preceding piece I distinguished between positive and negative power, but the line between them is not always easy to draw. Suppose one wants to criticize a friend, because it seems needed to draw him away from trouble. How can one be

sure that one is genuinely helping the friend, rather than, as Nietzsche predicts, asserting oneself, competing, or trying to establish superiority? To begin with, one should ask oneself that question, but crucial is the opportunity for the friend to disagree and set one right.

Simone de Beauvoir, in her plea for *A morality of ambiguity* asked: should one try to restrain someone at the point of suicide, by force if needed? Her conclusion is positive, provided one then also shares responsibility in what happens next. One may not then just leave the other to itself. Negative power to restrain the other should be accompanied by positive power to help find a new perspective.

In markets there is both competition and collaboration. In competition there is negative power in constraining the other's options, in collaboration there is positive power to develop new shared options. In collaboration there is power in creating mutual dependence, and even in the best of collaboration there seldom is a precise equilibrium of dependence, but there is a willingness to go far in a process of give and take, renouncing opportunities to exploit imbalance of power. I will come back to this in a later discussion of trust.

Imperialism, the striving to apply over there what one has developed over here, can be a step on a path to transformation and learning, as I argued in item 31 in this blog, but it succeeds only when it fails, when it cannot impose itself on others and is forced to adapt or break through familiar structures and assumptions that were taken for granted. Imperialism triumphs only when it is defeated.

92. Free will and literature

published 8-5-2013

As discussed in item 5 of this blog, on free will, we have no free will in the sense that much of our conduct is triggered and executed by unconscious impulses and processes. That could hardly not be the case. Just think of having to consciously activate and coordinate muscles, breathing, the beating heart, and pumping adrenalin into your bloodstream when danger looms.

We employ routines for automatic, unreflected action, as when we drive a car. Such action is needed to make room for conscious thought on other matters. Next, emotions are needed to draw attention to urgent conditions and to catapult us out of our routines. A car careening towards you shocks you into action, but that also is routinized, in hitting the brakes. Conscious deliberation would be too slow.

However, we do have influence on our conduct by conscious influence on unconscious impulse. Mentally we simulate the course and the possible repercussions of possible conduct, and thereby we can anticipate regret and punishment for bad conduct. That releases fear that impacts on unconscious

motives for conduct. In mental simulation we tap from own experience and experience of others, discussions, books, films, etc.

For social legitimization of our conduct we give explanations of it, even though that is often rationalization after the fact. We don't know our real motives well because they are largely unconscious, and when we do know them we may not want to disclose or even face them. Instead of a true account we fall back on a store of socially acceptable rationalizations.

For all this we need language. Language is full of unconscious concepts, associations, and metaphors, but in the formation of sentences and of causal or logical connections, as in the simulations and explanations of actions, language use is conscious. The serial coherence of concepts in sentences also serves to integrate distinct parts and functions of the brain, and contributes to the coherent mobilization of unconscious feelings and emotions that are relevant for the situation at hand.

Next to aesthetic value, then, literature, film, theatre, opera and ballet have an ethical, social-cultural function of exercising mental simulation and explanation of the conduct of others to the self, and of oneself to others. They increase the scope of mental and emotional sources by tapping into the experience of others in other contexts.

Literature etc. offer an exercise in empathy, putting oneself into the shoes of others, and in horizontal transcendence, transcendence not in God but in the other human being. They help to explore and practise socially desirable explanations of conduct, but also to see through their shallowness and hypocrisy, and to escape from prejudice and stereotypes.

In the earlier discussion of universals, in items 16 and 17, and meaning, in 36 and 37, I indicated that universals are provisional. In their application to specific contexts they must be expanded with contextual richness, and there they can become unstuck and dissolve, in the formation of a new universal, along the *hermeneutic circle* (36). That, I propose, is what literature does.

108. The self as work in progress

published 26-8-2013

Heidegger is said to have abolished the spectator theory of the subject, the self as autonomous, disconnected and looking at the world from outside. Instead, the self is involved in the world, and is constituted by actions in that world. Thought and action interact. I discussed this before in this blog, in item 40, on being in the world.

The rejection of spectator theory arises also in pragmatist philosophy, as in the work of George Herbert Mead, with the idea of the self as constituted by interaction with others in the world.

This is part of a wider shift of thought from a static view of the self, with a given mind and body, a given identity or authentic self, to a dynamic view of the self as work in progress. This is found also in the thought of Nietzsche and of Kierkegaard.

Kierkegaard described the self as ‘a relation that is itself related to itself’. I understand this in terms of the idea of embodied cognition that I discussed in the items on cognition (23-29). The brain constructs representations of the body, which yield a feeling of coherence of the self, and representations of the world, and higher level representations of representations, on different levels of cognition. On some level, representations of representations may constitute self-consciousness.

The idea of the self as work in progress, in being in the world, in existence, forms the crux of existentialism, of which Nietzsche, Kierkegaard and Heidegger are seen as the fathers.

As I discussed in a preceding item on Wittgenstein (item 105), meanings of words get established in their use in practice, yielding language games with their rules of legitimate usage.

The idea was carried further by Michel Foucault, who analysed how legitimate meanings and conversations get established in practices that reflect the interests and positions of persons or institutions in control. See his studies of prisons, health care and education.

This leads to a view of the human being as caught in the power of institutionalized discourse that eliminates freedom, in a suppression to which those subjected themselves contribute, in their tacit acceptance or inevitable entanglement in the language games to which they are brought up to submit. This suppressive power is all the more sinister for its being hidden in what is taken for granted, in the tacit rules of the language game, to the point that what is in fact submission is seen not only as well intended but as beneficial.

As I discussed in item 50, towards the end of his life Foucault tried to find a way for the individual to break out by ‘turning its life into a work of art’. That is what rebelling intellectuals and artists do, and entrepreneurs (as I indicated in item 41). They try to create a new game but thereby break the rules of established games and suffer for it.

In item 107 I proposed that hope turns into despair, and loss of trust, when one gets trapped in conditions one can neither choose nor influence, in established systems and corresponding language games. Kierkegaard proposed that we can only escape from despair by surrendering to God. Rebellious intellectuals, artists and entrepreneurs find other ways to create new hope.

## 122. Commitment and choice

published 2-12-2013

In the preceding item in this blog, concerning love relationships, I argued for a certain channeling or re-direction of passion (eros) to allow for the build-up of loving friendship (philia). I did not mean to imply that emotion should be replaced by rational evaluation.

Eva Illouz, in her book 'Why love hurts' (2012), analyzed modern conditions of love and commitment. She found that rational evaluation of multiple alternatives, which have increasingly arisen in modern times, after the suspension of constraints of class, education, standing, income, procedures and ritual, and multiple dimensions of choice, of appearance, spirit, life style, interests and abilities, can have an adverse effect.

Rational evaluation is typically analytic, decomposing objects of choice into different characteristics and weighting them to arrive at some composite measure for comparison of alternative options. Illouz employed a variety of outcomes from research that show that this procedure can have adverse effects.

It has long been known that often choice is best left up to intuition. While rational choice is analytic, intuition is more integrative, employing tacit knowledge built up from experience, which by definition escapes rational grasp. Tapping from various research, Illouz further analyses this as follows. 'Decomposing an object into components diminishes the emotional force of a decision' (p. 93), and causes people to 'moderate their evaluations' and to lower emotional quality'.

In a rational analysis of alternatives, there is a consideration of *opportunity costs* (as the economist calls it): of the value of options not chosen, in an anticipation of regret, which lowers the value of whatever one does choose. It produces ambivalence in choice.

Illouz reports research that shows that cohabitation before marriage, as a 'try-out', increases the risk of divorce and lowers the quality of marital satisfaction. Ongoing analysis and comparison of value drives out commitment. She concludes that '.. the affective dimension of commitment ultimately is the strongest because commitment cannot be a rational choice' (p. 96).

It is not a matter of dotting all the I's and crossing all the t's of rational choice and solving all problems before a commitment is made. At some point an emotional commitment needs to be made, to close issues of choice and as a basis for solving problems.

In sum, the emotional sweep of eros is still needed to leap into commitment, as a start, for next developing philia. So what does this do to my analysis in the preceding item in this blog? On the one hand the furor of eros should be tempered, in eliminating its possessiveness and its fear and suspicion of loss or dependence, and on the other hand it is needed to clinch the issue of commitment, in preserving the emotional craving to be with the loved one and to keep him/her, and no-one else, as a basis for philia to develop.

