

Duncan Kelly

Paper: *The Propriety of Liberty and the Idea of Self-Ownership*
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Duncan Kelly is a University Lecturer in Political Theory, in the Department of Politics at Cambridge and a Fellow of Jesus College. He is interested in the history of modern political thought, and various issues in political philosophy, and has written a book on the political theory of Max Weber, Carl Schmitt and Franz Neumann, as well as papers on writers such as Robert Michels, Georg Jellinek, Isaiah Berlin and Thomas Hill Green.

Principal Publications

The State of the Political: Conceptions of Politics and the State in the Thought of Max Weber, Carl Schmitt and Franz Neumann (Series: British Academy Postdoctoral Fellowship Monographs) Oxford University Press for The British Academy: Oxford, 2003

Lineages of Empire: The Historical Roots of British Imperial Thought (ed.) Duncan Kelly, Oxford: Oxford University Press for The British Academy, 2007/8, [*Proceedings of the British Academy*] forthcoming

'Idealism and Revolution: T. H. Green's *Four Lectures on the English Commonwealth*', *History of Political Thought*, vol. 27, no. 3 (2006), 505-542

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'Carl Schmitt's Political Theory of Representation', *Journal of the History of Ideas*, vol. 65, no. 1 (2004), 113-134

'Max Weber and the Rights of Citizens', *Max Weber Studies*, vol. 4, no. 1 (2004), pp. 23-49

'From Moralism to Modernism: Robert Michels on the History, Theory and Sociology of Patriotism', *History of European Ideas*, vol. 29, no. 3 (2003), 339-363

'Rethinking Franz Neumann's Route to *Behemoth*', *History of Political Thought*, vol. XXIII, no. 3 (2002), 458-496

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Introduction to the paper delivered on 19 November, 2007
The Propriety of Liberty and the Idea of Self-Ownership

Kelly's current work focuses on the idea of liberty in modern British and European political theory, roughly from John Locke to T. H. Green, and suggests that the development of thinking about liberty during this period and by these writers has been somewhat misunderstood. His claim, put bluntly, is that the idea of freedom as a form of propriety unites figures as diverse as Locke, Montesquieu, Adam Smith, John Stuart Mill and T. H. Green, but this is self-ownership that stands at some remove from the discussion of such claims in contemporary political philosophy.

In contemporary political philosophy, it is often taken as axiomatic that one has self-ownership if one can be said to have complete freedom and power to do as one would will, with one's body. The physical body is in effect your property, and you have thereby a property in your person. The source of much of this discussion derives from Robert Nozick's account in *Anarchy, State and Utopia*, but the roots are Lockean. However,

Kelly claims that in looking for intellectual sustenance in Locke, contemporary political philosophy misdiagnoses the type of self-ownership that Locke was interested in discussing. For Locke's analysis of individual liberty requires him to claim that one is free to the extent that one acts according to one's will, that one's will is rationally directed towards right action, and that one can come to develop one's freedom through self-cultivation and education to the extent that one can claim ownership, or proprietorship, over the passions that motivate actions in the first place. Put simply, it seems that Lockean liberty is a form of self-ownership, where what is at issue is precisely the ownership of a self, both in and through time, and this is powerfully related to his wider political theory. Similarly, however, this internal aspect of self-ownership requires a wider, more public dimension, which relates to liberty in so far as other people judge your actions as those of a free person on the one hand, and as appropriate to the particular situation on the other. Are they the actions of an individual capable of being held responsible for what they do, and if so, are they the actions of a self, at liberty?

Kelly argues that this sort of argument has deep roots in the history of political philosophy, and draws particularly on French debates about the nature of the self, and about pride, as well as classically Epicurean and Stoic doctrines about the relationship between passions and action, and indeed both Platonic and Aristotelian accounts of justice within the individual and within the polity. Indeed, it is a lineage and argument with a long history, longer than is typically assumed. When combined with the political theory of moderation adumbrated by Montesquieu, a clear chronological and thematic concern with the relationship between freedom and appropriate action, as a form of self-ownership, helps to structure the account of propriety and mediocrity outlined by Adam Smith, the relationship between civilization, judgement and character in Mill, and the discussion of the historical antecedents and conceptual requirements of 'true' freedom in Green. It is to some of this discussion that the paper will seek to turn, by outlining the relationship between responsible agency, liberty, and self-ownership in Locke's political theory.

Seminar Bibliography

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