Freedom and Viruses*

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A common argument against lockdowns is that they restrict freedom. On this view, lockdowns might be effective in protecting public health, but their impact on freedom is purely negative. This article challenges that view. It argues that while lockdowns restrict freedom, so too do viruses. Since viruses restrict freedom and lockdowns protect us from viruses, lockdowns can protect us from the harmful effects that viruses have on freedom. The problem we face is not necessarily freedom versus public health. Sometimes it is freedom itself—or its value or distribution—that provides reason for lockdowns.

On April 15, 2020, the first wave of protests occurred across the United States against lockdowns established to limit the spread of SARS-CoV-2. When reporters asked protesters to explain their grievances, responses ranged. Some claimed that the lockdowns were ineffective or unnecessary or economically damaging. Others spouted conspiracy theories. But the main theme was "freedom." Lockdowns restrict freedom, and freedom, the protesters argued, is sacrosanct.[1] When, soon after, President Trump took to Twitter in support of the protests, he picked up the freedom theme.

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1. "Coronavirus Outbreak: Hundreds Protest COVID-19 Lockdown Measures across the US," *Global News*, April 20, 2020, https://www.youtube.com/watch?v=aQ-08S5BW2s.

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Selecting states with stricter measures, he called on supporters to "liberate" Michigan, Minnesota, and Virginia.[2]

Since then, there have been many more lockdowns and many more protests, not only in the United States but across the world. "Freedom" has remained the rallying cry. The protests have often struggled to win over the public. The spring 2020 lockdowns, for instance, remained popular.[3] Still, the idea that lockdowns are purely detrimental to freedom has gone largely unchallenged. Rather, the issue is readily regarded as a trade-off: freedom versus public health. Freedom, though important, can sometimes be restricted for the sake of other values.

This article rejects this trade-off response to lockdown opponents. It argues that while lockdowns restrict freedom, so too do viruses. Since viruses restrict freedom and lockdowns protect us from viruses, lockdowns can protect us from the harmful effects that viruses have on freedom. Depending on the circumstances, lockdowns could increase overall freedom, protect more valuable freedoms, or redistribute freedom from those who have more to those with less. This is true even on a negative conception of freedom under which only external constraints imposed by other people qualify as restrictions.[4] Those defending lockdowns should not then cede the language of freedom to opponents. The problem we face is not necessarily freedom versus public health. Sometimes it is freedom itself—or its value or distribution—that provides reason for lockdowns.[5]

2. John Fritze and David Jackson, "Trump Calls to 'Liberate' States Where Protesters Have Demanded Easing Coronavirus Lockdowns," *USA Today*, April 17, 2020, https://eu.usatoday.com/story/news/politics/2020/04/17/coronavirus-trump-calls-liberate-virginia-michigan-minnesota/5152120002/.

3. Grant Smitth and Chris Kahn, "Despite Scattered Protests, Most Americans Support Shelter-in-Place," *Reuters*, April 21, 2020, https://www.reuters.com/article/us-usa-election-poll-idUSKCN22336P.

4. The article thus rejects the claims, made by several scholars, that (1) on the negative conception disease control is purely detrimental to freedom and (2) those making a freedom-based argument for disease control must adopt an alternative conception. See Maria Alvarez, "Are Covid Passports a Threat to Liberty? It Depends on How You Define Freedom," April 10, 2021, https://www.theguardian.com/commentisfree/2021/apr/10/covid-passports-threat-to-liberty-freedom-pandemic; Gwilym David Blunt, "Face Mask Rules: Do They Really Violate Personal Liberty?," *Conversation*, July 31, 2020, https://theconversation.com/face-mask-rules-do-they-really-violate-personal-liberty-143634; Annelien de Dijn, "Why Lockdowns Don't Necessarily Infringe on Freedom," *Conversation*, November 13, 2020, https://theconversation.com/why-lockdowns-dont-necessarily-infringe-on-freedom-149205.

5. The thought that viruses restrict freedom has not been entirely absent from public debate. Some blogs and op-eds have alluded to it, although, unsurprisingly given the nature of these formats, they have not provided a full defense. See, e.g., Michael Tomasky, "There's a Word for Why We Wear Masks, and Liberals Should Say It," *New York Times*, October 17, 2020, https://www.nytimes.com/2020/10/17/opinion/covid-masks-freedom-democrats.html. See also the articles cited above.

In presenting the argument, I consider various conceptions of freedom. What exactly the complaint that lockdowns restrict freedom amounts to depends on how freedom is conceived. The article focuses predominantly on a negative conception (Secs. I–VIII), since it seems to best fit the complaint. However, it also considers normative freedom (Sec. IX) and republican freedom (Sec. X).

In applying these three conceptions of freedom, we expand our understanding of the ethics of lockdowns and viruses. But the reverse is also true. The discussion teaches us something about the three conceptions, illuminating features we might otherwise only dimly perceive.

In the case of the negative conception, we illuminate its radicalism. Negative freedom was once associated, by both proponents and critics, with an ambivalent attitude toward government action to address social problems. The assumption was that negative freedom provides an argument against government action but rarely, if ever, one in favor.[6] That assumption has since been challenged by philosophers rethinking negative freedom in relation to poverty and homelessness.[7] This article, addressing a further social problem—epidemics—contributes to that revisionary tradition.

In the case of the normative conception, we learn to take normative freedom more seriously. When debating the value of freedom within politics, philosophers tend to focus on nonnormative freedom. It is rare for a philosopher to object to a policy for restricting normative freedom. This article argues that normative freedom also matters and that there are times when it provides compelling grounds for complaint. If the complaint fails to prove compelling in the case of lockdowns, this is mainly because viruses also restrict normative freedom.

Perhaps the most important lesson, however, concerns the republican conception. Under that conception, the case for lockdowns appears, if anything, too strong. As we shall see, republicanism seems to require lockdowns even in cases in which voluntary social distancing would be equally effective at combatting viruses. That is counterintuitive. The article argues that addressing this problem may require republicans to rethink their insistence on external controls.

Before proceeding, let me make three preliminary points. First, the terms ‘lockdown’ and ‘virus’ are used frequently, so let me explain their use. There is no technical definition of ‘lockdown’. Most often it is used to

6. This assumption is evident in Isaiah Berlin, “Two Concepts of Liberty,” in *Liberty*, ed. Henry Hardy (Oxford: Oxford University Press, 2002), 166–217, 172.

7. G. A. Cohen, “Money and Freedom,” in *On the Currency of Egalitarian Justice, and Other Essays in Political Philosophy*, ed. Michael Otsuka (Princeton, NJ: Princeton University Press, 2011), 166–99; Jeremy Waldron, “Homelessness and the Issue of Freedom,” *UCLA Law Review* 39 (1991–92): 295–324.

refer to a government-enforced stay-at-home policy, and it is this severe measure that is the focus here. However, since the arguments presented apply also to milder measures such as those restricting access to restaurants, schools, and other public places, let us define 'lockdown' liberally to mean any nontargeted measure enforcing social distancing. This leaves out targeted measures such as contact tracing, selective quarantining, and location tracking. Targeted measures raise distinct issues. I touch on them in Section XI but otherwise leave them aside.

Other items this article will not address, at least not directly, are masks and vaccines. Since masks and vaccines are interventions on the body, their enforcement attracts distinct objections from privacy and bodily integrity. That said, often people object to mask and vaccine mandates on freedom grounds, and to that extent what I say here will work in their defense.

The term 'virus' has a technical definition, but I use it to refer to what interests us: any contagious pathogen, whether technically a virus or otherwise, that is so dangerous that a government might consider a lockdown in response. One point worth stressing is that the article is not just about SARS-CoV-2. There will be future epidemics. They will differ in their biology, virulence, and lethality. We need to consider the ethics of disease control with various possibilities in mind.

Second, let me explain the article's methodology. The aim of the article is not to find the correct conception of freedom but to test the freedom complaint against lockdowns under various plausible conceptions. Still, there is the bar of plausibility, so what does 'plausible' mean? In what follows, I judge a conception implausible if it cannot recognize as restrictions on freedom certain paradigmatic examples, including imprisonment, tyranny, and slavery. The thought is that, in defining freedom, we should take care not to rob ourselves of the ability to use the word to complain against obvious infringements. As we shall see, it is possible to construct certain subvariants of the three conceptions under which only lockdowns, and not viruses, restrict freedom, but these subvariants fail our plausibility criterion.

Finally, this article is not a complete defense of lockdowns. For a lockdown to be justified, it must satisfy at least three conditions: it must be (1) effective, (2) necessary, and (3) proportionate in combatting viruses. For the sake of argument, the article assumes that lockdowns are effective and necessary. We assume, in other words, that governments could not achieve the same level of protection by relying on voluntary social distancing.[8] The article then seeks to aid in assessing proportionality by exploring the effects of lockdowns on freedom. There are, however, other values,

8. I revisit this assumption in Sec. X.

besides freedom, that would need to be assessed in a full proportionality calculation.[9]

While the article does not offer a complete defense of lockdowns, it does offer a response to those equating lockdowns with unfreedom. The problem with Trump and the antilockdown protesters is not (only) that they are too singular in their love of freedom but that they do not fully understand the implications of the value they profess to love.

I

The complaint that lockdowns restrict freedom can be most readily understood on the negative conception. The negative conception, as defined here, has six features. Admittedly, not all accounts of negative freedom possess exactly these six. As we shall see, the negative freedom camp is subject to various internal disputes. Here, I choose a conception comprising these six features because it offers a particularly narrow account of what freedom is and what constrains it. This should make it harder to prove my case that viruses restrict freedom. If I can plant my flag in this arid conceptual ground, it should stand firm in richer soil.