What is wrong with modernity is that eros has been reduced to sex and rational choice has replaced commitment.

Western democracies show an inability to restrain uninhibited rampage of markets, excesses of cupidity, extremes of inequality in income and wealth, the political power of money, a culture of narcissism, and self-indulgent populism. This bolsters the self-confidence and acceptance of authoritarian forms of government across the world, presenting themselves as ‘bulwarks against Western individualism’, as it was recently called in the New York Review of Books[\[1\]](#)

In this blog I proposed ‘debatable ethics’ (item 118). That is relativist, not in the extreme sense that any ethic is as good as any other, but in the sense that it is pluralist. I argued that any system of ethical values and moral guidelines or rules requires debate that allows for arguments from different dimensions of the good life, in an Aristotelian virtue ethics. Does this relativism allow for authoritarianism, with ‘growth without democracy and progress without freedom’[\[2\]](#)?

Ethical debate requires open access to the debate, which requires freedom of participation and expression. It also requires truthfulness and fulfilling commitments. That much would still remain of a universal ethic.

This universalism is limited, however, in the recognition that the debate will lead to different ethical/moral systems, depending on different views concerning different dimensions of the good life, or virtues, which are not necessarily commensurable and whose priority, form and viability depend on circumstances of culture, history, education and economy.

Moderate relativism, or pluralism, in ethics is needed to engender an attitude of modesty and restraint in foreign policy, not to impose one’s own view by force, as Obama now seems to try to establish. Instead, one should try to prove the attractiveness of one’s view, in competition with other views, in the flourishing of one’s own society.

Democracy has the potential of resilience against error and excess, as discussed in item 127 of this blog, as a form of ‘imperfection on the move’, in contrast with the dreams of perfection by authoritarian design that is sooner or later bound to fall into disastrous collapse.

Democracy should now prove its ability to do this, to redress its errors, in a drastic revision of its current state of on the one hand an overreach of the welfare state and bureaucratic design, and on the other hand excesses of market ideology and inequalities of power, income and wealth. Conservatives and progressives should be able to find each other in this.

If democracy fails in this it will itself fall into disastrous collapse and will show itself to be no better than authoritarianism.

I propose that all this requires an answer to current excesses of individualism, called ‘singularity’ in item 151 of this blog, and that part of that answer lies in the new type of solidarity proposed in item 152. This should restore a sense of reciprocity, collaboration and civic responsibility, with a renewed sense of justice. Will that be convincing enough to disarm authoritarianism?

[1] Bernard Williams, 2008 [1993], *Shame and necessity*, Berkeley, CA: University of California Press.

## 159. System rebellion

published 18-8-2014

Foucault showed how institutions exercise inexorable power (he discussed prisons, hospitals, for example). I discussed this in item 50 of this blog, where I wrote: ‘Foucault showed how cultural systems are internalised, how both those who exert power and those subjected to it may take it as self-evident’.

In item 151 I discussed the work of Rosanvallon, who recalled the *paradox of Bossuet*: In Western society people complain about the consequences (market failures, increasing inequality of income and wealth, tax evasion, favouritism, lobbying and rule bending by large enterprises) of causes they endorse (individual self-realization, singularity). This explains why in spite of their discontent people don’t rise in revolt. A coherent internal conviction is lacking.

In item 109 I discussed *system tragedy*. An example is the recent financial crises. In spite of all the scandals, matters seem to more or less get back to their normal pernicious course. Nested prisoners dilemmas on multiple levels of employees, consumers, banks and governments keep the system locked in.

The main problem with all these insights is that they may result in resignation, the shedding of all hope of changing the system, and consequent renunciation of any effort. Almost as if there is some supernatural, even divine cause at work.

Williams discussed how in classical Greek tragedy the tragic heroes (Agamemnon, Oedipus, ...) are confronted with little choice in conducting bad deeds, subject to the inexorable power of the gods.[1] Rising against the power of the gods, *hubris*, is punishable by torture (as for Prometheus, for stealing the fire from the gods).

In Western Europe, the generation 1968 had ideals for change, found no way to realise them from outside the system, allowed themselves to be co-opted in the system, intending to accept the challenge of ‘a march through the institutions’ to effect change. They failed, and with the feeble excuse that they ran up against system tragedy they settled into profiting from it, and became the now much maligned managers and financiers that consolidated the system.

The *Occupy* movement refused to fall into that trap of becoming embedded and sidetracked in the existing political process, but as a result they locked themselves

out from perceived relevance, and apart from symbolic value seem to have no significant, lasting, structural effect on the system, which simply grinds on. They seem to have evaporated.

So what to do now? It is decadent to resign and renounce rebellion, in the same way that responding to nihilism with indifference or hedonism is decadent, as discussed in item 147.

If it is impossible to change the system from within, and soft power of protest from outside has no effect, turns out to have no power, is it a matter of waiting for revolution to erupt?

Or will the system collapse under the onslaught of rival, more vital ideologies, new or old, that have a more vigorous, consistent and forceful internal conviction, no matter how evil that may be? Is that what we see happening now?

Is the demise of the Enlightenment to be followed by a new dark age?

The only hopeful alternative that I can see is the grasp of new forms of equality, individualism and solidarity that I set out in items 150-154. There is no convincing sign that this will happen any time soon. It probably cannot budge the system. But that is no reason to give up.

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[1] In an article by Michael Ignatieff, NYRB vol. 61, no. 12, p. 53  
[2] the same reference.

## 198. The violation of free speech

published 18-5-2015

Free speech is needed for the open debate that I advocate on this blog, to assess ‘warranted assertibility’ (see item 104 in this blog) and to practise ‘debatable ethics’ (item 115). We should allow young Muslims to utter radical criticism of Western society, short of incitement to violence or hatred, and listen to them. However, free speech is not without limit. It is in fact outlawed when it incites to physical violence. But speech itself can constitute a form of violence.

According to the theory of *speech acts*, initiated by Austin<sup>[1]</sup>, people use language not only to refer to things but also ‘to do things to each other’ (item 25). Expressions can be *illocutionary*, i.e. directed at an addressee to create an effect in him or her: to attract attention, influence an opinion, coach into action, with suggestions, directions, warnings, orders, threats, accusations, complaints, etc.

‘That is a chair’ mother shouts as her tomboy daughter climbs and capers on it. That expression does refer, to that particular chair, but its portent is illocutionary: don’t climb on it.

So, though different from ‘sticks and stones’, language can hurt.

The upheaval caused by the terrorist attack on Charlie Hebdo, in Paris, was uplifting, in its outcry of solidarity against terrorist attacks on free speech. It evoked a sense of unity, to protect values achieved in the Enlightenment.

It was also somewhat hypocritical. What if Jesus were depicted as a dissolute vagrant? In the Netherlands it is forbidden by law to insult the royal family. Hitler's 'Mein Kampf' is prohibited in Germany. Anti-semitic depiction of Jews as greedy or as perverts causes an outcry. Jean-Marie Le Pen, the former leader of the French Front National, was convicted for denying the importance of the holocaust. Some forms of advertising are forbidden.

So, what justification is there to condemn and ridicule Muslims when they are affronted by insulting images of their prophet? How can we look down on their sensibility as primitive? How can one ridicule their sensibility while celebrating and codifying one's own?

And what about the waves of insults, invective and innuendo that arise, swell and reverberate on social media, which can erroneously but irreparably damage reputations?

I am reminded of Foucault's analysis of how in growing up and being socialized in the time and place of a culture one assimilates its tacit assumptions, predilections and prejudice. Free speech then in fact entails a demand for the freedom to profess what is congenial to what we have learned to cherish, to ridicule or insult what is foreign to it, and to demand that others tolerate it.

Of course, none of this entails the tolerance of terrorism against free speech. But it does entail willingness not to ridicule or condemn but to listen to complaints against the free speech one employs.

Elsewhere in this blog (item 46) I argued that in evolution humans have developed both an instinct for self-interest and an instinct for altruism within the group one identifies with, at the price of suspicion and discrimination regarding outsiders. That out-group aversion may wield free speech as a weapon, hurting outsiders in the protection of our prejudice. The motives for defending free speech are one-sided and suspect, in part.

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[i] John L. Austin, 1975, *How to do things with words*, Oxford: Oxford University Press.

