

AGENCY-FREEDOM AND OPTION-FREEDOM

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ABSTRACT

The recent debates about the nature of social freedom, understood in a broadly negative way, have generated three main views of the topic: these represent freedom respectively as non-limitation, non-interference and non-domination. The participants in these debates often go different ways, however, because they address different topics under common names, not because they hold different intuitions on common topics. Social freedom is sometimes understood as option-freedom, sometimes as agency-freedom and the different directions taken by the theories can often be explained by their addressing freedom in one sense, then in another. The non-limitation approach focuses primarily on option-freedom, the non-domination approach on agency-freedom, whereas the representation of freedom as non-interference seems to spring from a failure to resolve the focus decisively on one target or another.

KEY WORDS • agency • freedom • option • republicanism

1. Introduction

Social freedom has been a prominent topic of discussion within political and economic theory for at least the last quarter century but the divisions that have materialized in these debates are too little addressed among the different sides. The protagonists to the discussion tend to ignore the opposition to their claims or merely to mock it. They insulate themselves in disciplinary or doctrinal in-groups, treating outsiders with indifference or disdain.

The focus in the debates I have in mind has been on what freedom, conceived in a broadly negative way, requires. And on that question, three predominant schools of thought have formed. One holds that social freedom is a function of how much choice a person is left by his or her overall context, human and natural (Steiner, 1994; Sugden, 1998; Carter, 1999). While

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adherents differ on how choice is to be measured, freedom is conceived by all of them as non-limitation; any form of limitation, whether of human or natural provenance, represents a shortfall of freedom. A second school prioritizes human obstruction and holds that freedom is a function of how much choice someone is more or less intentionally left by other individuals and groups (Berlin, 1969). Freedom for this approach is non-interference, where interference is a sort of initiative, intentional or at least negligent, for which perpetrators can be held responsible (Miller, 1984). And, finally, a third school holds that freedom is a function of how far the person can live and choose beyond the arbitrary power of others (Pettit, 1997; Skinner, 1998; Viroli, 2002). For this approach, freedom is non-domination, where non-domination requires a certain level of immunity to arbitrary interference; that is to interference that is not forced to track the avowed or readily avowable interests of the victim (Pettit, 2001).

Do the standoffs between these approaches mean that the discussion of freedom is at a stalemate? I do not think so. I argue in this article that participants in freedom debates often go different ways, not because they hold different intuitions on common topics but because they address different topics under common names. I suggest that social freedom is sometimes understood as option-freedom, sometimes as agency-freedom and that the different things that theorists have maintained can often be explained by their focusing, now on freedom in the one sense, now on freedom in the other.

The remainder of this article is in three sections. In the next, I introduce option-freedom, identifying the common commitments of those interested in this topic and explaining the ways in which they divide among themselves. In the third section, I turn to agency-freedom and to the characteristic claims of those who are concerned with it. And then, in the fourth and final section, I review the ways different schools of thought relate to these two forms of freedom. I argue there that freedom as non-limitation is wholly a theory of option-freedom, freedom as non-domination primarily a theory of agency-freedom and that the claims made in the two approaches are not necessarily in conflict. The school of thought that comes out worst is that which represents freedom as non-interference: this begins to look like a conception that answers properly to neither topic.

The distinction between option-freedom and agency-freedom is essentially a distinction between two properties – on the one hand, a property of options, on the other a property of agents – which each plausibly answer to a common usage of the word ‘free’ (Kristjánsson, 1998). Granted that the same word is used to predicate each sort of property, it may be asked whether the same concept or conception or sense of freedom is in play in each usage (MacCallum, 1967). But I think that there is no fact of the matter at issue in that question: it all depends on the conventional matter

of how ‘concept’ or ‘conception’ or ‘sense’ is itself understood. There is a question, of course, as to how the two properties – the two properties that are each predicated by the word ‘free’ – relate to one another. And there is a question as to which is the more important in political theory. I shall make some comments on those issues in the final section, though I will not be able to say much about them.