First, only "external constraints," such as physical barriers, restrict freedom. "Internal constraints" such as fears, desires, or irrationalities cannot. Second, only constraints imposed by other people restrict freedom. Natural or self-imposed constraints do not. If someone pushes you into an inescapable cave, you are rendered unfree to leave. If the wind pushes you or you jump in, you are not.[10] Third, freedom involves the absence of constraints on actions, not states of being. Talk of the "freedom to be happy"—or, indeed, "healthy"—should be rejected.[11] How much freedom people enjoy, either individually or as a society, is, at core, a matter of how many actions they can perform free from human

9. A full proportionality calculation, moreover, would factor in any relevant deontological principles. It might be relevant, for instance, that while lockdowns involve the intentional restriction of freedom, viruses do not (see Sec. V). The relevance of deontological principles to disease control is an important topic, but not one I can address. For some work in this area see Helen Frowe, "Is Staying at Home Really about 'Saving Lives'?," *CapX*, May 14, 2020, https://capx.co/is-staying-at-home-really-about-saving-lives/.

10. Regarding the second feature, there is a debate among negative freedom theorists between a bivalent account under which people are either "free" or "unfree" to do something and a trivalent account with three possibilities: "free," "unfree," or "not free." For simplicity, I adopt the language of the bivalent account, but nothing turns on that choice. See Hillel Steiner, "Freedom and Bivalence," in *Freedom, Power and Political Morality*, ed. Ian Carter and Mario Ricciardi (Basingstoke: Palgrave, 2001), 57–68; Mathew H. Kramer, *The Quality of Freedom* (Oxford: Oxford University Press, 2003), 41–60.

11. Ian Carter, *A Measure of Freedom* (Oxford: Oxford University Press, 1999), 16–17. Cf. Kramer, *Quality of Freedom*, 156–69.

constraint.[12] Fourth, a constraint on freedom makes it impossible, not merely costly, to perform certain actions. If someone can do something, they are not unfree to do it.[13] Fifth, we can distinguish freedom itself from its value. One does not have to prove a freedom valuable to prove that it exists. Freedom is often valuable, but explaining its value involves a further step.[14] Finally, freedom is "nonmoralized." On a "moralized conception of freedom," only unjustified constraints restrict freedom. On a nonmoralized conception, justified constraints do so as well.[15]

So defined, the negative conception blocks several responses to the freedom complaint against lockdowns. One cannot argue, for instance, that lockdowns do not restrict freedom because a rational person would stay home or that lockdowns are justified on public health grounds. On the definition adopted here, lockdowns would restrict freedom even if both claims were true.

II

On the negative conception, we can make good sense of the complaint that lockdowns restrict freedom. Lockdowns represent external constraints placed by other people against certain actions. Nonetheless, some complexities remain. These are worth exploring here to aid our discussion of viruses below.

First, consider threats. Lockdowns are enforced by threats of sanction, typically a fine. The idea that threats restrict freedom seems intuitive, and yet there is a problem. On the negative conception, freedom is restricted only by constraints that make it impossible to perform actions. The problem is that even when threats are enforced, they do not make noncompliance impossible. During a lockdown, people can leave their homes. They might be fined, but they can still leave. How then do threats restrict freedom? An elegant solution is to say that while enforced threats leave us free not to comply, they restrict the set of freedoms we can conjunctively exercise.[16] During a lockdown, people can leave home, but they cannot leave and perform those actions that fines prevent.

12. "At core" since the challenge of measuring freedom is complex. Carter, *Measure of Freedom*; Hillel Steiner, "How Free: Computing Personal Liberty," *Royal Institute of Philosophy Lecture Series* 15 (1983): 73–89.

13. Carter, *Measure of Freedom*, 219–45; Kramer, *Quality of Freedom*, 169–84; Hillel Steiner, "Individual Liberty," in *The Liberty Reader*, ed. David Miller (Oxford: Oxford University Press, 2006), 123–40.

14. Carter, *Measure of Freedom*, 119–47.

15. G. A. Cohen, *Self-Ownership, Freedom, and Equality* (Cambridge: Cambridge University Press, 1995), 59–60; David Zimmerman, "Taking Liberties: The Perils of 'Moralizing' Freedom and Coercion in Social Theory and Practice," *Social Theory and Practice* 28 (2002): 577–609.

16. Carter, *Measure of Freedom*, 227–28; Kramer, *Quality of Freedom*, 195.

This brings us to the second problem: fines. What actions do fines prevent? At first glance, fines might not seem action preventing. They seem more like a punishment that reduces well-being while leaving freedom intact. Fines restrict freedom, however, because, as G. A. Cohen has persuasively argued, money confers freedom. A system of private property makes access to goods conditional on the consent of owners, and owners often demand payment in exchange. Those attempting to access goods without consent are liable to be prevented by owners or the police. Without access, people cannot perform the actions for which the goods are a required component.[17] Fines take money away from people and with it the freedom the money would have conferred.[18]

Finally, consider risk. Lockdowns are not comprehensively enforced. If you violate a lockdown, you might be fined, but you might not. Perhaps the police are not in your area, or perhaps they are sympathetic to your excuses. One way to make sense of risk is to see matters objectively. If you had all the available information, you would know where the unsympathetic police are stationed. These unsympathetic police represent points in spacetime where you cannot go and perform certain actions without being fined.[19]

III

Having explained how lockdowns restrict freedom, what about viruses? The way viruses restrict freedom is strikingly similar. Just as lockdowns place people under threat of being fined for leaving home, so viruses place people under threat of infection. That threat prevents the conjunctive exercise of the freedom to perform actions that lead to infection and the freedom to perform actions that infection prevents. While, subjectively, infection is no certainty, we can again make sense of risk by seeing matters objectively. There are locations where virus particles are present. These locations represent points in spacetime where people cannot go and perform certain actions without being infected.

What actions does infection prevent? The answer is clearest in the case of the symptomatic. Symptomatic people experience infirmity, limiting their movements. In the severest cases—coma or death—physical activity ceases altogether.

17. Cohen, "Money and Freedom."

18. Fines are not the only penalties used to enforce lockdowns. During COVID, some governments have resorted to severe penalties, including imprisonment and even extrajudicial killing. I focus on fines not only because they are standard but also because I take the freedom complaint against lockdowns to be one that is meant to apply generally and not just to severe forms of enforcement.

19. For other approaches to risk see Carter, *Measure of Freedom*, 189–91; Kramer, *Quality of Freedom*, 418–25.

It is worth pausing here to highlight that death itself, when due to other people and not purely natural causes (henceforth "unnatural death"), is a restriction of freedom. We risk missing this fact since standard examples of unfreedom—imprisonment, tyranny, and slavery—are suffered by people who go on living. Unnatural death restricts freedom by preventing victims from performing all the actions they could have performed during the rest of their natural lives. Indeed, unnatural death should arguably be our primary example of unfreedom. The victims of imprisonment, tyranny, and slavery can still perform some actions. The dead perform none.

Someone might object that death cannot restrict freedom since only existing people can suffer unfreedom. This objection echoes the Epicurean argument against the badness of death. Epicurus thought that no occurrence could be bad for someone who does not exist at the time, and, he argued, no one exists when dead.[20]

To respond, note first that the resemblance between the objection and the Epicurean argument should trouble the objector. It is highly intuitive that death is bad for people. Unless the objector can find some relevant difference between freedom and well-being, they will have to endorse Epicurus's counterintuitive conclusion. There are, moreover, various responses to Epicurus that apply here as well.[21] For example, some argue that Epicurus's "existence requirement" lacks justification.[22] Epicurus grounded it on a separate "experience requirement": nothing can be bad for someone who does not consciously experience it. But whether or not we accept an experience requirement for losses of well-being, we must reject an experience requirement on unfreedom. For on no plausible conception of freedom must one consciously experience unfreedom to be unfree. People locked inside buildings are clearly unfree to leave, for instance, even if they think the doors are unlocked. Rejecting the experience requirement for unfreedom, the existence requirement loses its most obvious justification.

Assuming, then, that unnatural death does restrict freedom, and assuming (see the next section) that deaths due to viruses are unnatural deaths, we appreciate better the extent to which infections restrict the freedom of the symptomatic. What about the asymptomatic? It might seem that their freedom remains unrestricted, but this is not so. Their contagiousness to others limits their freedom to associate. They cannot associate with others now without risk of disrupting future association. If asymptomatic A cannot associate with B without infecting B and B

20. Epicurus, "Letter to Menoeceus," in *The Art of Happiness* (London: Penguin, 2013), 155–61.

21. For a helpful overview, see Jeffrey Scarre, *Death* (Stocksfield: Acumen, 2007), 85–110.

22. See, e.g., Jeff McMahan, "Death and the Value of Life," *Ethics* 99 (1988): 32–61.

would die if infected, then A is unfree to associate with B now and associate with B in future.[23]

We can now describe exactly how lockdowns and viruses restrict freedom. In both cases, a person's set of conjunctively exercisable freedoms is restricted. A person enduring a lockdown that is enforced with a $1000 fine (say) cannot perform certain actions in certain locations (where unsympathetic police are stationed) and later perform any action she needs the $1000 to perform. A person enduring an epidemic cannot perform certain actions in certain locations (where virus particles are present) and later perform any action she needs to be healthy and noninfectious to perform. The similarities are clear. Have we missed some important difference?