204. Free speech revisited

published 29-6-2015

Recently I discussed free speech (in item 198 of this blog), but I want to come back to it, in response to a recent debate on the issue between four philosophers on Dutch TV (on 22<sup>nd</sup> June 2015). They were practically unanimous on the following, standard liberal view:

There is ‘liberal emptiness’: in liberal democracies the state does not, or should not, provide a view of the good life. It should not offer a ‘leading culture’. It is up to citizens to choose and discuss such views. The crux of democracy is dialogue and debate among citizens, and that requires free speech. Clearly, there are restrictions, in the institutionalization of ‘public space’, for example against incitement to violence. But whether or not free speech yields psychological or spiritual damage is irrelevant. People should be able to bear it.

I agree with some of this, but I also have objections. I think we need more practical wisdom.

In item 198 I argued that ‘speech acts’ can also be a form of violence. But there is more.

First, liberal emptiness is an illusion. A society, and groups within society, harbour a-priori views and values that are tacit and taken for granted. They are assimilated in growing up, education, training, professional practice, and functioning more generally as a member of society. They constitute a ‘paradigm’ that forms the basis for unaware, tacit ideologies. While liberal government may not intend to proscribe a leading culture, in fact it does.

Liberalism is based on the doctrine of the autonomous individual, able to make rational choice. On that cultural substrate the tacit ideology has increasingly become that of ‘the market’.

Here I recall Wittgenstein’s notion of ‘language games’ and Foucault’s idea that institutionalized views and values constitute power structures that enable society but are also suppressive, in part. Even the victims have internalized the taken-for-granted underlying values and views.

As I argued elsewhere (in item 180), market ideology is not value-free, as economists claim, but rests on a utilitarian ethic that should in my view be replaced with a virtue ethic. That would include virtues such as moderation, tolerance, empathy, openness and moral courage.[\[1\]](#)

Second, the liberal view is highly idealized and unrealistic. The idea behind free speech is that unjustified ravings will be revealed and discredited in public debate. That grossly overestimates the rationality of public discourse, which is upheaval and noise rather than debate, driven by emotions more than arguments. Negation of the holocaust is greeted with assent in sections of society, in disregard of facts.

Third, while I agree that as much freedom of expression as possible should be allowed, that is only half the story. While demeaning, insulting, hateful speech may be allowed, that does not mean it is good. Next to laws and regulations there is culture and civilization, with ethics and morality.

The declared aim of free speech is to give room to dialogue and debate. But dialogue requires not only *room* for debate but also *capabilities* for it. That includes robustness to criticism and invective. It is too facile to take that for granted. It also includes empathy: the ability to understand people who think and see differently, and openness to see the possible limitation and prejudice of one’s own view. That requires a sense of history and of cultural differences. If the aim is dialogue, it does not help to attack and insult people in their most fundamental beliefs and assumptions that form the marrow of their cultural bones, constitute their identity. That will block rather than trigger dialogue.

In sum, while government should not consciously prescribe some ethic, it should be aware that in fact it does, implicitly. The choice of ethics and values should indeed be left up to citizens, to the utmost, but ethical debate can be stimulated and enabled. In educational policy government can stimulate ethical awareness, knowledge, competence, empathy and openness, as democratic virtues.

[\[i\]](#) See also my book *How markets work and fail, and what to make of them*, Edward Elgar, 2014.

## 212. Pervasive power

published 17-8-2015

*Here I start a series on power, using the work of Michel Foucault, with some additions, criticism and modifications.*

Michel Foucault used the customary definition of power as ‘actions upon actions’. Power is the potential, and its exercise, to affect the choices and actions of people. I also adopted that notion, in item nr. 50 of this blog. Thus, power can be positive, in creating novel options, eliminating constraints on choice, or negative, in reducing options or imposing choice.

When novel options for choice are not just offered but imposed, coerced, power turns from positive to negative. Force of imposition need not be physical. It can lie in threats of position, property, reputation or social acceptance, or in ideological exhortation or seduction, insidious because covert, and presented as all to the good of the self or a collective.

According to Michel Foucault, knowledge is tied up in relationships, social systems, institutions, which constitute and exert power. He famously analysed such systems in psychiatric wards, health clinics, and prisons.

I find this useful, but I do run into the following problem. Institutions are ‘enabling constraints’. They are humanly constructed rules, guidelines, values, models, etc. that enable and guide actions but in doing so necessarily also constrain them. A path through a swamp enables its crossing but also constrains walk to the path, not to drown. A teacher offers a perspective and in so doing focuses and thus narrows attention. Since institutions both enable and constrain actions they entail both positive and negative elements of power. They enact power of normalization.

Heidegger talked of the need and difficulty of getting away from ‘Das Man’, the force of convention.

Then all institutions entail power. Language, traffic signs, advertising, values, ... Since there can be no society without institutions, and no self without society, and institutions are everywhere, power is everywhere. Then, what do we do with the idea that knowledge is tied up with power?

The notion works only when we differentiate specific types (positive, negative) of power, the structure of a system, levels and concentration of power, forms and degrees of subordination and coercion, and bring in associated notions of authority, legitimacy, forms of force, debate, appeal, redress, ....

Foucault in fact did that, by focusing on specific cases (madness, illness, imprisonment). He was, in fact, against intellectual universalism and demanded analysis to apply to specific cases. Here, I do want to add more general considerations. I reject absolute universals but want to maintain generalization by abstraction, as a method of science.

Foucault made a distinction between ‘connaissance’ as state of knowledge, and ‘savoir’ as the process of its constitution<sup>[i]</sup>. From that I make a distinction between ‘substantive knowledge’ and ‘procedural knowledge’ or ‘being in the know’.<sup>[ii]</sup> This connects with a distinction between ‘scientific’ and ‘political rationality’. Being ‘in the know’ one knows who is what, in what roles, who are accepted as ‘legitimate speakers’, who has authority in what, what legitimate discourse is, on what subjects, with what terms, with what meanings, according to what logic, on what occasions, and on what locations. Foucault conducted such analysis, as I will discuss in later items in this blog.

Not being ‘in the know’, one will be marginalized, ignored, or disciplined, no matter how much relevant substantive knowledge one has. This is how intellectuals often become ineffective. When in political wrangling a plan of action has finally been arrived at, at great cost of lobbying and compromise, those ‘in the know’ are not going to let themselves be side-tracked by some lone, errant intellectual or band of outsiders. Or even voters.

Earlier, in item 206, I suggested that in the Greek crisis, what happened was that, as I would now say, ‘the Greeks were not in the know’.

<sup>[i]</sup> In an interview conducted by D. Trombadori in 1978. See James D. Faubion (ed), Essential works of Foucault 1954-1984: Power, Gallimard 1994.

<sup>[ii]</sup> Among Dutch policy makers there is the expression of ‘knowing which way the hares are running’.

## 217. How power can destroy itself

published 21-9-2015

Power seems attractive but when excessive can turn against itself, in several ways.

Excessive power can breed excessive distrust, to the point of paranoia. This appears to have happened to Stalin, for example. If one has absolute power, people have no other option than to obey, resign and submit. But trust is meaningful only when there is freedom of choice. When there is no option for people but to obey, the powerful one becomes suspicious of trustworthy behaviour: aren’t people only obeying because there is no alternative, out of fear rather than loyalty, while in fact they are not to be trusted? Everyone becomes subject to suspicion.

When people fear to criticize, the bearer of power lacks opposition, which is needed to correct errors, and sinks away in delusion.

A similar problem arises for the rich or beautiful: one suspects being liked for that rather than for one’s self.

If in entering a new, foreign field of action, one can impose one’s familiar views and practices, without the need to adjust to local views and conditions, then one robs oneself of the opportunity to learn by adopting and incorporating local ideas or practices. The path to innovative ‘novel combinations’ is blocked.

This has happened, for example, to Western firms in the early development of China, where they had the power of offering superior technology, design, employment and access to markets, which enabled them to impose their conditions.

Imperialism can cripple itself.

In item 206 of this blog I asked whether this also happened, perhaps, when the EU imposed its will and regime on Greece.

A second way in which power can destroy itself is the following. Nietzsche defined will to power as the enjoyment of overcoming resistance. That can also turn against itself. Nietzsche proposed that the will to power of the losers, the weak, the oppressed (the ‘slaves’) can command pity and a morality that restrain the powerful (‘the masters’), and then the will to power of the latter, failing to get purchase on the surrounding weak, may turn in upon itself, devouring itself in guilt.

I think this is what Ayn Rand<sup>[i]</sup> had in mind with her Nietzschean plea for the masters not to give in.