2. Option-freedom

Let an option be understood, in a standard decision-theoretic way, as an alternative that an agent is in a position to realize: an alternative that is within his or her control. If I can make it the case that I A or I can make it the case that I B – which I do is up to me, as we say – then A-ing and B-ing are options for me. And if I can make it the case that by A-ing I C or that by B-ing I D – again, this is up to me – then C-ing and D-ing are also options for me. If, however, I can A or I can B but it is up to factors beyond my control whether or not A-ing amounts to C-ing, or B-ing to D-ing, then C-ing and D-ing are not options for me. That I C or that I D, if it turns out that I do, will be a consequence of my choosing A or my choosing B – a consequence that I may have expected and wanted – but it will not itself be a direct matter of choice.

What, then, is option-freedom? What determines the option-freedom that an agent enjoys? By all accounts, it is a function of two things: first, the character of the options that are accessible to the agent; and second, the character of the access to those options that the agent enjoys. Different accounts of option-freedom will tell different stories about what it is in the character of the access and what it is in the character of options that matters for freedom. A brief review of some of the differences will help to make clear what option-freedom involves.

2.1. Variations in the Character of Access

The main issue that arises in regard to what counts in the character of the access has recently been highlighted as a result of the work of theorists like Ian Carter (1999), Hillel Steiner (1994) and Michael Taylor (1982). They have argued that the physical possibility of an agent’s performing an option is enough for access: enough to make it the case that the choice of the option is up to him or up to her. Thus, two agents will be equally free in a choice between A and B so long as it is physically possible for each to choose either option. The fact that it may be much more difficult for one to choose a particular option than it is for the other; the fact that one may

be penalized in the event of choosing that option, the other not; the fact that one may be sincerely or insincerely threatened with such a penalty, the other not; or the fact that one is unaware of having that option available, the other not: these sorts of factors are irrelevant, so those writers have claimed, to the matter of how free the two agents are. The agents may differ in their overall freedom as a result of such differences: the agent who is subject to a penalty, for example, is denied a complex option available to the other – that of choosing the penalized option and later avoiding the penalty (Carter, 1999). But in the particular choice between A and B, they will have freedom in equal measure.¹

This rather strict line is officially justified by the thought that so long as I am in a position to make it the case that I A, then there is a sense in which I do, indeed, have A as an option; and this, even if it is difficult for me to A, even if I wittingly or unwittingly face a penalty in the event of A-ing, even indeed if I am unaware that A-ing is a possibility for me. But the line is primarily motivated, I think, by a desire to render freedom as measurable as possible. If the access to options that is required for option-freedom amounts to nothing more than its being possible to choose them, then that will make for a considerable simplification in the measurement of access and, to that extent, in the measurement of option-freedom.

The strict line is not the most common or the most obvious approach for someone concerned with option-freedom to take. The better established approach, less concerned with measurability as such, would deny that physical possibility is the only factor relevant for access and would allow that one agent may have less freedom than another in the choice between A and B, even when neither is physically blocked from taking an option. There are two ways in which this may happen. Either because the choice of a particular option is more burdened for that agent, whether by difficulty or penalty, than it is for the other. Or because while there is no objective difference in the blocking or the burdening of the agent's choices, there is a subjective difference that impacts on the process of choice: one of them believes or is led to believe that there is a certain block or burden in place, when, in fact, there is none (see Pettit, forthcoming, on a further possibility by Sen).

If we take this more inclusive line, then the access-reducing factors that may affect someone's option-freedom can be represented in the two-by-

1. One aspect of the idea canvassed, to go back to an example from Hobbes, is that the highwayman who issues the challenge 'Your money or your life' leaves me the option of not handing over my money. He does not prevent me from doing this – he does not take away my freedom to do it – but merely imposes a penalty on my not parting with the money: the loss of my life. Only when the choice of an option is rendered impossible, so the line goes, am I deprived of that option in the strict sense. And only then should it be said that my freedom in relation to the option is taken away.

three matrix shown below. Access may be reduced either because there is an objective block or burden in place or because there is a subjective block or burden in place – this because the agent believes that there is an objective block or burden – or because both conditions hold.

