

THE FREEDOM TO CHOOSE FREELY

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POLITICAL ECONOMY SEMINAR,
HARVARD UNIVERSITY,
APRIL 7, 1997

(I) Introduction:

Conventional approaches to the evaluation of social alternatives in the theory of social choice and welfare have been "welfarist". That is, they have focussed on individual utilities (understood as a measure of the satisfaction of individual preferences) as their sole informational basis. In recent years, this approach has been criticised, especially by Sen (e.g. 1980, 1992). Sen has advocated the use of "capabilities" as an alternative informational basis for social evaluation. Capabilities, which are defined as the set of "beings and doings" (or "functionings") available to an individual, contain in their description both the nature and characteristics of the particular alternatives available to an agent and the full range of alternatives available to her. As such, Sen argues that capabilities capture both the opportunity and the process aspects of freedom. The opportunity aspect of freedom relates to the opportunity provided by a rich choice set to achieve valuable and desirable functionings, whereas the process aspect of freedom relates - according to Sen - to the value of an individual's actively choosing among a range of alternatives.

This effort to enlarge the informational basis of social evaluation in welfare economics has also been supplemented in recent years by some attempts to provide an axiomatic basis for the characterization of the extent of freedom present in particular choice sets. The central conclusion of this line of investigation has been that the extent of freedom present in a particular choice set cannot be extricable from the value of the particular elements of that choice set. Thus, Pattanaik and Xu (1990), show that three relatively innocuous looking axioms regarding the

ranking of choice sets according to the extent of freedom which they embody imply that choice sets must be ranked purely according to the number of elements which they contain. Sen (1990) argues persuasively that this patently absurd result derives from the failure to distinguish between the possibly differing value of the elements contained within different choice sets.¹ Sen (1991) presents some possible alternative axioms for freedom-based ranking of choice sets, arguing that our preferences over the elements contained in alternative choice sets must be an integral part of our ranking of the extent of freedom in these sets. In particular, Sen presents the following possible axioms.

Weak Preference Dominance (WPD):

Let A and B be sets of social alternatives. Let aRb represent, as is standard, the "weak preference" of the individual for alternative a over b . Then, A weakly dominates B in terms of freedom if and only if there is a subset A' of A such that $\#A' = \#B$, and further if there is a one-to-one correspondence $k(\cdot)$ between A' and B such that for all x in A' , we have $xRk(x)$.

Strict Preference Dominance (SPD):

¹ The first of the three axioms, viz. "Indifference between no-choice situation (INS)" indicates that every unit set, such as $\{x\}$, $\{y\}$, etc. is freedom-wise indifferent to every other. The second axiom, viz., "Strict monotonicity" (SM), insists that any distinct pair $\{x, y\}$ represents more freedom than a unit set of one of the two alternatives in the pair $\{x\}$. The third axiom, "Independence (IND)", argues that if a set A is judged to give at least as much freedom as a set B , then that ranking will be unaffected by the addition to each of an alternative x not contained in either A or B " [Sen (1990)]. Sen argues that axiom INS is "at fault".

A strictly dominates B in terms of freedom if and only if A weakly dominates B, and further, for all x in A', $xPk(x)$, where P is the 'strict preference' relation deriving from the individual's evaluation of the alternatives.

Sen (1991) argues that "if the informational foundation of welfarism is replaced by that of individual freedom as constitutive of a good social state, the need to use empirical information on individual *preferences* remains at least as strong. Indeed, it can be argued that welfarism provides no guarantee of the constitutive importance of individual preference..whereas freedom based social-evaluation does provide such a guarantee..comparisons of freedoms that a person has involve a complex set of considerations, but the need to base such comparisons on information regarding individual preferences is inescapable".

Clearly, Sen and his interlocutors have made considerable progress in their debate over how best to encapsulate and rank the extent of individual freedom. However, does the framework for the encapsulation of freedom which has emerged thus far fully capture our intuitions about freedom?

In the remainder of this short preliminary note, I shall suggest some reasons why it may not, without attempting to provide a complete alternative framework.