However, turning will to power inside, against inertia, resistance in oneself, may also yield a mastering, a transformation, transcendence, growth of the self, as Nietzsche (but not Ayn Rand) recognized. But where would one get the insight, the material for that? How does one know towards what to transcend, and how? For this, I have argued in this blog (item 60) that one needs opposition from others, to make manifest how one’s ideas and practices fail and in what direction one might find a way to change them. So, here also power fails unless it opens up to others.

This connects with the distinction between negative and positive power. In negative power, one restricts access of others to opportunities, including access to oneself, to criticism against oneself, thus locking oneself up in oneself. Positive power opens up opportunities, including opportunities to criticism and deviance, which can enrich oneself, opening opportunities for oneself.

Beyond individual power, how about power embodied in social systems of knowledge, positions, relations, dependence, authority, and institutions, discussed in preceding items in this blog? System power can also turn against itself, in similar ways, getting mired in distrust and paranoia against the outside world, robbing itself of challenges to adapt.

Here also, one needs to open up to influence, to variety of outside views. That, after all, is the virtue of democracy.

Hopefully, the financial sector will catch on to this, before it destroys itself from its own power

<sup>[i]</sup> Author of ‘Atlas shrugged’ and ‘The fountainhead’.

An old debate on basic income is being revived, in Europe. In item 154 of this blog I discussed the arguments and uncertainties involved, and I will not repeat them here. The arguments are both social and economic. Here I want to add a ‘deeper’, philosophical argument.

In different ways, Nietzsche, Heidegger, Foucault, Derrida, Lacan, and Onfray strove to liberate the individual from the hold of social systems. Unleashing will to power, Nietzsche proposed. Getting away from ‘das Man’, Heidegger said. ‘Creating one’s life as a work of art’, Foucault proposed. Sculpt yourself, Onfray proposed. Deconstructing the established order, Derrida said. Stepping out into ‘jouissance’ of reality outside the symbolic order, Lacan urged..

In the preceding item I offered entrepreneurship as an opening for rebellion, in creative destruction, as an element of capitalism. But there are limitations to this. I mentioned that corporate capitalism tries to muscle out genuine entrepreneurship. But also, not all people have the guts and the stomach for it. And is the breathless momentum of creative destruction to be maintained continually? Is there no need for stability next or in addition to change? I will later dedicate a series of items to that question.

A basic income provides a basis for independence and personal agency. It is an unconditional cash benefit for all people above a certain age, regardless of further income or capital. It frees recipients of social benefits from the ‘poverty trap’: the fact that any additional earned income is taxed for 100% (surrendering the benefit when finding work). The scheme may seem off the wall to many readers, and unrealistically expensive, requiring an unacceptable rise of taxes. That is not necessarily the case, but I will not argue that here (see item 154).

In the present context the point is that a basic income strengthens the power of a worker with respect to his/her employer, since in case of injustice or mistreatment he/she can exit and fall back on the basic income. It improves the worker’s bargaining position by offering a basis for independence.

One might argue that this is a double-edged sword, since it also makes it easier for employers to fire employees, easing the qualms about sending someone into unemployment. But there seem to be few such qualms anyway, and presently unemployment benefits already take away any qualms that may be there.

Basic income also facilitates entrepreneurship as an escape, since it provides the funds to tide over the difficult period of setting up an enterprise, without income from work, and difficulties in obtaining funds from banks or investors before one has developed a demonstrably viable prototype of a new product or service.

It enables exit as an artist, or to provide unpaid or low-paid social support that is no longer offered in public health.

Another economic point that I did not mention before is the following. After digitalization of music, books and film, it has become hard for their makers to appropriate the returns from them as income. As more activities become digital, his phenomenon will spread. To maintain the production of such things the makers need another source of income. Basic income may become inevitable for that reason as well.

To deepen the philosophical argument, I go back here to the tension between ethics and justice discussed in item 224. A basic income yields more scope for a Levinassian ethic of dedication to the humanity, the ‘face’ of the other, with less pressure for exploitation and rivalry, while it is also an item of justice, in its universal application to all, as an unconditional benefit.

As an element of justice it has also been justified as a ‘social dividend’, a return on the various forms of capital that have accumulated, as a shared heritage, over many generations, at the cost of much blood and toil. Think of the rule of law, democracy, culture, science, technology, and physical infrastructure of roads, railways, etc. Entrepreneurs pride themselves on their achievements as if those were entirely their own, while in fact they have built their success on leveraging this joint heritage from which others also deserve a return.

### 233. Constructive alienation

published 18-12-2015

The notion of alienation is best known from the work of Marx. It mostly has a negative connotation of not being able to express and be oneself, and to be accepted, in work or communication. This has three elements.

First, not getting the opportunity to express oneself. Second, not being heard or understood. Third, not being accepted for what one claims to be.

Concerning the third, whatever one claims to be, to deserve in position and recognition, is to be ratified by whatever categories apply in the established ‘symbolic order’ (to use that term from Lacan and Zizek). One may claim to be a philosopher but this is recognized only when one has a degree in that field or publications that have been well received professionally or by the wider public. Zizek called such lack of recognition and legitimation a ‘second death’, a symbolic death, next to physical death of the body.

Here, alienation is that ‘I am not perceived or credited to be what I feel I am’. On one extreme, as an outsider one may hardly be recognised at all, hardly have symbolic presence. On another extreme, as a celebrity one may have too much symbolic presence, distorting what I feel I am.

However, perfect expression, being fully and faithfully present in the symbolic order, could apply only if one assumes that there is a given, coherent, unified, original self to be expressed.

In philosophy since David Hume, later also in Marx, and in postmodern philosophy, that notion of the subject is waived. The subject is seen as multiple, often incoherent, sometimes even inconsistent, and in flux. It is constituted by action and communicative interaction, from response from others. Thus imperfection of expression is inherently problematic because there is no autonomous self to express. Nevertheless, imperfect expression is still a cause of feeling forlorn.

Alienation, not being fully understood and accepted, is the price one pays for having an identity. One cannot have an identity without some degree of difference or distance to others.

Alienation is also inherent in the constitution of the self. This was recognized by Marx, and is called ‘constitutive alienation’. As I have argued in this blog, one needs opposition from the other to develop a self, to have any chance of correcting one’s myopia and prejudice, to gain freedom from it. Imperfect expression may call forth correction or enrichment by the response from others. It then becomes imperfection on the move, in the ongoing making of the self.

In preceding items in this blog I discussed Alfred Hirschman’s notions of ‘voice’, ‘exit’ and ‘loyalty’. Voice is needed to maintain and repair relationships when they run into trouble, as they mostly do, rather than fleeing from them, in exit. In the present analysis, voice assumes a deeper value, as constitutive of the self.

Then, the issue is not so much an issue of autonomy, the opportunity to express a given self, but of automorphism, the opportunity to form the self.

Of course, this requires attention from others, not just to listen to what one has to say, but being open to it, even if it sounds eccentric, giving it the benefit of the doubt, and next also to oppose or correct it, not only allowing for expression but also yielding impression. One not only needs to join but also to have a rejoinder. This appears to be increasingly lacking in large areas of modern work, due to increased flexibilization, as I discussed earlier, in item 211 of this blog. Perhaps this resembles what Marx called the ‘commodification of work’.

So, by constructive alienation I mean two things: alienation as a basis for construction of the self, and alienation from the sources of such construction. If one is robbed of opportunities for the dialectic of expression and construction one is alienated from construction.

That occurs when after sending a message one receives no evidence that it has been read, or when there is no response, no rejoinder. This happens often in communication via the Internet. Sending a message is a bid for symbolic recognition, and lack of response yields alienation. For lack of response one is also alienated from the sources of the construction of the self. Thus, proliferation of messaging yields proliferation of alienation. We call this the communication revolution.

## 258. System power and self-indoctrination

published 23-4-2016

In the preceding item in this blog I discussed a position of liberal communitarianism, where I recognized the problem of getting imprisoned by indoctrination in a community.

Foucault opened my eyes to how institutional environments (prisons, medical clinics, insane asylums) and social arrangements (sexuality, scientific disciplines) can condition those involved to take for granted what happens, to accept what goes on as normal or even the way it should be, even if they are in fact victims of it. I mentioned this earlier in this blog, in items 50, 159, and 244. In his later philosophy, Foucault moved from coercive arrangements to ways of forming oneself. There, he seemed to move from a system perspective to a perspective of bilateral interaction between individuals. Towards the end of his life Foucault offered the notion of ‘shaping one’s life as a work of art’.