	Objective only	Subjective only	Objective and subjective
Block	1	2	3
Burden	4	5	6

We have been discussing the way in which someone’s option-freedom depends on the character of the agent’s access to options and have distinguished between the strict line taken on this issue by some recent writers and a more inclusive approach. I should mention, however, that there are other issues about access that will also need to be resolved in a comprehensive theory. One is the question of whether a reward or the prospect of a reward – as distinct from a penalty or the prospect of a penalty – is relevant to access in a way that impacts on option-freedom. Another is whether an objective increase in the probability of a purely objective block or burden reduces access. And yet another is whether an objective increase in the vulnerability of an agent to being blocked or burdened by others reduces access; such an increase may not affect probability, as when the others are relatively benign and an increased power of interference does not increase the probability of their actually interfering.

My brief is not to develop a detailed theory of option-freedom, only to identify the sort of phenomenon that such a theory aspires to track: doing this will be sufficient for advancing the ultimate goal of the article, which is to set up option-freedom and agency-freedom as distinct phenomena. I do not need to offer a line, therefore, on whether the more inclusive picture of access is superior to the strict or on how these other questions should be resolved. We shall see in the next section that if the phenomenon of agency-freedom is given importance, side by side with option-freedom, then that argues for a certain general approach to the questions. But that result is just an incidental bonus: it is not something that the goal of the article requires us to deliver.

2.2. Variations in the Character of Options

Option-freedom depends not just on the character of an agent’s access to relevant options but also on the character of those options themselves. And on this topic, as on the topic of access, there are a variety of views in the literature. I will comment briefly on the different issues in play, again without attempting to resolve them one way or another.

The aspect of the options accessible to an agent that is intuitively most relevant to option-freedom is their number. The more options that are accessible to an agent – in whatever is taken to be the relevant sense of access – the more option-freedom, intuitively, the agent will enjoy (Pattanaik and Xu, 1990). But, as many writers have noticed, number alone may not be that important. For if the accessible options are very similar to one another – if they involve being able to choose between 20 barely discernible beers, for example – then the fact that they are numerous would not seem to weigh heavily in the scales of option-freedom. Intuitively, someone in a position to drink one kind of wine or one kind of beer might be thought to enjoy greater option-freedom than the wine-benefit agent who can choose between 20 very similar types of beer.

This observation suggests that, apart from number, the diversity of the options accessible to an agent is also relevant to the question of how much option-freedom he or she enjoys. There are different ways in which diversity may be conceptualized and measured but, however it is represented, it clearly matters in the determination of option-freedom.

There are other aspects of the options accessible to an agent that may also be thought to matter in the measurement of this sort of freedom (Sugden, 1998). One is the extent to which the options are objectively significant, as we might put it, in representing ways of changing the world. And a second is the extent to which they are subjectively significant in representing choices that matter within the local culture or according to the agent's own value system.

Imagine that two agents are each able to choose between pressing buttons A and B but that in one case the buttons are hooked up with the world so as to make various extensive changes likely, while in the other pressing the buttons has no extra effect whatsoever. It seems natural to think that the agent with a capacity to effect extra changes enjoys more option-freedom than the agent who has no such capacity. Or imagine, to go to subjective as distinct from objective significance, that a choice between options A and B is of great import within one agent's social or personal value system, while it is of no import whatsoever within the other's (Taylor, 1985). Again it seems natural to think that the first agent's freedom gains more from the availability of the choice between A and B than does the freedom of the second.

Notice that invoking objective or subjective significance in this sense would not make option-freedom value-dependent: it would not mean that gauging the amount of freedom someone enjoys requires being attuned to the right values, whatever they are. Thus, we can give it importance without compromising the wish – surely well grounded – to make freedom an empirically determinable property. There is a fact of the matter as to how extensive in their likely effects are the options at someone's disposal and equally there is a fact of the matter as to how the options connect with social or personal

valuations. Making such factors relevant to freedom, then, would not put freedom beyond the reach of empirical measurement.