(II) Unpacking the process aspect of freedom:

Sen with much justification understands the process aspect of freedom as relating to the availability of a range of alternatives from which actively to choose. Sen (1993) argues that the "process" aspect of freedom can be parcelled into at least two distinct aspects: (i) decisional autonomy of the choices to be made, and (ii) immunity from interference by others. "The former is concerned with the operative role that a person has in the process of choice, and the crucial issue here is self-decision, e.g. whether the choices are being made by the person herself - not (on her behalf) by other individuals or institutions", whereas the immunity aspect derives from the absence of encroaching activity by others. Subsequently, in discussing the properties of the market mechanism, Sen writes, "the market mechanism has a role in protecting 'autonomy of decisions' as well as 'immunity from encroachment'. In a competitive market, the levers of decision and control are in the hands of the respective individuals, and in the absence of particular types of 'externalities' (dealing with the control of decisions) they are left free to operate them as they choose. Thus, decisional autonomy as well as encroachment immunity are constitutive of the competitive market mechanism without externalities".

While the conception of decisional autonomy identified here as an essential dimension of the process aspect of freedom captures many of our intuitions about that aspect, I will argue that it does not capture all of them. In an essay entitled "Why do workers choose hazardous jobs?", G.A. Cohen (1988) makes an important distinction between being "free to choose" and "choosing freely". This distinction relates centrally to the quality of the decision process which an agent undertakes in the course of a particular decision. Cohen argues that some choice situations

necessarily impair this decision process in the sense that the nature of the available choices makes some of them difficult to take seriously as realistically acceptable choices. As a result, the actual process of choice is much more constrained than it appears to be formally. For example, a worker whose only choices are to take a hazardous job or not to be employed, and to be inadequately nourished as a result of the latter, may choose to take the hazardous job. While the worker is certainly free to choose his preferred alternative, it cannot be said that the worker's choice was freely made. It might be said that the worker, albeit free to choose, was not free to choose freely. The nature of the available choices creates an element of duress which directs a worker towards one (or more generally, some subset) of the available choices. When an individual suffers duress of this kind the decision made cannot be said to reflect the "full flower of freedom", but rather reflects a serious inadequacy to attain in the decision process the full potential of individual freedom. On this view, true decisional autonomy requires not only the freedom to choose, but to do so freely. Even more strongly, on this view certain choice sets inherently entail an element of unfreedom. The criterion of freedom to choose freely may make it possible not only to rank choice sets according to the extent of freedom they embody but also to classify choice sets according to whether or not, and perhaps to what extent, they impose an inherent element of unfreedom on the decision process.² Speaking loosely, it may be possible to impose an element or "cardinality" as well as of "ordinality" in the evaluation of choice sets according to the extent of their freedom, although strictly only from the perspective of the "freedom to choose freely".

² It may be argued that Marx (1967), draws upon closely related ideas in his critique of the unfreedom inherent in capitalist labour markets.

The argument here is not that the conception of decisional autonomy implicit in Sen (1991,1993), is incorrect but that it is incomplete. The process aspect of freedom includes both the freedom to choose and the freedom to do so freely.³

(III) The Valuation of Alternatives and the Evaluation of Freedom:

Sen argues convincingly, as outlined above, the need to take into account information regarding individual preferences in comparisons of freedom. Thus, "a set of three alternatives that we see as 'bad', 'awful' and 'dismal' cannot, we think, give us as much real freedom as a set of three others that we prefer a great deal more and see as 'great', 'terrific', and 'wonderful'" [1990]. It is clear that preferences over available alternatives must play a central role in the evaluation of freedom.

However, it seems reasonable that other kinds of valuation of the alternatives available to choose from among could also play a role in the evaluation of the extent of freedom.

This is likely to be true even within the perspective of freedom to choose. Elsewhere, Sen (e.g. 1992) has defended the "capability" perspective in part in terms of its ability to draw upon "non-subjective" information in the formation of social judgements. This can be particularly (though not only) important in cases of "adaptive" preferences. In such cases, individuals may adjust to

³ The process aspect of freedom may also, require other non-trivial elements in order to be realized, such as an adequately unified and coherent decision-making persona.

deprivation in part by forming preferences accommodated to it. For example, it is suggested that women in certain contexts may disvalue (or take cognizance of) their own ill-health less than that of their family members. Sen argues that "objective" information about ill-health should be given a greater role in the formation of social judgements in such cases than individual preferences. It would seem that in such instances, social evaluation of the extent of freedom should similarly proceed on the basis of the social valuation of alternatives rather than on the basis of individual preferences, for much the same reason.⁴ For example, a "hypochondriac" conceives of himself as having greater health needs than he does "in fact" have. The judgment of the extent of freedom which the hypochondriac has should depend not only on his own judgement as to the worth of his having immediate access to specific medical treatments, but also on a reasoned external judgement of that worth. This requires that the preference relations which enter into axioms such as WPD and SPD above should be interpreted as social judgements (which perhaps take into account individual preferences) rather than as individual preferences as such (which seems to be the intent in Sen (1991)).