How can one escape from institutional power? In item 244 I offered a linguistic analysis, connecting with Žižek’s analysis of the ‘symbolic order’. Here I take an approach from my

analysis of cognitive development as a construction of mental structures by assimilation and accommodation.

Institutional power arises more widely than in the more or less closed and coercive environments discussed by Foucault, in what earlier in this blog I called ‘system tragedy’. I used the case of banking as an example. Not only people who suffer from perverse institutional power but also those who implement it or direct it are caught in the system, against their preference or conscience, in ‘prisoner’s dilemma’s’.

In some of the environments studied by Foucault people are more or less locked in, with little or no alternative (prisons, asylums). Elsewhere (scientific communities, banks) the lock-in is more voluntary. In all cases, what seems to be going on is something like self-indoctrination. It is not so much that people are told or pressured to think in a certain way but develop it themselves by assimilating the practice in which they live, and accommodating to it. Cognitive dissonance may also play a role: blinding oneself to the negative not to feel guilty about accommodating.

What way out? In his discussion of ‘technologies of the self’, Foucault recognized that in human relations power is inevitable and can be positive, in creating options and opportunities, but one should avoid the negative power of domination, coercion, in both the submission to it and the practice of it, taking freedom for counter-power or exit. From the present perspective of self-indoctrination in a social system, I would add that one should always maintain windows on outside views and practices, as a source of variety, an opportunity to differ from inside doctrine, a basis for saying ‘no’ to the system.

For bankers that should be relatively easy: listen to your customers and to criticism from society. For inmates of prisons or asylums it is a different story. I wonder: could the function of gang formation and mutual violence in prisons be their way of saying no, of maintaining some basis of their own for escaping full accommodation to the system?

And what about practices on the internet? It appears that people voluntarily lock themselves up in virtual communities of agreement, even on the most absurd, fabricated claims to truth, thus shielding themselves from disagreement, from saying ‘no’, thus indoctrinating themselves and robbing themselves of sources of authenticity.

Refusing to be locked up in the closure of a community requires an act of social or civic courage, with the risk of losing social legitimacy and getting isolated and ostracised, becoming an outsider. But there is a compensating joy at crafting authenticity, taking responsibility for developing one’s self. Indeed, perhaps like creating one’s life as a work of art, as Foucault said.

## 266. Rebellion

Previously in this blog, I discussed the problem of how to escape from the tangle of social systems. Here I present two cases, illustrations of it.

In a recent speech<sup>[1]</sup>, Yanis Varoufakis, the former Greek minister of finance, narrated his conflict with the committee of EU finance ministers concerning the Greek debt. They wanted to compel Greece to repay the full debt, with severe measures of austerity. Varoufakis argued

that this would be self-defeating, since ongoing austerity would demolish the economic basis for repaying the debt. The only viable approach, which would repay at least some of the debt, would be to cancel part of it.

Informally, everyone agreed that he was right, but EU leaders could not sell it to their electorates, and it would damage the northern EU banks that had extended the debt. There was no way that Varoufakis could get his way.<sup>[ii]</sup>

To the point for the present discussion, he was told by an insider that he could only survive in the negotiations if he gave in to the austerity game. Do not go against the stream as a matter of principle, but tag along and see what you can achieve in the margins, was the advice. If he stuck to his guns, he would be dropped, forced out. And that is what he chose.

Another case is from my own experience. As a scholar of innovation and member of the main think tank for the Dutch government<sup>[iii]</sup>, I headed a team of researchers to produce an advisory report on innovation policy. Our advice went against established policy of planning innovation for selected strong industries. That, we argued, would have a conservative effect of profiting and maintaining established interests and raising entry barriers for newcomers. At best, it would yield improvement of established technologies and their application rather than yielding genuine novelty.

This criticism was not well received. I had previously been welcome at the Ministry of Economic Affairs, participating in seminars and advisory committees, but now, I heard from contacts within the ministry, I was a *persona non grata*, no longer welcome.

The policy I criticised was ideal from the following perspectives. First, it reduced the risk of spending public money on risky innovation that did not deliver, which would get the minister in trouble with parliament, for ‘wasting public funds’, while it could still be called innovation in some form, thus satisfying the hype of innovation. Second, it satisfied pressures from established (large) business not to engage in ‘creative destruction’ of established positions and investments. My advice was spoiling a game that in a truce between government, a risk-averse parliament and established business was too good to be spoiled.

I appealed to high-placed colleague professors: the then president of the Academy of Sciences, and the then director of the Science Foundation that distributed funds for research. They were both members of the state committee for innovation policy. In private, they conceded that I was right, that my arguments were valid. However, they were facing the choice: go along with my opposition and risk being side-tracked (like me), or going along with the momentum of the policy in force, to protect the interests of the institutions they stood for, which depended on public funding.

I could not blame them. But it illustrates the deep ‘problem of Foucault’ that I discussed earlier in this blog.

<sup>[i]</sup> <https://www.youtube.com/watch?v=ihVcrnFag1s>

<sup>[ii]</sup> A little later, the IMF went along with the logic of cancelling part of the debt. As an independent agency, they did not need to cater to the prejudices and emotions of an electorate.

<sup>[iii]</sup> The WRR: Scientific Council for Government Policy.

*Here I resume a brief series on rebellion*

In his 'Being and time', Heidegger proposed the view, taken also throughout this blog, that the self is not a bystander with pre-formed ideas, looking out on the world, but is 'thrown into the world', being constituted by it. As a result, one is 'fallen' ('Verfallen', in German), caught, in the grips of 'das Man', the collective, or the 'One' in the sense of 'that is how ONE behaves'. The problem then is how to get free from that grip, to achieve authenticity.

This is very close, I propose, to Foucault's idea that we are caught in 'regimes of truth'. One could, I think, capture 'das Man' as well as the 'regime of truth' in the notion of an 'institutional system', with its rules, roles, positions and doctrine. How, then to escape from it?

Both Heidegger and Foucault recognized that we need an institutional system as an enabling system, from which the self forms itself. And we need it to take things for granted, in order to function, not to have to wrangle agreement at every step (e.g. in a language community, division of labour, trade, traffic, in a political system, ...). System power is not only negative, constraining choice, but also positive, in providing options for choice. The issue, according to Foucault, is to accept, to value and to exert, positive power, while maintaining the ability of resisting or counteracting the negative power of suppression.

But how to both use the system to function and deviate from it to develop authenticity? Foucault said that we should 'shape our life as a work of art'. Yes, but how is that done?

One can find or form a smaller community of more like-minded people, but that yields its own constraints and in any case one is still part of a larger system.

Heidegger said that awareness of the horizon of death, in 'being unto death' impels us to commit to a choice to form an individual self, as part of a whole of life, in 'disclosing oneself' ('Entschlossenheit'). The horizon compels us to choose or else waste the potential of life. Fine, but the question still is: how to both employ and escape the system?

Here, I employ Wittgenstein's notion of a 'language game'. As I did in a discussion of the handling of the Greek financial crisis, in item 206 of this blog. If an institutional system entails one or more language games, what room is there within these rules or for changing the rules?

Earlier, in item 170, I discussed the room left in discourse from the fact that meanings of words are not delimited strictly. Public meanings allow for private connotations. Meanings are open, subject to shift, in individual language use, as is most pronounced in poetry.

Rules of the game leave room for individual technique and style. Take Muhammad Ali: he obeyed the rules of boxing but developed his own style to 'float like a butterfly and sting like bee'. Some authenticity is possible within the rules.

Still, from inside the game it is difficult to change the rules, and as an outsider one would be simply ignored, not taken seriously. However, by being an expert, superb player, one can use the reputation to make controversial, deviant statements. Muhammad Ali did that, to criticise racism and discrimination.

Another example, in economics, is Kenneth Arrow. As a reputed scholar he earned attention for a fundamental insight that challenged economic doctrine.<sup>[i]</sup>

However, even then it is difficult to rebel and change the rules radically from inside. Arrow showed that an important part of economics as we knew it does not work, but not how a new economics would work.

Apart from pressure from others in the system to conform, it is difficult, intellectually and morally, for oneself to retain and enact independence of thought, to change the system. In fighting the system one may destroy one's reputation built on it.

To radically change the rules, in creative destruction, one has to accept ostracism, being an outcast. One has to struggle in the desert to get one's deserts. To have novelty adopted one needs to show that 'it works', to those, often a novel generation, that are open to it. Often recognition does not arrive in 'being unto death' but after it. The commitment to leave something behind, beyond death, according to the best of one's talents, should carry its own reward.