2.3. A General Feature of Option-freedom

So much for the two broad factors on which an agent's option-freedom depends: the character of the options accessible – their number, diversity or significance – and the character of the access in question. It remains only to make one general point about option-freedom, however it is articulated at the level of detailed theory. This is that when someone's option-freedom is affected by an external influence – whether for good or ill – the source of that influence is entirely irrelevant to the effect it has.

There are a number of saliently different ways in which freedom-affecting influences may be sourced. Such influences may stem from interpersonal causes, reflecting the intentions or attitudes of others towards the agent. Or they may spring from impersonal causes, such as those associated with brute, niggardly nature; with the social system considered as something beyond anyone's control; or with the unintended impact of others' actions. Again, if the source of the freedom-affecting influence is interpersonal, it may come about through the intentional behaviour of others – say, their behaviour, to take the negative case, in blocking or burdening, or threatening to block or burden, the person's choice. Or, to stick with the negative case, it may materialize as a result of that person's recognizing their weak position relative to others, anticipating others' reactions to this or that choice and being inhibited by the fear of displeasing them. Finally, if the source of the influence is intentional rather than positional it may come about as a result of arbitrary or non-arbitrary action: as a result of action that is controlled wholly by the will or judgement of the interfering agent or as a result of interference that is forced to track the avowed or readily avowable interests of the person affected. These sources of freedom-affecting influences are usefully charted in the tree presented in Figure 1.

If we are interested in the option-freedom that someone enjoys, then it should be clear that the source of the external influences on that freedom is of no relevance. Take any influence that affects the number of options available to a person, for example, or the character of the person's access to one or more of those options. The fact that this stems from an interpersonal rather than an impersonal cause is neither here nor there from the point of view of how their option-freedom fares. And the same goes for whether the influence, if interpersonally sourced, is positional or intentional, non-arbitrary or arbitrary, in character. In all these cases the property of the options in virtue of which the agent is said to enjoy a certain degree of option-freedom remains the same.

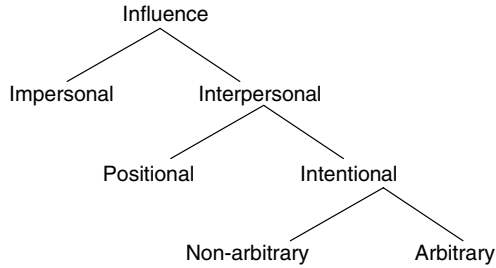


Figure 1. Varieties of Influence

3. Agency-freedom

3.1. A Definition

I think that the focus on option-freedom, however dominant in contemporary writing, is not typical of the long tradition of thinking about freedom. In the longer history, the antonym of freedom is slavery or, more generally, subjection to the will of another (Pettit, 1989; Patterson, 1991). And when freedom is cast as the antonym of subjection, then freedom is taken to be, in the first place, a property of agents. In the received terminology, the notion of being free is associated with being a freeman, as distinct from a bondsman. It is an ideal that turns on how a person relates to their fellows, not something that is fixed just by the quantity of choice they enjoy. It is a matter, essentially, of social standing or status.

The sort of status envisaged in the long tradition is marked by many characteristic expressions and phrases. It involves being able to walk tall, to look others in the eye, to be frank and forthright, to be one's own man or woman. It is inconsistent with servility or sycophancy, or at least with the need for servility and sycophancy, and equally it is inconsistent with the need for resorting to any of the received tropes of dependency such as tipping one's cap, tugging one's forelock, kow-towing or toadying or seeking to placate. Freedom in this status-related sense means not having to depend on the grace or mercy of others, being able to do one's own thing without asking their leave or permission.

How to articulate this sort of status in more analytic terms? I suggest a definition along the following broad lines; the details may be varied without affecting the argument of the paper:

People will enjoy agency-freedom among their fellows so far as

- their option-freedom, however conceptualized, is protected from at least the interference of others, whether by formal or informal, physical or legal or cultural, means;²
- this protection is as effective and as extensive as that available to any of their fellows; and
- this is a matter available to common awareness in the society: everyone is in a position to know that it is the case, to know that it is known to be the case, and so on.