IV

On the negative conception, freedom can only be restricted by (1) external constraints (2) imposed by other people. It might be suggested that viruses are neither (1) nor (2).

In what follows, we find that this objection fails but not because it is impossible to interpret features (1) and (2) in ways that would allow one to deny that viruses restrict freedom. Rather, such interpretations render the negative conception implausible. Under any plausible conception, viruses are external constraints imposed by other people.

Consider first the argument that viruses are not (1) external constraints. The first question we must ask is, external to what? As Joel Feinberg notes, there are two plausible answers: (*a*) the mind and (*b*) the mind and body.[24] Feinberg favors (*b*), but not all agree. Ian Carter, for instance, favors (*a*). On Carter's view, a loss of a leg, say, is an external, not internal, constraint.[25]

If we go with (*a*), any virus that causes bodily infirmity will count as an external constraint. To date, all viruses that have caused epidemics have caused bodily infirmity. So given (*a*) and some inductive logic, viruses count as external constraints.

If we go with (*b*), it might seem like viruses are internal constraints. After all, viruses operate inside people's bodies. But we need to make a further distinction. There are two ways a constraint could be regarded as

23. One might reason that if A chooses to associate with B, then B's death cannot restrict A's freedom since it would count as a self-imposed constraint. I consider this objection in Sec. VI.

24. Joel Feinberg, *Social Philosophy* (Endglewood Cliffs, NJ: Prentice Hall, 1973), 12–13.

25. Carter, *Measure of Freedom*, 149.

external: in source or location. The source of a constraint is what causes its existence. The location of a constraint is where the constraint constrains. What we may call "pure external constraints" are external in both senses. If someone imprisons you, the prison is neither made by you nor inside you. But there are also "mixed external cases." Suppose someone shoots you and the bullet lodges inside your leg, making walking impossible. In this case, the constraint is external in source but not location.

Now consider viruses. People suffer the effects of viruses after infection, but infection requires contact with virus particles in the external environment. This makes viruses quite unlike noncommunicable diseases originating within the body. Viruses, like bullets, then, are mixed external constraints. They do damage within but come from without.

Could it be that only pure external constraints restrict freedom? No. Imagine that a tyranny maintains power by threatening to shoot—or, indeed, infect with a virus—anyone who resists. The government clearly restricts the freedom of its population. If the negative conception is to continue to insist that only external constraints restrict freedom, it must recognize mixed external constraints as external constraints.[26]

V

Having defended the claim that viruses are (1) external constraints, what about the claim that they are (2) imposed by other people? Note that this claim is distinct. Recall the example of a person trapped in a cave. The cave is an external constraint, but if the person is blown in by the wind or jumps in themselves, then it is not a constraint imposed by others.

There are, then, two ways someone might deny (2). They might argue that viruses are (3) natural constraints or (4) self-imposed. In this section, I confront (3). In the following section, I confront (4).

The idea that viruses are (3) natural constraints seems intuitive. Throughout history, humans have suffered epidemics, much as they have suffered earthquakes or floods. Often, epidemics start when a virus spreads from an animal to a human. The 1918 flu epidemic started this

26. There are further questions concerning the internal/external distinction that I here leave aside. Bullets and viruses are, in a sense, easy cases, since they are material things clearly alien to the person. Harder cases include ideas and genes. If A manipulates B to believe *p*, could *p* count as an external constraint? If someone inherits a gene for lameness, is the gene an external constraint? These are not easy questions. One response would be to drop talk of internal/external constraints and instead define the negative conception by reference to the second feature: constraints are imposed by other people. See Kramer, *Quality of Freedom*, 43–44. My point here is not to defend the external/internal distinction but to show that the distinction, even if retained, offers no objection to the claim that viruses restrict freedom.

way. According to the dominant hypothesis, SARS-CoV-2 was the same. When the origins of epidemics are purely natural, it seems reasonable to regard viruses as natural constraints.

One complication is that, in modern times, scientists work with viruses in labs and these lab-held viruses can escape. Some argue, counter to the dominant hypothesis, that SARS-CoV-2 originated this way. So even if the origins of epidemics were crucial to determining whether viruses should be regarded as natural or humanly imposed, we could not conclude that all viruses are natural constraints.

In fact, however, origins aren't crucial. All viruses are constraints imposed by others.[27] To see this, consider how we might judge a constraint to be other-imposed. There are two dominant accounts: one emphasizing causal responsibility, the other moral responsibility. On the causal account, constraints are other-imposed whenever others are causally responsible for their existence. One way to understand causal responsibility is by applying a "but-for" condition. But for someone else's actions, the constraint would not exist.[28] The moral account is narrower in that it refuses to recognize constraints for which others are merely causally, but not morally, responsible. People are morally responsible when they have sufficient knowledge and control to be the appropriate targets of praise or blame.[29] On the causal account, if someone entirely accidentally pushes you into a cave, she restricts your freedom. On the moral account, she does not.

The moral account is not to be confused with a moralized conception.[30] To say that someone is morally responsible for a constraint is not to say that the constraint is wrongful. As indicated, it might be praiseworthy. It might also be morally neutral. Someone who could be the appropriate target of praise or blame might do something that, being permissible but self-interested, is neither. Every time I lock my apartment, I do something morally neutral for which I am, in the relevant sense, morally responsible.

The moral account must address cases in which moral responsibility is not obvious, such as when there is a long chain of events between

27. All viruses, not all infections; see below. Also, I am referring to viruses in modern times; see note 35.

28. See Kramer, *Quality of Freedom*, 272–357.

29. David Miller, "Constraints on Freedom," *Ethics* 94 (1983): 66–86; Kristján Kristjánsson, *Social Freedom: The Responsibility View* (Cambridge: Cambridge University Press, 1996); Ronen Shnayderman, "Social Freedom, Moral Responsibility, Actions and Omissions," *Philosophical Quarterly* 63 (2013): 716–39. Here and in what follows, I concentrate on actions for which someone is morally responsible. Supporters of the responsibility account disagree among themselves as to whether omissions could also constrain freedom.

30. Miller, "Constraints on Freedom," 72.

someone's action and a later constraint. Is the person morally responsible for the later constraint, or does moral responsibility "run out" somewhere along the way? A plausible answer is that moral responsibility requires foreseeability. The length of the chain is not itself important. Sometimes an event is distant yet still foreseeable.[31]

It is noteworthy that both the causal and moral accounts focus on the responsibility of the person doing the constraining. One might ask, what about the constrained person herself? Suppose that A (meeting the conditions for moral responsibility) pushes B into a cave but A would not have had the opportunity had B not walked by. In such a case, both A's push and B's walk were necessary for B's confinement. So, is B's confinement truly other-imposed?

To the extent that proponents of either account have addressed this question, they offer the same answer.[32] B's confinement is other-imposed. The fact that B's actions were necessary for B's confinement is irrelevant. Everything depends on the causal or moral responsibility of the constrainer, not the constrained. More formally, if (i) others perform actions that are necessary for a constraint and (ii) those others possess sufficient knowledge and control to be morally responsible, the constraint is other-imposed.[33] Call this the "Established View." Is it right? In the cave case, it seems so, but there are other cases where we might have doubts. This is the issue for the next section. Here, setting it aside, I simply assume the Established View.

Now consider viruses. On either the causal or moral account, viruses are constraints imposed by other people. This is for a simple reason. Viruses, of the kind that interests us, are spread by people. Many of those people will be causally or morally responsible for the spread.[34]

Who, precisely, is responsible? Well, in the case of any particular infection, our first suspect is likely to be the infector. On the causal account, we need only apply the but-for condition to see that, in a standard case, the infector is responsible. But for her actions—shopping, working, socializing, or whatever—the infection would not have occurred. There are just two exceptions: (1) "passive infectors," people too young or too sick to perform actions (as opposed to mere involuntary movements), but who still act as vectors; and (2) patient zero, the only person in an epidemic who is not infected by another person.

31. Ibid., 80–81.

32. Kramer, *Quality of Freedom*, 313–15; Kristjánsson, *Social Freedom*, 105–6.

33. "If" but not "only if." On the causal account, (ii) is unnecessary.

34. Recall that the type of viruses we are interested in are those that could trigger a lockdown. Viruses spread by animals, such as bird flu (H5N1) and Zika, fail this condition.

On the moral account, there are more exceptions: more cases, that is, in which infectors are not responsible in the relevant sense. Beyond passive infectors, there is a broader category of "innocent infectors": people who lack sufficient knowledge or control to be held morally responsible for infecting others. At the start of an epidemic, for instance, people will infect others without knowing the risks. Still, even on the moral account, most infectors will be responsible. Once an epidemic develops, they will know, or should know, the risks. Whether their actions are blameworthy (breaking a justified lockdown), praiseworthy (working in a hospital), or morally neutral (shopping for oneself), infectors will be morally responsible, in the relevant sense, for infecting those they infect.[35]

On either the causal or moral account, then, most infectors will be responsible for the infections they cause. But what about the exceptions? Suppose a person is infected by a passive or innocent infector. Must we say that in her case her infection does not limit her freedom? No. For it is not just immediate infectors that we need to consider. There are also the prior infectors within the chain of infections. On the causal account, if A is causally responsible for B's infection and B infects C, then, even if B is a passive infector, A is causally responsible for C's infection.