An alternative, which I reject but is increasingly adopted even by scholars, is to leave the arena of rational debate, fire up the rhetoric and mobilize the populace, appealing to emotions and 'gut feeling' to win the day.

<sup>[i]</sup> In his theorem of the 'impossibility of majority voting': the impossibility to aggregate individual preferences into a well-behaved collective preference ordering.

## 281. Principles for combining virtue and freedom                      published 17-9-2016

In the preceding item of this blog I said that I would combat liberalism with liberal means. What does that mean? In an earlier item (257) I made an attempt in terms of 'liberal communitarianism'. Here I make a second, related attempt.

Concerning society there is a fundamental dilemma. On the one hand there is liberal society as we (largely) now have it, in the West. There, values, considerations of what is the good life, and corresponding virtues, are private, not a matter for the state or public discourse. There is a separation not only of state and religion but, more widely, of state and ethics.

The state should aim for optimal satisfaction of whatever people choose to pursue. Freedom of choice, initiative, participation, expression, etc. That is a great idea and a great achievement.

However, there is in fact, explicitly or implicitly, an underlying choice of an ethic, in the form of an ethic of utility, with the market as its engine. As I argued before (item 180), economics is not value-free. The market is driven by self-interest and competition, efficiency is central, it is about the utility of outcomes, not the quality of motives. It supports the view that 'greed is good'. The neglect of public debate on values is hypocritical: as if those values do not play a role. It makes the underlying values implicit and withdraws them from democratic control on the basis of debate.

What lies behind preferences in terms of views of the good life is irrelevant. Marketing, in markets and increasingly also in politics, is aimed at influencing or shaping preferences, without discourse about underlying conceptions of the good life.

Any moral objection to conduct, in abuse of market power, destruction of the environment, misleading customers, avoiding taxes, hiving off business risks onto society, stands 'off-side', is not part of the language game. They are appropriately called 'externalities' that cannot be incorporated in the price mechanism of markets.

In opposition to this, voices are raised to revise the system, and economic theory, on the basis of a virtue ethic, such as originally proposed by Aristotle. There, life is to be lived according to virtues, defined as traits of character needed to strive for the good life.

But who decides what the good life is? The answer of Plato was: philosophers. The answer of Aristotle was: the community ('polis', such as the Athens of his time).

Now, in my view, philosophers help to reflect but are seldom competent to decide. Mutual agreement on what is the good life, the ordering of goods, and requisite virtues, may be viable in smaller and relatively homogeneous communities such as the Athens of Aristotle, but not in society as now have it.

Above all, imposition of the good by the state eliminates freedom.

So, how to escape from the dilemma? How to preserve the freedoms of liberalism while curtailing its vices and adding virtues?

For this, I propose the following principles.

First, appreciate and allow for variety of values. A necessary condition for this is justice: conditions for exercising a variety of virtues.

Second, it is necessary also to avoid tolerance in the form of indifference, in what I would call active tolerance: having an interest in and trying to understand the values of others. This is even a matter of self-interest. I argued in this blog that the highest form of freedom is freedom from one's prejudices, and for that one needs the opposition of the other. For this it is necessary to stimulate and facilitate debate across value systems/cultures.

Third, this requires freedom of expression, but also an ability to express one's ideas and to assimilate those of others. The other side of the same coin is the ability to accept criticism and democratic defeat. This further requires empathy: the ability to imagine oneself in the shoes of others. It also requires trust, in the ability to give space to actions of others and when encountering disappointment, give the other the benefit of the doubt and engage in 'voice' (see items 164, 259).

This requires acceptance of uncertainty in relations, to be seen, in principle, as a promise and an opportunity. It also requires acceptance of responsibility, for oneself and for others.

For all this, people need the resources for developing their individual identities. This requires access to adequate intellectual, cultural, and social capital, as part of justice.

All this may not seem very different from existing liberal parliamentary democracies. One important difference is that values and virtues behind markets and their failures are made explicit, subject to debate and part of education.

In the following item in this blog I will develop these principles into more specific policies.

## 282. Policies for combining virtue and freedom

published 24-9-2016

In the foregoing item in this blog I proposed principles for reconciling freedom of choice of values and views of the good life with the introduction of morality and virtues in the public domain. I argued that the liberal stance that markets are value-free is illusory since it is based on the often hidden choice of utility ethics rather than some other ethic, and that markets create institutions that affect values and virtues, such as justice, trust, empathy, and care.

Here I develop those principles into more specific policies.

First, in education and schooling introduce, or bring back, a survey, and debate, of different forms of ethics and conceptions of the good life. Christian ethic of faith, hope and love, utilitarian ethics, Kantian duty ethics, and Aristotelian virtue ethics. Stoicism, also, perhaps. This is to serve the development of individual identity as well as good citizenship, with the interest and ability to debate alternative ethical views and moral systems. This is to form the basis for a tolerance that is based on interest and understanding of a variety of values.

Second, against the liberal dogma that they do not belong to the public sphere, bring back ethical and moral debate in politics and the formation of policies. What ethical and moral principles are served with legislation and public endeavours? What freedoms and cultural variety are allowed? The law must apply equally to all, but tolerance based on mutual interest and understanding is needed to allow for cultural variety. This is needed, among other things, to avoid the increasing cultural polarization now taking place, in Western countries, e.g. with respect to Islamic immigrants.

Then, on the basis of ethical debate, give room for markets where they work, but limit them where they fail or produce perverse effects regarding welfare or justice. In addition to existing regulations of many kinds, change institutions or extend market regulation with measures based on public ethical and moral debate.

For example, measures should be taken to weaken or eliminate the pressure of multinational companies on governments to extend advantages in taxes, regulation, energy prices, etc. with the threat that otherwise activities will be relocated elsewhere.

For an example of the need for a change of institutions, consider present efforts of some firms to shift the present purpose focused only on shareholder interest to wider interests of stakeholders such as personnel, customers, the environment, and the community. The bottom line is this: can one afford to be fair and transparent to those stakeholders even when this

means forgoing opportunities for higher profits. Many of such ventures are viable only for family businesses or cooperative businesses, shielded from threats of takeover to exploit the potential for unethical profits.

As I argued in the preceding item in this blog, mutual agreement on what is the good life, the ordering of goods, and requisite virtues, may be viable in smaller and relatively homogeneous communities such as the Athens of Aristotle, but not in nations as we now have them. But it can be approached by utilizing present opportunities for decentralization to establish the smaller scale, localized debate on shared ethics and morality, based on personal contacts and cooperation in local projects. Those may concern care for the sick and elderly, for shaping public space, developing public facilities, local finance for entrepreneurial ventures, sports, cultural events, education, etc.

### 316. Intervention or laissez faire in East and West published 20-5-2017

Taoist political philosophy is non-interventionist, libertarian, approaching anarchism. It criticizes Confucian interventionism in ethical rules, civic and familial values and the imposition of ceremonies. Taoism aims to avoid what it considers to be artificial constructs (*wuwei*). Human design cannot cope with the richness and variability of holistic nature. Such design is bound to misfire and is in the way of natural processes that are best left to themselves.

This seems analogous to the split, in the West, between socialist interventionism and libertarian liberal laissez faire. However, a fundamental difference is that the latter is based on views not of holistic nature but of freedom for individuals. Those have a craving and see it as their right to exploit nature to their material advantage. And that has dire consequences for the environment.

However, liberal libertarianism does recognize the natural urge in Man for gratification and self-manifestation (and Nietzsche's will to power). And in nature there is not only harmony but also brutality in the struggle for survival. Taoism seems hesitant to face those realities.

I side in part with Confucianism and in part with Taoism. Such mixes have also arisen in neo-confucianism, as I indicated in item 131 of this blog. I also object to the constraining regimentation of Confucianism, which threatens the variety and variability that are inherent in nature, evolution, humanity and society.

I think there is some similarity between Taoist thought and modern evolutionary thought, which I have endorsed in this blog. Like Taoism, the latter also yields a need for restraint of the urge to engage in 'intelligent design'.

For example, and in particular, it is odd to try and plan programmes for innovation while the crux of innovation is that it produces things that were unforeseeable (or else it would not be innovation). By planning innovation one obstructs it. So, here I would go along with Taoist thought.

This does not mean, however, that nothing needs to be done. It does not yield laissez faire. It does entail going along with the natural flow of processes, but one may help evolutionary processes of development to proceed, by facilitating and directing the core processes of the generation of variety, selection and proliferation of success. I think that is consistent with Taoist thought: the growth of plants can be enhanced by seeding, watering and pruning.