There are many ways in which some people may not enjoy full agency-freedom in this sense. They may be fully or partially deprived of the objective – protected status. They may be deprived of the intersubjective aspect of the status if protection is secured for them – however unlikely that may be – in a manner that does not allow public recognition. And while not being deprived of that status by the collective action of their fellows, they may be denied that status by particular individuals who offend against them, say in criminal action. Criminal offenders will treat the person as if he or she were not protected, at whatever danger or loss to themselves. They will seek to block or burden some of the agent's choices, avoiding the defences whereby the agent is protected *ex ante* and running the risk of incurring the penalties whereby the agent's protected status is vindicated *ex post*.

Agency-freedom in the sense defined is orthogonal to option-freedom. It is logically possible for the two forms of freedom to vary independently, even if this is not sociologically very likely. Thus, it is possible for someone to enjoy agency-freedom and to have hardly any option-freedom; it is possible for someone to have a high degree of option-freedom and not to have agency-freedom; and it is possible for someone to be fulfilled or deprived in both dimensions at once.

The cases of joint fulfilment and joint deprivation are easy to envisage and there are vivid if unlikely possibilities available to illustrate the other mixed cases. Agency-freedom without option-freedom, to take the first mixed case, is illustrated by the predicament of someone – the free indigent – who is fully protected against others within their society, and this as a matter of common awareness, but who is so limited by physical handicap and economic poverty that they have little or no option-freedom. Option-freedom without agency-freedom, the other mixed case, is illustrated by the situation of the slave with the kindly master: the lucky slave who is given free rein to exploit a variety of options but who remains unprotected against the master himself.

2. Notice that the protection required is only against the interference of others: it need not involve the preservation or maximization of one's option-freedom overall. See the discussion in the final section, however, about how a concern with agency-freedom is naturally bolstered by a secondary concern with option-freedom.

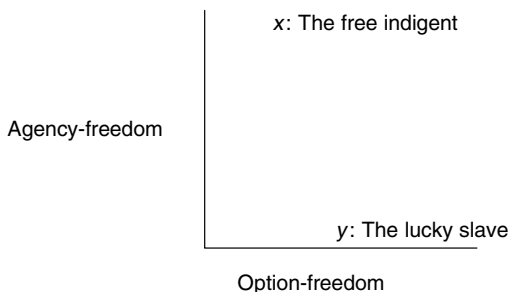


Figure 2. Plotting the Two Freedoms

The orthogonal relation between agency-freedom and option-freedom allows us to represent them in a graph; see Figure 2. Agency-freedom is mapped on the vertical axis of the diagram, option-freedom on the horizontal. Position x represents the free indigent, position y the lucky slave.

3.2. *A General Feature of Agency-freedom*

We saw that option-freedom is reduced or increased by external influences, quite independently of how those influences originate. Whether agency-freedom is reduced by such influences, however, does depend on the source of the influence.

The main point to make is that it is only interpersonally sourced influences that have a direct impact on agency-freedom. Impersonal influences will sometimes have an indirect impact on how the person is interpersonally treated and so an impact on their freedom as agents. This will happen, for example, if the influences are so catastrophic in rendering the person vulnerable to others that they reduce the possibility of effective protection; we abstracted from this effect in describing the position of the free indigent in the previous section. Such indirect effects aside, however, impersonally sourced modes of influence will have no bearing on agency-freedom. People enjoy agency-freedom by grace of the protection and recognition they are accorded among their fellows and that freedom is going to be affected only by influences that originate or echo within the interpersonal realm.

The most obvious influences whereby others may affect agency-freedom are behavioural and intentional. Thus, as we saw, I may be deprived of my agency-freedom by the collective action of others or I may be denied that freedom by particular others acting in an individual, possibly criminal capacity. But it is worth noticing that the intentional efforts whereby others have

such a negative impact on my agency-freedom will be limited to arbitrary interventions, in the sense explained earlier. These are interventions that are not forced to track my avowed or readily avowable interests; typically, interventions that the agents perpetrate more or less at will and with more or less impunity. If others interfere with me only in a non-arbitrary manner – only in a manner to which I could raise an objection, for example, but do not – then that sort of interference will not challenge my status as a protected member of my society. Ulysses does not lose any agency-freedom when he licenses his sailors to keep him bound against the temptations of the sirens.