Much the same is true on the moral account. Suppose A is morally responsible for B's infection and B (being a young child, say) innocently infects C. Is A morally responsible for C's infection? Yes, assuming that further infection was foreseeable. Presumably, it was. If A is sufficiently knowledgeable about how infections spread to be morally responsible for B's infection, she should know that B can infect others. Indeed, her moral responsibility may continue for many infections after C's. In this way, strange as it may sound, a doctor in Wuhan may be morally responsible for the infection of a bus driver in Lagos many months later. This is not to say that the bus driver should be able to sue the doctor or even that the doctor is blameworthy. As should be clear by now, "morally responsible" does not mean "morally wrong."

Nor is it only the people within the chain of infection whose actions enable viruses to spread. At the origins of an epidemic may lie decisions made by agricultural or mining companies that place people close to animals known for harboring viruses. In this way, even patient zero may have had her freedom restricted by others. During an epidemic, moreover, politicians make decisions affecting virus spread. These include reasonable decisions, such as keeping essential industries running, and mistakes

35. What about ages past? Before Pasteur and germ theory, infectors would have been excusably ignorant throughout an epidemic. An interesting result is that, on the moral account, the fact that viruses restrict freedom is something unique to the modern age.

and injustices, such as defunding health organizations or discharging infected patients into vulnerable populations.[36]

What about the actions of infected people themselves? Often, infected people will have performed actions that were necessary for their infection. But for their actions—shopping, working, socializing, or whatever—their infection would not have occurred. The next section explores this issue. In this section, suffice to recall that we are assuming the Established View. On the Established View, it is facts about the virus spreader that determine whether an infection is an other-imposed constraint. The fact that a person performed actions necessary for her infection does not make her infection self-imposed.

In sum, on either the causal or moral accounts almost all, if not all, infections constitute constraints imposed by other people. So, while viruses are (standardly) natural in origin, they restrict freedom on either account. But is there not some third account under which only lockdowns, not viruses, restrict freedom? The answer is "yes," but the account is implausible. The account I have in mind is one that holds that only intentionally imposed constraints restrict freedom. An account of this kind is associated with Friedrich Hayek, although Hayek's actual view is even more extreme.[37]

The intention account can draw a distinction between lockdowns and viruses. Governments enforcing lockdowns intend to constrain. Virus spreaders do not. True, someone could intentionally infect another by, say, spitting in her face, but, thankfully, such cases are rare. As a rule, people spread viruses as a side effect to pursuing other activities.

The intention account is, nevertheless, implausible because it renders it impossible to use the language of freedom to complain against obvious infringements. If a tyrant erects walls throughout her territory, thereby imprisoning her population, we want to use the language of freedom to condemn her actions even if she built the walls to control wildlife, not people. In such a case, we might say that the people were imprisoned

36. Sadly, neither example is hypothetical. See "Coronavirus: Trump Moves to Pull US Out of World Health Organization," *BBC News*, July 7, 2020, https://www.bbc.com/news/world-us-canada-53327906; Shaun Lintern, "Coronavirus: More Than 25,000 Patients Discharged to Care Homes in Crucial 30 Days before Routine Testing," *Independent*, June 2, 2020, https://www.independent.co.uk/news/health/coronavirus-care-homes-nhs-hospital-discharges-deaths-a9544671.html.

37. See Friedrich Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960). For Hayek, only coercion, defined as forced service, restricts freedom. This is why, for Hayek, private property does not restrict freedom. It intentionally constrains but does not use (ibid., 137). Were we to adopt Hayek's view, viruses would not restrict freedom, but neither would lockdowns. After all, lockdowns do not involve forced service any more than private property.

because, with respect to their freedom, the tyrant showed callous disregard. On the intention account, this makes no sense. Freedom could never be restricted by disregard.

One final issue deserves attention. Someone might accept everything I have argued but still claim that, technically, viruses don't restrict freedom, but rather "actions which spread viruses restrict freedom." But why insist on this alternative phrasing? There is no reason to think, even on the negative conception, that only actions restrict freedom. On the negative conception, while constraints must be imposed by humans, they need not be human actions. We happily talk of "prisons restricting freedom" or, indeed, "lockdowns restricting freedom." Neither are actions. Perhaps the thought is that viruses would not restrict freedom if left to themselves. That is true, but clearly, in the circumstances that interest us (epidemics), viruses are not left to themselves.

In truth, there are various ways to phrase the claim defended here, and each has its virtues and defects. The suggested phrase—"actions which spread viruses restrict freedom"—has the virtue of indicating why, even on the negative conception, freedom is at issue. A defect, however, is that it also suggests that our only freedom-based concern is stopping infections. This is not so. There is a freedom-based case for treating infected people even when it does nothing to stop subsequent infections. By treating them, we can help restore their freedom. The suggested phrase obscures this fact in a way that "viruses restrict freedom" does not.

VI

Viruses, I have argued, are (2) constraints imposed by others, not (3) natural constraints. But what about the claim that they are (4) self-imposed? Someone might regard them as self-imposed because, as noted, the actions of infected people are often necessary for infection to occur. On the Established View, this point is irrelevant since, on that view, whenever (i) others perform actions that are necessary for a constraint and (ii) those others possess sufficient knowledge and control to be held morally responsible, the constraint is other-imposed. But the objector here would be rejecting the Established View. Among the alternatives is the Contrary View: whenever the constrained person's actions are necessary for the constraint, the constraint is self-imposed. When we combine the Contrary View with the claim that every infected person performs actions necessary for their infection, we reach the conclusion that infections are self-imposed.

Before we debate the merits of these views, note first that it is not actually true that every infected person performs actions necessary for their infection. Just as there are passive infectors, there are also passive infected people (babies, bedridden patients, and so on). Given how epidemics can rip through nurseries and hospitals, this point is not idle.

Still, it is true that most infected people perform actions necessary for their infection. So, is their freedom restricted?

Let us break this question in two. Call people who, during an epidemic, perform actions that could lead to their infection "risk takers." Call people who are infected as a result "infected risk takers." First, is an infected risk taker's infection a restriction of their freedom? Second, do viruses restrict the freedom of risk takers? As we shall see, the questions are distinct.

Start with the first question. On the Established View, the answer is "yes," but perhaps the Established View is too broad. Consider:

> *Case 1*: Carys digs a pit. Carys jumps in.
>
> *Case 2*: Carys cannot or will not dig a pit. Moya digs one. Carys jumps in.

Suppose that, in both cases, the pits are inescapably deep. On the Established View, Carys is not unfree to leave in case 1 but is unfree in case 2. The difference may seem odd. In both cases, Carys is confined because she jumps. The fact that, in case 2, Moya's actions were necessary for her confinement may seem irrelevant.

If one rejects the Established View, one might consider adopting the Contrary View. But the Contrary View has its own strange implications. The Contrary View implies, among other things, that convicted criminals are not unfree to leave prison. After all, had the criminals not committed crimes, they would not be in prison.

So, should we stick with the Established View? To resolve the issue, we should ask a deeper question: why distinguish self-imposed from other-imposed constraints in the first place? From the negative freedom literature, we can derive two motivations. First, there is the thought that freedom is a social concept, much like justice or equality. Arguably, no one alone on a desert island could achieve justice or equality. The same, arguably, is true of freedom. Given this "freedom is a social concept" motivation for the self/other distinction, the Established View makes sense. On this motivation, we want to define "other-imposed constraints" broadly, excluding only private cases, devoid of human interaction.[38]

But now consider a different motivation: antipaternalism. Here the concern is to prevent the government, or anyone else, from claiming to advance freedom by intervening to remove constraints the constrained person has chosen.[39] Consider again case 2. On the Established View,

38. Kramer, *Quality of Freedom*, 361–62; Kristjánsson, *Social Freedom*, 104–7.
39. This motivation is evident in Berlin, "Two Concepts of Liberty," 180–81.

Carys is unfree to leave. If "freedom is a social concept" is our motivation for the self/other distinction, this makes sense. If our motivation is antipaternalism, it will not. Carys in case 2, just like case 1, has chosen to constrain herself, so in neither case should she be deemed unfree.

Crucially, however, the antipaternalist motivation need not entail the Contrary View. Instead, we could adopt the "Revised View": if the constrained person performs actions necessary for a constraint with the intention of being constrained, the constraint is self-imposed. Unlike the Contrary View, the Revised View allows us to affirm that most convicts are unfree to leave prison. After all, most convicts did not commit crimes intending to imprison themselves. Or consider:

> *Case 3*: Moya digs an inescapably deep pit near Carys's home. Carys does not want to fall into the pit, but she takes the risk to see a friend. It is dark. Carys accidentally falls in.

Under the Contrary View, Carys is not unfree to leave the pit. Under the Revised View, she is.

Now, consider viruses. During an epidemic, risk takers are like Carys in case 3. They take risks to pursue other activities. Are there exceptions? In early 2020, there were reports of "COVID parties": events at which participants sought to contract the virus. So perhaps there are some, but they are rare.[40] On either the Established View or the Revised View, most infected risk takers suffer unfreedom. Only in the case of COVID party participants would the Revised View imply that infection does not restrict freedom. Under the Contrary View, no infected risk takers are made unfree by their infection. But, as noted, the Contrary View has implausible results and lacks motivation.

One thing to note: one can adopt the Established View or the Revised View without denying that a person's risk taking is relevant when determining the disvalue of their subsequent unfreedom. Recall that, on the negative conception, freedom and the value of freedom are distinct. The fact that someone is unfree to do something does not tell us how bad it is that they are unfree to do it. If someone is infected because of needless risks they voluntarily assumed, we might plausibly conclude that the unfreedom they suffer is less bad than it would have been had it been entirely unchosen. In this way, the Established View and the Revised View leave room for an ethics of choice and responsibility.