Similarly, I appreciate the value of markets, to let people do their own bidding in supply and demand, but institutions are needed to enable markets and constrain them in their perverse effects. In the next item of this blog I start an extensive series concerning economics and markets.

Will human beings act well when allowed to act freely according to natural impulse? In this blog I have argued that human nature is ambivalent in this respect. It harbours instincts of both self-interest and altruism (within limits). Under existential threat self-interest for the sake of survival is the stronger. Cultural means, in an ethics of conduct, and institutional means, in the rule of law, are needed to curtail egotism. Here I side with the Confucian view.

Institutions are needed to limit obstacles to the manifestation and flourishing of positive natural impulse towards fairness, solidarity, and justice. For example, they may be needed to break through prisoners dilemmas where individually people may be willing to act ethically but collectively find that they are unable to do so unless others do so as well. Society in general, and the economy in particular, are rife with such dilemmas. Intervention is needed to allow for escape from the dilemma's.

In sum, I side with Taoism in restraint of planning of activities, intervention in natural processes, and regimentation of values and conduct, but I side with Confucianism in the need to curtail perverse instincts and solve social dilemmas.

#### 340. Levels of freedom revisited

published 4-12-2017

Here I revisit the different levels of freedom that I discussed earlier in this blog (item 49), to make a connection with the discussion of Kant and Žižek in the preceding items.

On the lowest level is the freedom as usually seen in ordinary language: the freedom from constraint or interference. One can do what one likes. This is also called *negative freedom*. God gave Adam and Eve the freedom to sin.

Beyond that there are freedoms in the form of access to sources of 'the good life'. First, there, comes the *freedom of Kant*: freedom in the form of being freed from the impulses of lust, desire, addiction or self-interest, in unconditional obedience to 'the Law', the symbolic order, of what it is 'right' to do, untainted by personal urges or interest. I characterized this as follows: not following what one wants but what one thinks one should want. Kant gave humanity the freedom not to sin.

This leads to the problems identified by Kant and discussed at length by Žižek, that such Law is arbitrary, unclear, ambiguous, indeterminate, and contradictory, depending on contexts of action, and therefore cannot be justified in terms of justice and rationality. Also, it originates from grabs of political power, and therefore needs to be hidden. As a result, according to Žižek some illusory, non-existent ideal 'objet-a', is taken to stand in for it, absconded and dressed up in ideology. The *freedom of Žižek* now is to break free from it. Since Kant defined deviation from the Law as evil, Žižek accepts that this freedom is evil, and most evil, or 'diabolically' evil, as he calls it, when it is not motivated by desire or self-interest, but as a matter of principle, in pursuit of a new symbolic order. I characterized this as a change of what one thinks one should want.

Beyond that, I claimed, on the highest level there is freedom in the form of ability not to exercise one's views and convictions about the good but to change them; not to change or replace the Law, but one's thinking about it. By many, this change of oneself is held to be impossible. I argued that it is possible but for it one needs the opposition from others with their views and convictions. I was inspired to this by Levinas' 'philosophy of the other', so I now call it the *freedom of Levinas*.

My point now is that this latter freedom is the freedom needed to make democracy work.

There still is the issue, a recurrent theme in this blog, how to escape from the symbolic order. For Foucault: how to achieve an authentic life, and he had no answer. For Žižek, a break with it is evil, even 'diabolically' so. I think there is way out.

In my discussions of meaning, I used the difference, proposed by de Saussure, between the established, synchronic order of 'langue', and the creative, open-ended, diachronic process of 'parole', living language use, which yields openness of meaning. I tried to formulate that also in terms of the *hermeneutic circle*.

I now propose that something similar applies more widely, in the 'excess' or 'surplus' that Žižek claimed for the 'objet-a'. If the order cannot be fully specified, it is open, and this yields a possible escape. The indeterminacy of the 'objet-a' is not to be deplored but to be celebrated, whether it concerns our view of objects in the world, our self, or the symbolic order. Imperfection on the move. If this is accepted, exit from the existing order may be odd, quaint, and will certainly cause some isolation, lack of recognition, and loneliness, but it is not diabolical. People should read poetry more.

#### 441. Lying freedom?

published 20-9-2018

Recently, I came across the following quote from Hannah Arendt: 'Our ability to lie ... belongs to the few obvious, demonstrable data that confirm human freedom'.<sup>[1]</sup> That seems clear: by lying one can avoid moral constraints on conduct, denying or hiding that one has violated them, and lack of constraint is by definition one kind of freedom: negative freedom.

However, lies pose an inner constraint: one has to maintain constant control not to do or say anything that will show up the lie. One is compelled to go from one lie to the next.

But how about Trump, then? He knows he is lying, feels free to do so, seems to enjoy it, apparently without feeling much or even any constraint. What is more, both his followers and opponents know that he is lying, he knows that, and they know that he does. How can he get away with this? Here are some thoughts on that.

First, with this uninhibited lying he sends a message of power and autonomy that his followers like, as a demonstration of his campaign against the political correctness of established elites, with their hypocritical pretention to be free of lies, while everyone knows that politicians inevitably lie. In this way, his conduct is even made into a show of honesty.

Second, the lies are a provocation for opponents to catch him out and then fail to prove that the lie is in fact a lie. When he fails to get away with this he blandly denies the lie, lies about

the lie, and yes, gains freedom, lack of retribution, which further encourages his lies. In lying to create freedom he creates freedom to lie. He counters with accusations of lies, ‘fake news’, on the part of his opponents and the mainstream media.

There is more. His lies are slanted, covertly, with innuendo, to kindle prejudice and discrimination among his followers, making an emotional appeal to them that binds them closer to him.

He needs tweets for this, since his followers hardly read the mainstream media, and are encouraged not to do so with the accusation that those media are involved in a witch hunt after Trump.

I sometimes even think that he is deliberately building a back-up of support in case he gets indicted and is about to lose his presidency, a hotbed of rebellion and resistance, ready to break out when called upon.

[\[i\]](#) Quoted in: William Davis, *Short cuts*, London Review of Books, 18 July 2019.

#### 442. Economic freedom and trust

published 27-9-2018

Do economic freedom and trust help or oppose each other? I come to this question from an article by Johan Graafland, who investigated the issue empirically. [\[i\]](#) Economic freedom consists of property rights, freedom of competition (free entry into markets), small government, and low taxes.

That is mostly ‘negative freedom’: absence of interference, no constraint on action, as opposed to ‘positive freedom’, which entails access to resources.

Trust yields a constraint on action, not to cheat, not to lie and make promises one cannot keep, not to take unfair advantage of people, to be loyal, and thus by definition limits economic freedom.

Now, are economic freedom and trust complements, reinforcing each other, or substitutes, replacing each other?

The institutions of economic freedom, such as property rights, legal contracts, access to courts, access to markets, do contribute to trust. Also contributing to trust is access to courts at low cost, and intelligibility of legal process and communication. All these provide ‘institutional trust’, a basis for trust to build on.

There are more institutions that support trust. Trust entails positive expectations, and fake news undermines expectations and thus hinders trust. Reliable news is thus needed for trust. So do reputation mechanisms..

Economic freedom is regularly limited by limits to competition. When left unchecked, markets develop into their antithesis, with entry barriers to markets, created by monopolies and oligopolies. By way of economies of large scale, concentration arises in large firms, which then exercise lobbying on government for advantages. This reduces economic freedom

and creates distrust. Oversight by a competition authority and countervailing power of government to curtail economic power are needed for trust.

On the other hand, institutions can never be complete, to foreclose all the opportunities for coercion, cheating, lying that inhibit freedom of choice. Contracts can never be complete, must leave things to be taken for granted. Then, trust is needed to fill the gaps, so to speak.

Alternatively, one can try to fill the gaps with oversight by institutions, such as a competition authority, a consumer authority, a health authority, an education authority, a central bank, etc. but that can constrain freedom too much. Such efforts tend to accumulate and stifle freedom of action, in excess of control from the perceived need to close off all loopholes, which is impossible. Every time a new breach or work-around is invented, a new regulation is heaped onto the stack. If trust can come in its stead, it helps economic freedom.

Also, it is often expensive to make contracts as complete as possible. Trust can allow for more limited contracts, thus reducing ‘transaction costs’.

Trust is more needed to the extent that contracts and control are more difficult, and that is the case, in particular, under the uncertainty of innovation, where by definition one does not know what will happen or even what can happen, so contracts cannot be specified.