The use of non-preference information in the valuation of alternatives is likely to be of even greater importance in ranking choice situations from the perspective of choosing freely than from that of the freedom to choose. Consider the following four choice sets:

⁴ Surprisingly, given Sen's great concern elsewhere for the possible divergence between individual and social valuation, he does not address this possibility at all in Sen (1991) [i.e. the possibility that social evaluation of the extent of freedom may have to proceed in part on the basis of social evaluation of the value of the alternatives in a particular choice set rather than on the basis of individual preferences alone].

A = {a1=[starve], a2= [work in a mine, receive adequate nourishment, and die prematurely through lung cancer]}

B = {b1= [starve], b2 = [work at a very pleasant and very well-paid job]}

C = {c1 = [work at a very pleasant and very well-paid job], c2 = [work at an extraordinarily pleasant and extraordinarily well-paid job]}

D = { d1 = [work on the left bank of the river and die of malaria], d2 = [work on the right bank of the river and die of malaria]}

Let P* represent the relation "highly preferred to" (although not necessary and inherently ambiguous, the term 'highly' is employed here for heuristic value), let P represent the ordinary (strict) preference relation, and let I represent the relation of indifference. Assume further that:

a2P*a1

b2P*b1

c2P*c1

d2Id1

In all of choice situations A, B, and C, element two bears the same preference relation to element one. Yet, only in situation A does it appear clear that there is a situation of duress and hence of unfree choice. In situation B, the circumstance to which the individual is "driven" by the alternative of starvation is one which they would be quite pleased to choose in any case, even

given a range of other options, far more satisfactory than starvation but slightly less attractive than a very pleasant and very well paid job (for example, an ordinarily pleasant and well-paid job). As a result, it is hard to describe the individual as choosing under "duress". In situation C, the least attractive alternative is still more than "satisfactory" and one which an individual would be quite happy to choose if given a range of other slightly less attractive but still satisfactory options (once again for example, an ordinarily pleasant and well-paid job). Once again, it is very difficult to describe the individual as being driven by "duress" to choose the more attractive over the less attractive alternative. Clearly, it is necessary to apply some additional criterion in order to distinguish between choice situations which engender free and unfree choices. What would this additional criterion be? One possible candidate for such a criterion would be the requirement that all of the alternatives in a choice set which engenders unfreedom should be in some relevant sense (to be spelled out) "unsatisfactory". Let U be the set of all possible alternatives with which an individual may be faced. Define $T = \{x \text{ in } U \text{ s.t. } x \text{ is "unsatisfactory"}\}$. Then, consider the following provisional definition:

Def'n UF:

A set X engenders unfree choices iff X is a subset of T .

Clearly, the critical component of this definition is what we judge to be "unsatisfactory". A number of different possibilities present themselves, including the failure of the alternatives to entail the fulfilment of some adequately defined minimum of "needs", of "basic capabilities", of "rights" (for example to non-injurious conditions of work), or of "utility". It should be pointed

out that even the last criterion requires information supplemental to the relative ranking of alternatives by individuals. Each of these criteria have their strengths and weaknesses. The "utility" criterion (characteristically) risks the possibility that an individual with "luxurious tastes" may have to be described as suffering from as much "duress" in choice situation C as another individual suffers from in choice situation A. In contrast, too narrow an "objectivity oriented" criterion may risk overlooking aspects of individual and social circumstances which merit being taken into account in the determination of duress (consider for example the comparative perspective adopted by an observant Sikh and a secular atheist to the requirement that one's headgear should be removed in order to perform a certain job).