40. Perhaps extremely rare. See E. J, Dickson, "Are People Really Having 'Coronavirus Parties'?," May 7, 2020, https://www.rollingstone.com/culture/culture-news/coronavirus-parties-real-fake-washington-995431/.

Let us turn to the second question: do viruses restrict the freedom of risk takers? This question is easier. Yes. Viruses restrict the freedom of risk takers for a reason that should, by now, be familiar. Risk takers are unable to perform certain actions in certain locations (where virus particles are present) and later perform any action they need to be healthy and noninfectious to perform. Interestingly, this is the right answer to the second question whatever answer we give to the first. Even if we adopt the Contrary View and deny that infected risk takers suffer unfreedom once infected, it is still true that viruses restrict the freedom of risk takers preinfection. Why? Because viruses narrow the range of actions people can perform, and that narrowing is not something they choose. To put the point more formally, A can restrict B's freedom by restricting B's option set, even if B's choices within the option set do not, on account of being chosen, restrict B's freedom.

Consider again cases 2 and 3. In case 2, Carys jumps into Moya's pit, so perhaps she is not unfree to leave. Still, she did not create the pit. The creation of the pit denied her the freedom to go to that location and subsequently do everything she can do outside a pit. Perhaps she does not want that freedom, but, as negative liberty theorists have long argued, the existence of a freedom does not depend on people desiring it.[41] What is true of case 2 applies, even more clearly, to case 3. In case 3, the fact that Carys just wants to see her friend makes it even clearer that her freedom is restricted by the pit's creation. Once Moya digs her pit, Carys can no longer see her friend without risking her ability to do everything she can do outside a pit. Carys may take that risk, but she did not create it.

In an epidemic, people are in much the same situation. Indeed, life in an epidemic is a little like navigating a terrain full of hidden pits. Everywhere there are risks. One might, in reaction, decide to act cautiously or audaciously. These are choices one can make within the terrain. But the terrain itself is not of one's choosing. That one is subjected to such a terrain, due to the actions of others, constitutes a restriction of one's freedom, however one subsequently behaves.

VII

Viruses restrict freedom on the negative conception, but what follows from this? Perhaps all it means is that, during an epidemic, our freedom is restricted even more than we thought. We thought it was restricted by

41. J. P. Day, "On Liberty and the Real Will," *Philosophy* 45 (1970): 177–92, 179–80.

lockdowns. We discover that it is also restricted by viruses. That discovery does not negate the freedom complaint against lockdowns. We just have two layers of restriction: the virus and the lockdown. We can still regain some of our freedom by removing the second layer.

Actually, matters are more complex. Lockdowns and viruses are not two separate layers of restriction. Lockdowns alter the extent of a virus in time and space and thereby the impact the virus has on freedom.

What is the impact? It varies. Consider two (of many) scenarios. In the first, an outbreak occurs within a locality and the government steps in to lock down that locality. The virus soon dies out. In this scenario, the lockdown restricts freedom within the affected locality but increases freedom overall. People outside the locality are spared both an epidemic and any lockdown that might have followed.

In the second scenario, a virus spreads throughout a population. There is no vaccine or cure. The only hope is herd immunity. The quickest route to herd immunity is to let the virus rip. A lockdown helps "flatten the curve," saving lives by preserving a functioning health care system, but prolongs the epidemic. In this scenario, the effects of the lockdown on freedom are complex. In one sense, the traditional freedom versus public health framing understates the extent to which the lockdown restricts freedom. The lockdown restricts freedom not only directly but also indirectly by prolonging the epidemic. Yet lockdowns reduce the number of virus particles in circulation. Fewer particles mean greater freedom from the virus. So while, in this second scenario, lockdown prolongs the period in which the virus restricts freedom, it lessens the extent of that restriction during that period.

There is something else to consider: death. As noted, unnatural death is the severest possible restriction of freedom, and deaths from viruses are, in the defined sense, unnatural deaths. When lockdowns save lives, they significantly increase the freedom of the people they save. Lockdowns are temporary. Death is not. Through this route alone, lockdowns might increase overall freedom despite the restrictions imposed.

Two further points are worth considering. First, lockdowns compromise. A government that bans nonessential freedoms, such as theater trips and cocktail parties, may allow such essentials as food shopping and medical visits. Viruses do not compromise. Viruses spread in stores and hospitals as well as theaters and bars. Absent a lockdown, people are free to circulate for whatever reason, meaning more virus particles in public spaces. With a lockdown in place, venturing out for an essential purpose becomes safer. Whether or not lockdowns increase overall freedom, more valuable freedoms stand protected.

Second, consider distribution. Viruses rarely pose equal risk to all. In the case of SARS-CoV-2, for instance, the elderly and people with medical

conditions are at greater risk. There are also inequalities between genders and ethnicities. In such cases, lockdowns help protect the freedom of the most vulnerable. Compare two scenes. In the first, there is no lockdown. A group of young people hang out in front of a supermarket. To go shopping, an elderly man must pass among them, risking infection. In the second, a lockdown is in place. The youths are gone. By restricting the freedom of the youths, the lockdown has protected the freedom of the elderly man.

These are, let me stress, just two of many scenarios. Lockdowns will not always have such beneficial effects. Much will depend on the nature of the virus. In the case of milder viruses, lockdowns are harder to justify on freedom grounds. A lockdown to prevent the common cold, for instance, would likely restrict freedom much more than protecting it since colds are not especially freedom restricting.[42] My point is merely that when viruses are severe, lockdowns can have beneficial effects on freedom. Indeed, we have noted benefits of three kinds: lockdowns can (1) increase overall freedom, (2) protect more valuable freedoms, and (3) redistribute freedom from those who have more to those who have less. Lockdowns are not just a second layer of restriction. They alter the extent of a virus in space and time and, by doing so, alter the impact that viruses have on freedom.

VIII

One last issue is worth addressing: the economy. The economy is often presented as a separate argument against lockdowns, distinct from freedom. But, in fact, the two are connected. Money confers freedom. An economic downturn leaves people poorer and thus less free. If someone loses her job because of a lockdown, her freedom is restricted in two ways. She is denied the freedom to work, and she is denied the freedom to do all the things she could have done with the money that she would have earned.

The fact that lockdowns can harm the economy is important, but note that viruses do likewise. Even without a lockdown, the economy suffers during an epidemic. Since lockdowns affect the spread of viruses, they

42. Another relevant factor is the availability of a vaccine. Vaccines have two effects on freedom. First, they reduce the unfreedom of the vaccinated. Second, assuming that the moral disvalue of unfreedom is choice-sensitive (see above), they reduce the moral disvalue of the unfreedom suffered by the voluntarily unvaccinated. Putting these two points together, we find that lockdowns are harder to justify on freedom grounds once a vaccine is available.

affect the impact that viruses have on the economy. Depending on the circumstances, a lockdown may produce a greater or smaller economic net cost or even a net benefit.[43]

So, while it is true that lockdowns affect the economy, this does not save the idea that lockdowns are purely detrimental to freedom. All it means is that calculating the overall effects is even more complicated than suggested. Indeed, matters are more complicated still since there are measures governments can adopt to compensate economic harms, including enhanced unemployment benefits and loans to businesses. If these measures are funded with borrowing, their impact on freedom is likely redistributive across generations. Future generations lose money, and therefore freedom, to protect current generations. If future generations are projected to be better-off, such redistribution could well be justified.

We could, if we wished, continue by assessing other potential costs of lockdowns. Mental health, for instance, is commonly cited. But I think it best to draw a line. In truth, lockdowns have so many potential costs there is no point trying to address them all. The only point I shall stress is the one just mentioned. When it comes to any purported cost, whether to the economy, mental health, or anything else, we must isolate the effects of a lockdown from that of the virus. The question is not, is mental health (or whatever) worse during a lockdown than pre-epidemic? The question is, is mental health (or whatever) worse than it would have been had there been an epidemic but no lockdown imposed? Since viruses and lockdowns can have similar effects (economic upheaval, social isolation, etc.), these questions are importantly distinct.

IX

Someone might accept that viruses restrict freedom on the negative conception but hold that once we introduce other philosophical ideas we can retain the view that lockdowns restrict freedom in ways viruses do not. Consider normative freedom. So far, we have discussed only "nonnormative freedom," the kind negated by physical constraints. Normative freedom is negated by duties. There are two main kinds of normative freedom: legal and moral. Legal freedom involves the absence of legal duties; moral freedom, the absence of moral duties.[44] Arguably, on a range of public

43. For an attempt to disentangle the economic effects of SARS-CoV-2 from lockdowns see Austan Goolsbee and Chad Syverson, "Fear, Lockdown, and Diversion: Comparing Drivers of Pandemic Economic Decline 2020," *Journal of Public Economics* 193 (2021): 104311. For analysis of 1918 see Sergio Correia, Stephan Luck, and Emil Verner, "Pandemics Depress the Economy, Public Health Interventions Do Not: Evidence from the 1918 Flu" (working paper, 2020), 1–55.

44. Matthew H. Kramer, "Freedom as Normative Condition, Freedom as Physical Fact," *Current Legal Problems* 55 (2002): 43–63.

issues, including lockdowns, people are legally and morally obligated to obey the government. Governments have authority. Viruses do not. No one is under a duty, legal or moral, to obey a virus.

The normative freedom argument holds that someone can complain against a lockdown for restricting their normative freedom. The complaint would stand even in situations, as described above, in which lockdowns have beneficial effects on nonnormative freedom. Normative freedom, too, is valuable, instrumentally if not intrinsically (see below). The argument thus hopes to rescue the idea that freedom, of a kind, provides us with a reason against lockdowns but none in their favor.