Trust fosters collaboration, and that can lead to obstruction of economic freedom. But sometimes relationships require a certain stability, also for economic reasons, when jointly produced added value demands investments that are specific to the relation, for mutual understanding and adjustment, specific installations, instruments or training, and for building trust, and require a certain duration of collaboration to make the investments and recoup them. But for the duration that by definition excludes other participants, and hence limits competition. In other words, sometimes institutions for economic freedom need to be relaxed for economic reasons.

And, finally, apart from economic value, trust-based relations can have intrinsic value that merit a bit less economic value, if needed. They may enhance social conditions and personal satisfaction.

So, in conclusion, economic freedom and trust are both substitutes and complements, and need to be carefully mixed.

[\[i\]](#) Journal of Institutional Economics, forthcoming.

443. Freedom, economy and basic income

published 4-10-2018

A virtue of liberal society is freedom of choice, or part of it. Such freedom requires two things: freedom to make a choice, selecting from options, with little constraint, in ‘negative freedom’. It also requires that one have a choice, options to choose from, and the means to realise them, in ‘positive freedom’.

A familiar idea of economics is ‘quid pro quo’: to get something you must give something. To have money one must earn it. There is no free lunch. The idea of an unconditional basic

income (BI), with no condition of work and no obligations, seems to go against that principle.

That is no doubt part of the deeply rooted political resistance to a BI, as inimical to a market-based, liberal society. But it is not.

For poor people, however, the virtue of a BI is that it frees people from the stranglehold of poverty, with constant worry about food, ability to pay for bills, educate children, sapping opportunity. strength and initiative to get out of 'the poverty trap'.

A BI increases negative freedom, from the shackles of poverty, as well as positive freedom, in lending some access to resources for improvement. But why not use the usual avenue of loans to set up enterprise? That should be promoted, as is happening with 'micro credit', but a problem remains that the poor lack 'collateral' to cover the loan, and in case of default the pit of poverty would deepen.

Time and again, experiments or practice of basic income, unconditional but often only for some, the trapped poor, and for some time, show that it works. There is evidence from Brazil, India, Rwanda, Ghana, Ethiopia, Kenya and Malawi. People receiving the benefit generally do not spend it on consumption but on some investment to improve their economic position. It is also used to get children to go to school who before had to contribute child labour for the family to survive. They use it to buy a sewing machine to make clothes to sell, a fishing net, or boat, or to sink a water well, together with others. So, here we have a non-economic thing with beneficial economic as well as social outcomes. A BI is a means to economic development.

But at the same time, there must also be economic freedom, in absence of corruption, access to markets, ownership rights, and fair legal process, for people not to be robbed of the investments they make, and to earn their returns.

A BI is also an efficient means of development aid, more efficient than aid in the form of goods produced elsewhere and shipped and distributed in developing countries, often on the basis of ill-informed guesses about needs, costs of transport and distribution, and with spillage in corruption.

The BI can efficiently be allocated through cell phones that are now available everywhere, also in developing countries.

And concerning ideology: it is not that the recipients do not do something for the BI, it is just that they do it after, not before receiving it.

In sum, economy and basic income can go well together, complementing each other. Institutions of economic freedom are needed for BI to have its positive effect, with the negative freedom of preventing constraints for enterprise, while BI provides the positive fre

454. A third form of freedom.

published 21-12-2018

As discussed previously in this blog, Isaiah Berlin proposed two kinds of freedom: 'Negative' freedom as absence of external constraint, having room for action, and 'positive' freedom, access to the resources needed for action. I think there is a need for a third kind.

I proposed that happiness, the good life, entails purpose and pleasure. Purpose requires commitment to a goal larger than oneself, transcendence that can be vertical, to God, or horizontal, in dedication to society, mankind, nature, or specific others. This dedication requires discipline, freedom in resisting the urge towards pleasure, distraction, the pull of hedonism. One does not learn to play the violin, say, without it. That, I propose, is a form of freedom. Paradoxically, perhaps, this freedom entails constraint, constraint of hedonism. It is similar to Kant's freedom of accepting constraints to satisfy the law.

Where does that leave liberalism? Liberalism is not, and has never been, the utmost of individual freedom, lack of external constraint, in negative freedom only. That is libertarianism, perhaps neo-liberalism. From the beginning, in the works of Locke and Adam Smith, there was a plea for restraint of market power, for the common good, including positive freedom in education and social policies, and institutions for the regulation of markets. Also, it has never been against nations, communities and the local roots of culture.

Institutions are 'enabling constraints', restricting but also enabling action. Dick Nelson once said that it is odd to see a path through a morass as purely a constraint. Markets do not operate in an vacuum, but need laws concerning property rights, advertising, and restraints on concentration and market power.

Now, in present times, capitalism has gone haywire, in uprooting local communities in maximum flexibility of labour and other resources, in unrestrained market ideology, along with globalization and privatisation. That is not the inevitable outcome of liberalism.

In its attempt to prevent religious violence, liberalism did relegate faith, and ethics, to the private sphere, allowing for diversity of religion, safeguarding the separation of church and state. Now, with rampant inequality of income and economic power, public debate of morality is needed, including a re-appraisal of local roots of culture and community.

Inequality of income and power, the dislocation and neglect of culture, and loss of social concern, are sources of populism, which now threatens to derail in renewed nationalism, authoritarianism and exclusion, going against what is good in liberalism.

It is true that liberalism is an offshoot of the Enlightenment, with its overestimation of rationality and individualism. More room is to be reserved for emotions and impulse, limits to egotism, a revival of civil society and debates on morality. Attention to resonance is required, with renewed appreciation of the intrinsic value of labour and relations, and escapes from the frenzy of acquiring resources, as Hartmut Rosa advocated.

474 Nudging

published 10-5-2019

Social psychology has demonstrated that people are very imperfect in their decision making, with routinely non-rational, non-optimal choice resulting from 'decision heuristics', inertia, 'framing', 'anchors', and lack of self-control, discussed elsewhere in this blog..

This discovery has stimulated a movement towards 'nudging', which aims to reduce these imperfections by 'nudging' people towards choices that are better for themselves or third parties, or public interest. Even libertarians argue for

‘libertarian paternalism’, defined as nudging which is to the benefit of the subject itself (paternalist), while leaving open the choice to accept the nudge or not (libertarian). It is libertarian ‘benevolence’ if it is in the interest of third parties or the collective.

Nudging can take many forms. One example is the use of nudging to get people to adopt a more healthy life style, in healthy food and more exercise, to avoid obesity. The idea is that people suffer from lack of self-control and lack of a long term perspective, by which they harm themselves (paternalism) or create high collective costs of medical care (benevolence). The nudge might be a higher health insurance premium for unhealthy life styles (premium selection).

One argument for nudging is that it is inevitable, happens in any case, whether intended or not, and then it is better to do it deliberately, in the most beneficial way, rather than ignoring it.

An important case is the question of ‘opt-in’ or ‘opt-out’. For example, in organ donation, the ‘default’ may be that it is not permitted, unless one gives explicit permission, or, the other way around, one is assumed to give permission unless otherwise indicated. The latter yields more donation than the former, mostly as a result of inertia: one does not want to take the trouble of making an explicit decision and falls back on the default on offer. Another possibility is to force people to make an explicit decision: for or against, and then specify that (e.g. on one’s driver’s license).

I think that much of this makes sense, but not all of it. In this essay, I give some critical reflections. My target of this is, in particular, a paper arguing for libertarian paternalism by Cass Sunstein and Richard Thaler, published in 2003[\[1\]](#).

Proponents of nudging claim that there is no alternative, but there is. It is to try and build intrinsic motivation of people by convincing and coaching them. I propose that that is ethically, intrinsically preferable to nudging, as more humane, and is likely to be more stable and self-generating, and then also cheaper, more efficient, than extrinsic material incentives.

Take the case of obesity, with the nudge of insurance premiums. Proponents of nudging claim that there is no alternative. But there is. For obesity the alternative is for doctors or councillors to try and convince people to engage in a different life style, and to train and coach them in it. That could be promoted with insurance companies paying for it. When it succeeds the effect is more durable than the material incentive of an insurance premium, which lasts only as long as it is maintained. People then don’t act in a certain way because they are rewarded for it but because they think it is better.

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[\[i\]](#) Cass R. Sunstein & Richard H. Thaler, 2003, *Libertarian paternalism is not an oxymoron*, *The University of Chicago Law Review*, vol. 70, no. 4, 1159-1202