What of the interventions of a state in the ideal though unlikely event that the state is effectively forced to track the common, avowed or readily avowable interests of the citizens; in the event, for example, that the interventions are open to potentially effective contestation before a generally accepted body, should they not seem to track such interests? There are two reasons why such interventions would not challenge agency-freedom, though of course they will reduce option-freedom; or certainly they will reduce it if burdens count as affecting access. One is that they are non-arbitrary in the way in which the interventions of Ulysses's sailors are non-arbitrary. And the other is that, being non-arbitrary, they do not make for any difference between the level of protection enjoyed by different citizens and so do not make for differences in protected status.

The effects within the interpersonal realm that may affect someone's agency-freedom are not restricted to those that emanate on an intentional basis. They will also include positional effects of the kind that occur without anyone's intentionally doing anything. Let my position relative to others improve so that there is less that they can arbitrarily do to affect my option-freedom or let it deteriorate so that there is more that they can do and my agency-freedom will be automatically affected. It will be affected indeed, even if the shift in relative position has no impact on how likely it is that others will interfere or not interfere. Suppose that the power of another to interfere arbitrarily in my affairs increases but that the other's attitude towards me becomes at the same time more favourable, so that the probability of interference remains what it was. In this case, my agency-freedom will still have worsened, for I will no longer have the protected status that I previously enjoyed in relation to that other. Plotting my position in the diagram in Figure 2, we would have to trace a decline on the vertical axis without any shift on the horizontal.

3.3. Some Contentious Issues

In discussing option-freedom in the previous section, a number of issues connected with the character of access were identified but left open. It may be

worth mentioning here – though the argument is incidental to our main purpose – that if agency-freedom is acknowledged as a form of freedom that exists side by side with option-freedom, then this suggests a line on how at least some of those issues should be resolved.

Take the main issue raised, to do with whether it is enough for access to an option that choosing the option is physically possible, so that it does not strictly matter that the option is burdened in some manner or that one thinks it is blocked or burdened. Our discussion of agency-freedom should make clear that burdening options, or blocking or burdening them subjectively, is sufficient to deprive a person of their status as a free agent. Thus, the laws whereby a group of people are reduced to second-class status will usually burden choices – they will threaten legal sanctions – not strictly block them; and, so long as the bluff is never called, they can reduce people to a second-class status even if the sanctions threatened are not capable of being effectively imposed. And the same holds for initiatives whereby a person's agency-freedom as it exists under prevailing practice is denied by criminal offenders: offenders may merely threaten the victim or even threaten with a bluff. But if such factors are to count as inimical to agency-freedom, there are a number of advantages in letting them count also against option-freedom.

One advantage of standardizing in this way is that it will enable us to say that assaults on a person's agency-freedom generally have two aspects. First, and invariably, they will represent a deprivation or a denial of status. And second, they will tend to reduce the agent's option-freedom – though perhaps only in the manner of a burden, or of a subjective block or burden – in a way in which purely impersonal factors might also have done. Consider in this context the difference between the case where you threaten to damage my car if I park it outside your house and the case where you warn me that it will be damaged if I leave it there – say, to just the same extent and with just the same probability – because of an impending hailstorm. In the first case I suffer a double loss: you deny my status as a free agent and you burden the option of leaving the car where it is. In the second case, I suffer a loss of just the second kind: the option is burdened, though my status is unchallenged.

Another advantage of standardizing in the manner suggested is this. A non-arbitrary law will not offend against the agency-freedom of those affected – no more than would a natural obstacle, whether of the blocking or burdening variety – but on the standardizing line it will reduce people's option-freedom, just as natural obstacles will do. Thus, non-arbitrary law can be seen as inimical to one variety of freedom while being friendly to the other. And that is an intuitive and attractive result. It means that law can be seen as a restriction on freedom without being cast as a restriction of just the same kind as criminal interference. Like criminal interference, it

does reduce a person's option-freedom; but unlike such interference, it does not offend against his or her agency-freedom.