It seems likely, however that not only must we (the social evaluators) consider all of the available alternatives to be unsatisfactory, but that the individual undertaking the choice should do so as well, if the choice is to be experienced (and perhaps indeed evaluated) as unfree. In this way, although the judgement that a choice situation is unfree requires information additional to the preferences of agents it cannot also be independent of their broader perceptions, even in relation to the specific non-preference dimensions which it takes into account - at least insofar as the experience of unfree decision is an important component of the actuality of that unfreedom. Thus for example, the miner in situation A may well choose to undertake a2 over a1 (indeed he strongly prefers a2 to a1) while nevertheless experiencing this choice as one undertaken under duress, in view of the failure of the alternative (a1) to meet his basic survival needs. It would be important however for the miner to be conscious of this failure in order for him to experience the resulting choice as unfree. Whether a choice may be unfree even without its being experienced

as such is a question which merits being discussed further.

One possible challenge to the plausibility of Definition UF may be that while it is a necessary condition of the unfreedom of X that X should be a subset of T, it may not be a sufficient condition. Consider for example choice situation D. It is quite plausible that D is a subset of T (i.e. both of the available alternatives are in some sense reasonable "unsatisfactory"). However, the individual is indifferent between the two alternatives. It is difficult to say therefore that the individual is "driven" under "duress" towards one of the alternatives by the sheer unacceptability of the other, as one might say of situation A. In this case, it would seem that the individual's choice must indeed be one which is made freely, even if by virtue of the sheer equal disagreeability of all of the available alternatives. Admittedly, there is still a sense in which the disagreeability of the alternatives makes the choice situation less than fully free. However, this unfreedom would seem to relate to the opportunity rather than the process aspect of choice.

This observation suggests the following revised definition:

Def'n UF':

A set X engenders unfree choices iff X is a subset of T and there exists x in X such that xPy for all y in X other than x.

(IV) Further Implications of the Perspective of the Freedom to Make Choices Freely.

The approach outlined here for recognizing the unfreedom inherent in certain choice situations has a range of possibly challenging implications. First, it suggests that agents may make choices which enhance the attainment of their preferences but which nevertheless embody a degree of unfreedom. This is not only because the opportunity and process aspects of freedom are distinct, as pointed out by Sen (1990,1993), but also because the process aspect of freedom is more complex than has sometimes been assumed. It relates not only to the range of alternatives available, but much as does the opportunity aspect of freedom, to the nature of those specific alternatives. Second, some of the axioms elsewhere identified as plausible in relation to other aspects of freedom may no longer be plausible in relation to the perspective of unfree choice. Consider, for example, axioms B.1, C.1, and C.2 identified as plausible in Sen (1991). Here R^* represents the relation "offers at least as much freedom", and A,B,C, and D are sets of alternatives:

B.1 (weak set dominance):

B a subset of A implies AR^*B

C.1 (identical expansion):

If x belongs neither to A nor to B, then AR^*B implies $(A \cup \{x\})R^*(B \cup \{x\})$.

C.2 (weak composition):

$[AR^*B \& CR^*D]$ implies that $[(A \cup C)R^*(B \cup D)]$.

If one specializes to the perspective of choices freely made (as opposed to that of freedom in general) the addition of elements may, on definition UF', reduce rather than increase the extent of freedom (by transforming an environment in which choices are freely made into one in which they must be unfreely made). As a result, the addition of elements through set expansion or composition can lead to consequences for the extent of freedom (in this specialized dimension) which are contrary to axioms B.1, C.1, and C.2. It is easily possible to exhibit examples which demonstrate this explicitly although this will not be done here. It should be pointed out, however, that even where the addition of possible choices leads to a decrease in freedom in the sense of limiting the possibility of making choices freely, it cannot lead to a decrease (and may well lead to an increase) in freedom understood either in the sense of the freedom to choose or in the sense of the opportunity aspect of freedom. The overall consequences of an expansion of choice for the extent of freedom must be the product of a joint evaluation of its impact on these different and varied aspects of freedom. The thrust of the argument being made here is not to suggest that the expansion of choice be restricted in the name of the freedom to choose freely, but rather to suggest that such expansion is inadequate and incomplete unless - among its other achievements - it brings into being this special form of freedom.

The perspective emphasized here, concerning the freedom not only to choose, but to make one's choices freely, offers the opportunity to recapture some lost insights of considerable value for economic understanding and social evaluation.

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