

Security and freedom: Concerns to be weighed against one another?

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Topics

- The complaint that we should not trade off freedom for security, where it is presupposed that this is a new thing
- The idea that we can rank societies as being more or less free
- Could restricting specific civil liberties be justified by a presumed gain in security?

Sacrificing freedom for security

- It is not as, if FBI etc. did not possess such powers, however in more limited forms, prior to 9/11.
- Hence, if post-9/11 powers reflect restriction of freedom, the more limited pre-9/11 powers reflected a more limited restriction of freedom in the name of security.
- Hence, if there is a trade-off between freedom and security, it is one that has always been with us and one which we have never settled by going for maximum freedom.

Sacrificing freedom for security

- Three possibilities:
 - prior to 9/11 we had too little security and too much freedom,
 - too much security and too little freedom,
 - or we got the balance more or less exactly right.
- A possible status quo bias or over-adaptiveness

Aggregate freedom?

- A relevantly similar discussion about the relationship between freedom and equality
- Some lefties claim:
 - That it is hard too see how one can determine whether a society involves more freedom than another, viz. Taylor's example
 - That freedom has a distributive aspect
- Analogous claims can be made about freedom in the freedom vs. security context

Restricting specific civil liberties

- A complaint that does not presuppose an aggregate measure of freedom:
 - (i) the post-9/11 security measures have encroached on certain *specific freedoms* and (ii) the limitations of these more specific restrictions of freedom are not worth the increased security

Restricting specific civil liberties

- MacCallum's account: X is free in relation to a certain preventing condition, Y, to do or be a certain Z
 - The freedom (in the form a reduced risk) to travel on a plane without fear of it being blown up or hijacked.
 - The freedom not to have someone reading one's email correspondence without a court decision.
- The former freedom seems more significant

Restricting specific civil liberties

- Deontologists: it is not morally justified to let a few people suffer a serious loss even though the alternative is that a very high number of people will each suffer a trivial loss
- Apply this thought to rights violations

Restricting specific civil liberties

- Objection: it is worse for the state to restrict people's freedom than it is for private individuals to do so
- Instrumentally
- Non-instrumentally:
 - Attack the very idea of freedom, cf. Pogge
 - The state acts in our name

Conclusion

- If I am right in what I have argued in this paper, nothing immediately follows regarding whether post-9/11 security measures are justified. This is good, because it would be surprising if there were any clear answer to this question at such a general level.
- The value of this paper, if any, does not lie in recommendations or moral assessment of particular security regimes, but in the structure it imposes on how such an assessment should be conducted.