To motivate the argument further, consider my focus above on enforcement: the unsympathetic police stationed somewhere in the neighborhood. This focus might seem to miss the extent to which lockdowns restrict freedom. When governments order us to stay home, some might think it wrong for us to consider ourselves as free to go anywhere the police are not. Rather, we are no longer free to take even one step outside. The normative freedom argument applies irrespective of enforcement. It can thus make sense of this intuition that lockdowns restrict our freedom beyond the degree to which they are enforced.

Now, I have some sympathy for this line of argument. Indeed, I suspect that I have more sympathy than some other philosophers. In what follows, I thus want to do two things: (1) demonstrate that the objection survives several likely responses, but then (2) explain why it ultimately fails. The main reason why it ultimately fails will, by now, be unsurprising: viruses restrict normative freedom. Those primarily interested in that conclusion can skip ahead. The value of doing (1) before (2) lies in what we learn about normative freedom: its nature and political importance.

My focus will be on one kind of normative freedom: moral freedom. This is not because I think legal freedom is unimportant. Legal freedom has enormous instrumental value in protecting our nonnormative freedom and/or moral freedom. Nonetheless, I focus on moral freedom because I suspect that legal freedom is not the kind we ultimately care about. When we object, on freedom grounds, to being legally obligated to do something, it is invariably because we think the law will be enforced (nonnormative freedom) or because we think we are morally obligated to obey the law (moral freedom). It is not our legal freedom as such that attracts our concern.

Let us, then, consider the argument that moral freedom offers a basis for complaint against lockdowns (henceforth the "moral freedom argument"). Five questions arise:

1. Can it be wrong to restrict someone's moral freedom?
2. Is moral freedom valuable?

3. Can one complain on grounds of moral freedom against an exercise of authority?
4. Do lockdowns restrict moral freedom?
5. Do viruses restrict moral freedom?

As we shall see, my answers to questions (1)– (3) are friendly toward the moral freedom argument. It is only when we turn to questions (4) and (5) that problems emerge.

The answer to (1) is "yes." Consider the following example.

> *Threat to Third Party*: Manufacturer threatens Competitor that, unless she folds, Manufacturer will kill Stranger.

Absent some sufficiently weighty countervailing consideration, Competitor seems obligated to fold. To restrict Competitor's moral freedom in this way is a significant wrong to Competitor.

From the same example, we see that the answer to question (2) is at least sometimes "yes." Assuming that Competitor wants both to stay in business and to act morally, it is valuable if she can do both. We may wonder whether moral freedom is always valuable. What if, for instance, Competitor wants to fold? I leave such questions aside. Similar questions arise in relation to nonnormative freedom. We assumed above that nonnormative freedom is often valuable. I think it safe to assume the same of moral freedom.

Now, is Threat to Third Party relevantly analogous to lockdowns? Arguably not. The idea we are considering is that lockdowns restrict moral freedom through an exercise of authority. Authority involves the power to impose duties directly, through one's say-so.[45] While Manufacturer does impose a moral duty on Competitor, she does so indirectly by threatening her. Perhaps the moral freedom complaint against Manufacturer depends on her lack of authority. This raises question (3): can one complain, on grounds of moral freedom, against an exercise of authority?

A plausible answer is "no." On this view, when an agent has the authority to impose moral duties, the agent is also morally permitted to do so. Call this view "Permission Included."

If we adopt Permission Included, the moral freedom argument is in trouble. For then any government that restricts people's moral freedom by exercising its authority would, by definition, be permissibly restricting their moral freedom. But, in fact, we should reject Permission

45. For this definition and relevant discussion see Ruth Chang, "Do We Have Normative Powers?," *Supplement to the Proceedings of The Aristotelian Society* 94 (2020): 275–300; Victor Tadros, "Appropriate Normative Powers," *Supplement to the Proceedings of The Aristotelian Society* 94 (2020): 301–26.

Included. For there are cases in which someone has the authority to impose a moral duty yet would be wrong to do so. Take an everyday example. Suppose Nia offers her friend, Saoirse, a lift to the airport. By offering, Nia gives Saoirse the authority to impose a duty on her. If Saoirse accepts, Nia has a pro tanto duty to drive her. Yet it could still be wrong for Saoirse to accept Nia's offer. Suppose Nia is already overburdened. Saoirse knows this and could easily catch the bus instead. In this case, Saoirse has the authority to impose a duty on Nia but is not permitted to do so.

Now, admittedly, there is something puzzling about denying Permission Included. Why would morality be so structured as to give anyone the authority to impose moral duties without the permission to impose them? I cannot fully answer this question. What I will say is that the puzzle, in its general form, is nothing new. Saoirse, in our example, has a (kind of) right to do wrong, and rights to do wrong are commonplace. People have free speech rights to say things they should not say, voters have rights to vote for wrongful policies, and so on.[46] We cannot hope to avoid the puzzle, in its general form, by sticking doggedly to Permission Included. We should instead accept what we intuit from the example: sometimes people have the authority to impose moral duties they cannot permissibly impose.

Let us turn to question (4): do lockdowns restrict moral freedom? This question arises because, even in the absence of a lockdown, people are likely to have moral duties to socially distance. Call these "social distancing duties." It is debatable how extensive they are. Much depends on the benefits and costs of social distancing. Assuming, however, that the benefits are large, people are likely to have duties to protect strangers, at least when the costs are low, and duties to protect their families, even when the costs are high. The latter duties toward family have important implications. People are most likely to spread viruses to those they live with, and most people, even in developed countries, live with family. Given this, whatever the extent of people's duties toward strangers, most people will have significant social distancing duties.

Social distancing duties represent a problem for the moral freedom argument. If a lockdown merely enforces duties people have regardless, it does not seem to restrict moral freedom. Philosophical anarchists deny that governments possess authority. If they are right, it might seem that all lockdowns do is enforce the social distancing duties that people have in any case. Indeed, even if philosophical anarchists are wrong and governments do possess authority, it still needs to be shown that lockdowns

46. Jeremy Waldron, "A Right to Do Wrong," *Ethics* 92 (1981): 21–39. Rights to do wrong are often Hohfeldian claims, but as the Saoirse example indicates, they can also be Hohfeldian powers. For that distinction, see Wesley Newcomb Hohfeld, "Some Fundamental Legal Conceptions as Applied in Judicial Reasoning," *Yale Law Journal* 23 (1913): 16–59.

impose additional duties that do not merely coincide with social distancing duties. To see this, consider the following example:

> *Cain and Abel*: Cain has a duty not to kill innocent people. His brother, Abel, is innocent. Cain has a duty to follow his parents' commands. His parents command him not to kill Abel.

One interesting question is whether Cain's parents restrict Cain's moral freedom. While they impose on him a second duty not to kill Abel, he was already under an all-things-considered duty not to kill in any case. Perhaps moral freedom cannot be restricted by a duty to do what one already has an all-things-considered duty to do.[47] But even if we suppose that Cain's parents restrict his moral freedom, the crucial point is that Cain lacks a freedom-based complaint. People are unable to complain, on grounds of moral freedom, against the imposition of a moral duty to do what they are morally required to do in any case.[48] It is important to the success of the moral freedom argument, then, that lockdowns oblige people to do more than they would otherwise be obligated to do.

Do lockdowns oblige people to do more? Whether they do so through the exercise of government authority is questionable. Even if we decide, *pace* philosophical anarchists, that people have a moral duty to obey the government, that duty might not be strong enough to require people to do anything beyond what their social distancing duties already oblige them to do. To settle the matter, we need a full account of government authority, not something I can supply here.

Interestingly, there is an indirect way by which lockdowns are likely to oblige people to do more, and that is by extending what their social distancing duties would otherwise require of them. Recall that the extent of social distancing duties depends on the benefits and costs of social distancing. Lockdowns can increase the benefits while lowering the costs. They can increase the benefits through coordination. For instance, a government may declare that only the most vulnerable can go out at certain hours, making it easier for everyone else to protect them by staying home. Lockdowns can lower the costs by removing some of the pressures, social and economic, to leave home. With less going on outside, the opportunity costs of staying in diminish. When the benefits of socially distancing

47. For a related discussion regarding nonnormative freedom see Ronen Shnayderman, "Causal Tests in Subjunctive Judgements about Negative Freedom," *Res Publica* 20 (2014): 183–97.

48. Which is not to say that they cannot complain on other grounds. Cain, for instance, could complain that his parents should not be suggesting, through their commands, that he is the type of person who would kill his brother. But he cannot complain that they are limiting his moral freedom to kill his brother.

increase and the costs decrease, people are likely to acquire duties to socially distance they did not previously possess.

The answer to question (4), then, is "yes": lockdowns are likely to restrict moral freedom. Note, however, that it is unclear whether anyone could complain against the imposition of additional moral duties through this indirect mechanism. In the Nia/Saoirse case, we have the sense that Saoirse should reject Nia's offer because Nia is overly burdened. Here, however, no one is being overly burdened by the additional social distancing duties. On the contrary, those duties arise precisely because we deem the costs reasonable.

Let us turn to question (5): do viruses restrict moral freedom? Here is where the moral freedom argument is undone. For we already have our answer: viruses restrict freedom by imposing social distancing duties. Since viruses restrict moral freedom, lockdowns can have the same beneficial effects on our moral freedom that they can have on nonnormative freedom. A lockdown that ends an epidemic enhances moral freedom: it liberates us from social distancing duties. A lockdown that merely flattens the curve protects our moral freedom to engage in particularly valuable activities and affords greater moral freedom to those living with vulnerable family members.