There were three subsidiary issues that we mentioned in connection with the sort of access that is relevant for option-freedom. One had to do with whether rewards or benefits could reduce option-freedom and the other two bore on whether an increase in the objective probability of interference or in objective vulnerability to interference could reduce it. If we are to follow a standardizing line, then this suggests that we should not count rewards as assaults on either sort of freedom, since the standard wisdom is that for agency-freedom I do not need to be protected against ordinary offers, especially ones I can refuse to accept; they will count as non-arbitrary forms of interference so far as they track my avowable interests. And if we are to follow a standardizing line, then equally this suggests that we should count increases in objective probability and vulnerability as assaults on both sorts of freedom; after all, they would certainly represent losses of agency-freedom, since they would impact on the level of protection I enjoy.

4. A Review of Existing Positions

I hope that these comments will make it plausible that two different though related phenomena may be competing for attention in recent discussions of freedom. I conclude with a brief discussion of how the three schools of thought distinguished in my introduction relate to those phenomena.

4.1. Non-limitation and Non-domination

The theory of freedom as non-limitation, given its sustained indifference to the source of the influences whereby freedom is reduced, is clearly meant as a theory of option-freedom. It seeks to articulate the principles whereby we can determine how much choice a person enjoys, where the quantity of choice is taken to be a function of the character of the options accessible to an agent and the mode of access that the agent has to those options. This sort of enterprise has been at the focus of concern among economists, concerned as they are about how markets and other systems perform in facilitating freedom of choice. But the enterprise also engages left-libertarians for whom justice requires equal freedom in the realm of options associated with external resources (Vallentyne and Steiner, 2000a, b): this explains the recent philosophical interest in the approach (Steiner, 1994; Carter, 1999).

The theory of freedom as non-domination, by contrast with this approach, is primarily concerned with agency-freedom rather than option-freedom. It seeks to articulate and regiment the republican view that to be a free

person – to be a liber – is to be a civis or citizen who enjoys equal protection with others under the law and the customs of their society; and this as a matter of common consciousness (Pettit, 1997; Skinner, 1998; Viroli, 2002). The freedom that is hailed as an ideal under this approach involves a status that the agent has among his or her fellows: it does not primarily turn on the amount of choice that the person happens to enjoy. The lucky slave may enjoy an enormous amount of choice but would still not count as free according to this way of keeping the books.

4.2. The Debate Between These Two Theories

How should the debate go between these two approaches? Does each of them articulate a phenomenon that truly deserves, under ordinary usage, to be described as freedom? Does each of them articulate a phenomenon that is of serious normative import? And which of them does best at making room for the insights of the other?

I have no hesitation in thinking that the phenomena of option-freedom and agency-freedom, as they are sketched here, do each answer to an ordinary usage of the term 'free'. When we ask after what it is an agent is at liberty to do, then arguably we are inquiring after the extent of his or her option-freedom. When we ask after whether someone has the standing of a free agent in their society, we are inquiring after how far they enjoy agency-freedom. There is no difficulty and no strain involved in recognizing that, depending on context, the word 'free' may point us, now in one direction, now in the other.

As I think that both phenomena deserve to be described as forms of freedom, so I think that each has a claim to be an important, irreducible good. Each is irreducible to the other, given the point made about their being capable of varying independently. And each is an important good, I think, so far as it represents something that most of us can be brought, after a little reflection, to care about. It matters to us that we have more options rather than fewer and better access to those options rather than worse; or, at least, that is the case so far as other things are equal, as they often surely are. And it matters to us equally that we do not live under the thumb of others, no matter how benign those others may happen to be. Option-freedom and agency-freedom are both valuable and have both been hailed as valuable over a long tradition of thought.

None of this means, of course, that there is a resolution in sight between the left-libertarian concern to advance people's option-freedom and the republican concern to advance their agency-freedom. There is still a question as to which of these general philosophies does better as a normative theory of government. Which does better, as the method of reflective equilibrium

would have it (Rawls, 1971), in systematizing our considered intuitions as to what it is right that government should do and be allowed to do?