Now, it is true that people do not have duties to obey viruses, while they might have a duty to obey government. But it is not clear why this distinction matters. For it does not seem worse to have one's moral freedom restricted directly, through the exercise of authority (government), than indirectly, by the attachment of moral costs to one's activities (viruses).

In sum, the moral freedom argument survives questions (1)–(3). It can be wrong to restrict moral freedom because moral freedom is (often) valuable. It is also possible to complain, on grounds of moral freedom, against an exercise of authority. The argument comes unstuck on questions (4) and (5). While lockdowns can restrict moral freedom by making social distancing more effective, it is unclear how citizens could object to lockdowns on this basis. And since viruses restrict moral freedom, a lockdown that combats viruses can have effects on moral freedom that are similarly beneficial to those on nonnormative freedom. The moral freedom argument promises to offer a more successful basis for the freedom complaint against lockdowns than the argument from negative freedom. It fails.

X

We have considered the freedom complaint against lockdowns under a negative conception and a normative conception. Let us turn to the republican conception. Does republicanism provide firmer grounds for complaint?

On the republican conception, people enjoy freedom when no one else has "the capacity to interfere in their affairs on an arbitrary basis."

Such capacity is termed "domination."[49] The republican conception of freedom differs from the negative conception in two respects. First, it is broader, holding that the mere capacity to interfere can restrict freedom. Thus, to give a central example: a slave is unfree, under the republican conception, even if their benevolent master allows them to go as they please. The fact that the master has the capacity to interfere suffices to make the slave unfree.

Second, the republican conception is narrower, recognizing only arbitrary interference as a restriction on freedom, not interference of any kind.[50] Republicans believe that interference can be rendered nonarbitrary by adherence to certain procedures such as democracy or the rule of law. Since which procedures are required is debated, let us refer simply to "R procedures" to mean whichever procedures are deemed necessary for nonarbitrary rule.[51] The general thought is this: when rulers rule without R procedures, they subject others to their "potentially capricious and potentially idiosyncratic" judgments.[52] R procedures have the effect of subjecting the powerful to a form of control.

It is worth noting the form of control that R procedures constitute. They are, what we might call, "external controls": "external" in the sense that they exist outside of individual human minds. By "external controls" I mean those which exist outside people's mind. A powerful person cannot evade democracy or the rule of law by thinking them out of existence. External controls can thus be contrasted with "internal controls": the thoughts, feelings, virtues, and dispositions that guide people to voluntarily refrain from arbitrarily interfering with others. Republicans celebrate internal controls as instrumentally valuable, but they are not deemed sufficient.[53] As Frank Lovett and Philip Pettit put it, "self restraint does not count on the republican view as sufficient control."[54]

One additional point worth noting: republicans worry about domination not only by government but also by private individuals. Private individuals, such as employers, husbands, and criminals, can act as petty

49. Philip Pettit, "Republican Freedom and Contestatory Democratization," in *Democracy's Value*, ed. Ian Shapiro and Casiano Hacker-Cordón (Cambridge: Cambridge University Press, 1999), 163–90, 165.

50. Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon, 1997), 63–66.

51. Cf. Christian List, "Republican Freedom and the Rule of Law," *Politics, Philosophy and Economics* 5 (2006): 201–20; Cécile Laborde, *Critical Republicanism: The Hijab Controversy and Political Philosophy* (Oxford: Oxford University Press, 2008), 161–67.

52. Pettit, *Republicanism*, 4.

53. Frank Lovett, "Republicanism," in *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford, CA: Stanford University Press, 2018), https://plato.stanford.edu/entries/republicanism/.

54. Frank Lovett and Philip Pettit, "Preserving Republican Freedom: A Reply to Simpson," *Philosophy and Public Affairs* 46 (2018): 363–83, 374.

dominators within their domains. To secure people's freedom, employers cannot be allowed to dominate their employees, husbands their wives, or criminals their communities. Solving the problem of petty domination may require government intervention. With the right intervention, the private decisions of powerful individuals are replaced with collective decisions that empower the vulnerable.[55]

With this sketch of republicanism in hand, let us ask, does the republican conception better support a freedom complaint against lockdowns? No. In fact, the case for lockdowns appears even stronger. Indeed, as I argue below, it seems, if anything, too strong. Republicanism seems to generate an argument for lockdowns even in circumstances in which they seem unjustified. In this sense, lockdowns represent something of a problem case for republicanism.

The republican case for lockdowns begins with the fact that epidemics lend some people, the infectious, significant power to interfere in the affairs of others. By their mere presence, the infectious can cause suffering and death. Infectious people thus have the capacity to interfere in the affairs of others, and yet, in the absence of government intervention, they are not subject to R procedures. In this sense, the infectious possess arbitrary power. Clearly, they do not possess the power of, say, a tyrannical government, but recall that, for republicans, domination can exist below the level of government. In the case of work, marriage, and crime, republicans are concerned with preventing petty domination by private individuals. There seems no reason why this concern should not extend to epidemics.

To motivate the argument further, consider again the example of the elderly man trying to enter the supermarket. Adopting a republican lens, we see the case afresh. It is a case not just of restriction but of asymmetric power. Republicans do not want people to be subject to the capricious judgments of others. This man is subject to the capricious judgments of the youths. They decide whether or not to hang out. He must bear the consequences.

Now consider lockdowns. In a state constituted as republicans envisage, lockdowns, like all policies, would be imposed through R procedures. Since republicans contend that power exercised through R procedures does not restrict freedom, we reach the striking conclusion that lockdowns need not restrict freedom.

55. Anne Phillips, "Feminism and Republicanism: Is This a Plausible Alliance?," *Journal of Political Philosophy* 8 (2000): 279–93; Frank Lovett, "Domination and Distributive Justice," *Journal of Politics* 71 (2009): 817–30; Richard Dagger, "Republicanism and Crime," in *Legal Republicanism: National and International Perspectives* (Oxford: Oxford University Press, 2009), 147–66.

Putting these points together, the case for lockdowns appears overwhelming. Absent a lockdown, infectious people possess arbitrary power to make private decisions affecting everyone else. With a lockdown in place, the private decisions of the infectious are restrained by collective decisions empowering the vulnerable. And since lockdowns can be imposed through R procedures, they need not restrict freedom. Lockdowns can enhance freedom without restricting it.

Now some might find this argument for lockdowns persuasive, so what are my concerns? There are two, of which the second is the more important. First, it seems strange to say that a lockdown could avoid restricting freedom. How could forcing an entire population inside not restrict freedom? Above, we made it a test of plausibility that a conception of freedom must be able to identify paradigmatic examples of unfreedom. Republicanism seems to fail that test.

This problem is not new, however. It has previously been noted that republicanism seems to imply that justified imprisonment, being nonarbitrary, does not restrict freedom.[56] To address that problem, republicans seem required to introduce distinctions—such as between free choices and free people[57]—allowing them to acknowledge that, in one sense, a justly imprisoned criminal lacks freedom (since she is subject to interference), without abandoning the core idea that, in another sense, she remains free (since the interference is nonarbitrary). Whether, after such qualifications, the overall package remains coherent is not something I shall investigate. But if such a response works in the case of criminals, presumably it works for lockdowns.

The second problem is that republicanism seems to require lockdowns even when voluntary social distancing would prove equally effective. Recall the necessity condition we introduced at the start of the article: a lockdown cannot be justified if it is unnecessary to combat viruses. The negative and moral conceptions of freedom support this condition. On neither of these conceptions is there anything to be gained by a lockdown that does nothing more to combat viruses than voluntary social distancing. The republican conception, however, is concerned not just with interference but with the capacity to interfere. As long as the infectious are able to circulate, they have this capacity. To deny them this capacity, controls are required. Republicanism thus seems to require lockdowns even when voluntary social distancing would be equally effective at combatting viruses.

56. Fabian Wendt, "Slaves, Prisoners, and Republican Freedom," *Res Publica* 17 (2011): 175–92, 184–90.

57. Philip Pettit, "Free Persons and Free Choices," *History of Political Thought* 28 (2007): 709–18.

Why is this a problem for republicanism? Someone might argue that preference for external controls is just what republicanism entails. It is a feature of the view, not a bug. Indeed, there are cases in which reliance on voluntarism does seem wrong. In the case of slavery, for instance, we want external controls—laws banning it—even in cases of benevolent (noninterfering) slave owners. If external controls are required in the case of slavery, why not viruses?

The cases are different, however. In the case of slavery, everyone, including nonrepublicans, can agree on a ban since there are good nonrepublican reasons to ban all forms of slavery. The very existence of the institution expresses the objectional view that some people are the property of others.[58] In the case of lockdowns, no such expressive concern arises. Permitting voluntary social distancing does not express the view that some people are the property of others.

In sum, it is counterintuitive to think that lockdowns are preferable to voluntary social distancing. The government should not be subjecting people to such extensive coercion if they are able and willing to take appropriate measures themselves. Voluntarism is preferable.[59]

Is this problem a new one? The problem, in its general form, has been raised before, but the examples given are less forceful. Consider, for instance, Gerald Gaus's example of a speaker at a conference who can pick up the water jug next to him and smash it over a colleague's head.[60] In such a case, preemptive external controls are unwarranted. In the absence of threatening behavior, restraining the speaker, or confiscating the jug, would be absurd. But to this example, republicans have a ready response. While preemptive controls are unwarranted, other controls are required. In particular, the state should threaten presenters at conferences, and everyone else, with punishment for assault. That threat is enough to ensure that no one has the capacity to assault others with impunity, and that, republicans claim, is sufficient for republican freedom.[61]

What makes the example of viruses particularly forceful is that there is no punish-after solution. Punishing people for unintentionally infecting

58. Wendt, "Slaves, Prisoners, and Republican Freedom," 182.

59. It is worth distinguishing this objection to republicanism from that advanced by Thomas W. Simpson, "The Impossibility of Republican Freedom," *Philosophy and Public Affairs* 45 (2017): 27–53. Simpson's objection is that voluntarism is unavoidable since external controls themselves depend on a form of voluntarism. My objection is that voluntarism is (sometimes) preferable. The two objections are compatible but distinct. Even if, *pace* Simpson, it were possible to avoid voluntarism, voluntarism could still be preferable.

60. Gerald F. Gaus, "Backwards into the Future: Neorepublicanism as a Postsocialist Critique of Market Society," *Social Philosophy and Policy* 20 (2003): 59–91, 70.

61. Philip Pettit, "Criminalization in Republican Theory," in *Criminalization: The Political Morality of Criminal Law*, ed. R. A. Duff et al. (Oxford: Oxford University Press, 2014), 132–50, 140.

others seems wrong, and, as we noted, almost all infections are unintentional. In the case of viruses, the only way to deny the infectious the capacity to interfere with others is to impose preemptive external controls. That is what lockdowns are.

Republicans should feel uncomfortable about supporting lockdowns that are unnecessary to combat viruses. Suppose a republican agrees. How might she respond? There are three possibilities: she could (1) deny that infectiousness is a form of domination, (2) deny that external controls require lockdowns, or (3) deny that republicanism requires external controls. Let us explore each in turn.

Someone might (1) deny that infectiousness is a form of domination on grounds of risk. All human activities involve some risk. When people drive cars, construct buildings, or spray crops, for instance, they risk injury to others. Yet these are not standard examples of domination. Perhaps domination is subject to a risk threshold. Below the threshold, activities do not count as domination.

Risk cannot solve the problem, however, for the risks associated with infection may be high. Everything depends on the nature of the virus. In the case of the most dangerous viruses, the infectious will be able to interfere in the affairs of others with something like the certainty of slave owners or tyrants.

Nor should we accept that domination only involves high-risk activities. If driving, building, and crop spraying seem unlikely examples of domination, it is worth noting that, in modern societies, they are highly regulated. In a world without regulation, in which people could impose the associated risks with impunity, the term "domination" might well seem apt. Certainly, there is no reason to accept the threshold view. On an alternative scalar view, domination declines as risk declines without ceasing altogether. The scalar view allows us to distinguish driving, building, and crop spraying from slavery and tyranny, while maintaining that the former can also be a source of domination.

Consider a second line of argument. Someone might argue that infectiousness is not a form of domination since, in their view, domination requires the intention to interfere. If domination requires intention, the power to unintentionally infect is not a form of domination.

But intention cannot solve the problem either. Philip Pettit, perhaps the leading contemporary republican philosopher, rejects an intention-based definition of domination, with good reason.[62] Recall the example of a tyrant who builds walls to control wildlife but, as a side effect, imprisons her population. In such a case, the population is subject to her capricious

62. Pettit, *Republicanism*, 51; Philip Pettit, *On the People's Terms: A Republican Theory and Model of Democracy* (Cambridge: Cambridge University Press, 2012), 40.

judgments even though they are not the targets of the walls. Republicans clearly wish to divest tyrants of such powers along with the powers to intentionally interfere.

Where does this leave us? We have found no grounds for (1) denying that infectiousness is a form of domination. What about (2) denying that external controls require lockdowns? An alternative might be suggested: social enforcement.[63] Humans are social creatures. Many find the disapprobation of their peers impossible to withstand. A republican might argue that, yes, lockdowns are unjustified if unnecessary to combat viruses, but only because social enforcement offers an alternative source of external controls.

There are two problems with this proposal, however. First, social enforcement may be impossible. Social enforcement works when offenders can be publicly identified. A nice example is a queue at the post office where queue jumping is obvious and easily called out. During an epidemic, by contrast, it is hard to distinguish offenders from people with legitimate reason to leave home. With a lockdown in place, the police can stop people, demand to see permits, and use other measures to make relevant determinations. The public lacks such power, and it seems unwise to grant it to them.

Second, and more significantly, social enforcement fails to properly address the original objection. That objection was that lockdowns seem unjustifiable if unnecessary to combat viruses because a society in which people take appropriate measures themselves seems preferable. The same objection applies against social enforcement. If we had a society in which people voluntarily chose to take appropriate measures, there would be no justification for introducing a system of social enforcement that required people to check each other's behavior. Once again, voluntarism, when effective, is preferable to external controls.

Republicans have one option left: (3) deny that republicanism requires external controls. Call the form of republicanism committed to external controls "external controls republicanism." While external controls republicanism is the main form of republicanism, there is a possible alternative: "internal controls republicanism." Internal controls republicanism holds that people can be sufficiently protected from domination if others have the right thoughts, feelings, virtues, or dispositions guiding them to voluntarily refrain from arbitrary interference. Internal controls republicanism is still a form of republicanism insofar as it denies that noninterference is sufficient for freedom. If A just happens not to interfere with B because, say, the idea does not occur to A or a policy of noninterference

63. For a republican account emphasizing social enforcement see Frank Lovett, *A General Theory of Domination* (Oxford: Oxford University Press, 2010), 101–8.

happens to coincide with A's self-interest, B remains unfree. B is only free when A's noninterference results from her internal controls.[64]

Internal controls republicanism need not insist on either lockdowns or social enforcement. As long as people's internal controls commit them to socially distance, internal controls republicans can prefer voluntary social distancing. But is internal controls republicanism plausible all things considered? I will not pursue that question here except to note one concern. Consider again the benevolent slave owner example. This is a central example for republicans. They use it to motivate their claim that noninterference is insufficient for freedom. Freedom and slavery, they argue, are incompatible, but slavery need not involve interference. The problem for internal controls republicans is that the example can be posed as a counterexample to their view as well. After all, a slave whose owner is subject to internal controls is still a slave. It is perhaps not surprising, then, that republicans tend to insist on external controls.

XI

Before concluding, let us consider one final way by which lockdowns might affect freedom: government overreach. Governments might use an epidemic as an excuse to grab extensive power and hold onto it even after the epidemic has passed. One can have this concern whichever conception of freedom one adopts.

But do lockdowns increase the risk of government overreach? This is an empirical question and not one that is, as yet, well studied. Nor is it an easy question to answer. One problem is that, again, we need to distinguish the effects of lockdowns from the effects of viruses. There is evidence that emergency situations, including epidemics, make people more willing to support authoritarian governments.[65] That is a worrying trend. But do lockdowns make things worse? One recent study finds that lockdowns increase trust in both government and democracy.[66] Perhaps, then, lockdowns have a positive effect in countering a lurch toward authoritarianism.

The truth is we simply do not know the long-term effects of lockdowns on freedom. We need more evidence. Instead of trying to say anything definitive here, let me instead offer a hypothesis. Lockdowns may

64. Niko Kolodny's account of social equality, while not an account of republican freedom, has certain affinities to internal controls republicanism; Niko Kolodny, "Rule over None II: Social Equality and the Justification of Democracy," *Philosophy and Public Affairs* 42 (2014): 287–336. See also Simpson, "Impossibility of Republican Freedom," 52–53.

65. Bethany Albertson and Shana Kushner Gadarian, *Anxious Politics: Democratic Citizenship in a Threatening World* (Cambridge: Cambridge University Press, 2015).

66. Damien Bol et al., "The Effect of COVID-19 Lockdowns on Political Support: Some Good News for Democracy?," *European Journal of Political Research* 60 (2021): 497–505.

be a smaller risk than targeted measures such as contact tracing, selective quarantining, and location tracking. This is because of two features lockdowns possess. First, their existence is obvious to those subject to them. Not all targeted measures possess this feature. Second, lockdowns are imposed on large numbers of people. Lockdowns thereby create a large constituency with an interest in their eventual removal.

Putting these points together, we might say that lockdowns are, to coin a phrase, "reassuringly obnoxious." They are obnoxious since they get in everyone's way, and this is reassuring since it makes it harder for the government to avoid scrutiny. More targeted measures are less restrictive to the majority, and this makes them seem more amenable. But this very fact might make them more dangerous when it comes to keeping government in check.

XII

In introducing this article, we encountered the trade-off response to the antilockdown protesters. The response grants that the effect of lockdowns on freedom is purely negative but argues that freedom can be justifiably restricted for the sake of other values. This article finds that response too concessive. Viruses also restrict freedom. Viruses restrict freedom whether we conceive of freedom in negative, moral, or republican terms. Since viruses restrict freedom, and since lockdowns protect us from viruses, lockdowns can protect us from the harmful effects that viruses have on freedom. The imposition of a lockdown could increase overall freedom, protect more valuable freedoms, or improve the distribution of freedom.

Clearly, lockdowns are not cost-free. The imposition of a lockdown is a grave decision to take. But we do not aid governments in making that decision by perpetuating a simplistic account of the ethical values at stake. Freedom does not always speak against lockdowns, and it can speak in their favor. The demonstration of this is, I hope, a valuable contribution to what, unfortunately, is set to become a more important field within political philosophy: the ethics of confronting deadly viruses.