We cannot address that question in full detail here but there is one observation worth making. This is that whereas the republican theory can easily make room for the value of option-freedom, the reverse is not obviously the case. The natural line for a republican theorist to take is that agency-freedom – in particular, freedom as non-domination – should be the primary concern of the polity, option-freedom the secondary. The primary goal, as I have put it elsewhere (Pettit, 1997, 2001), should be to guard people against domination, the secondary to maximize the range in which, and the ease with which, people can exercise their undominated capacity for choice. If two polities give people equal freedom as non-domination but one involves a greater restriction on choice – one involves more restrictive, non-arbitrary laws – then the less restrictive regime should be preferred. If two polities give people equal freedom as non-domination but one does more in enabling people to overcome natural limitations, then the more empowering regime should be preferred. And so on.³

It is not so easy, however, to see how the left-libertarian theory can make room for agency-freedom. If freedom is conceptualized and hailed primarily as something fixed by the options accessible to an agent, in whatever mode of access is thought suitable, then it is not clear how any particular value can be ascribed to the status of the agent relative to others. Certainly it is not clear how this can be done, consistently with recognizing that status as a phenomenon that answers equally to an ordinary usage of the word ‘freedom’.

4.3. *Non-interference*

What, finally, is there to say about the third of the three schools of thought that we distinguished at the beginning? How should we think of the theory of freedom as non-interference, in light of the distinction between option-freedom and agency-freedom?

I think that the distinction poses an interesting dilemma for this theory. The theory looks like a theory of option-freedom, so far as it is concerned with quantity of choice rather than social status. Yet it looks like a theory

3. The examples given should not be taken to suggest that I commit myself to a lexicographic ordering of agency-freedom and option-freedom. It may be more appropriate to have a looser way of weighing them against one another, as I argued in Pettit (1997). In that work I describe assaults against agency-freedom as ways of compromising freedom as non-domination and assaults against option-freedom as ways of conditioning freedom as non-domination. The formula presented here makes clearer than the language of compromising and conditioning that there is a sense in which option-freedom may be enjoyed in the absence of agency-freedom.

of agency-freedom, so far as it gives attention only to those obstacles to choice that other, interfering agents put in the way of the chooser.

The dilemma for the approach can be stated as follows. Either it is a theory of option-freedom, in which case it is not clear why impersonal sources of influence do not count equally with interpersonal as obstacles to freedom.⁴ Or it is a theory of agency-freedom, in which case it is not clear why interference is so important as such. An agent's status is not affected by non-arbitrary interference in the same way as by arbitrary interference and again an agent's status is affected by exposure to arbitrary interference regardless of whether interference actually occurs. So why should a theory that is concerned with agency-freedom emphasize actual interference only and interference of a non-arbitrary as well as interference of an arbitrary kind?

The ambivalence of the theory of freedom as non-interference will be historically intelligible, if the genealogy of the approach that I have suggested elsewhere is sound (Pettit, 1997, Ch.1; 2001, Ch.7). On that genealogy, the theory emerged as a diluted view of agency-freedom that appealed to those moderate reformists like Bentham and Paley who wanted to see freedom secured for women and servants, not just for propertied males. It enabled them to argue that under quite modest reforms women and servants could have freedom in the same sense as their masters, despite the fact that they did not have the same power of resisting interference and the same undominated status. They would be equally free so far as they were fortunate enough not actually to suffer interference. Women might hope to enjoy such freedom, thanks to the Christian manners of their menfolk; servants might hope to enjoy it, thanks to the economic rationality of their superiors.

This concludes our discussion. If the argument is sound, then it transpires that there are two sorts of phenomena that should be distinguished among the targets of recent writing on freedom. One is the option-freedom that is determined by the amount of choice available to an agent. The other is the agency-freedom that is fixed in a more complex way by the status of the agent – the recognized, protected status of the agent – in relation to his or her fellows. The theory of freedom as non-limitation is unambiguously a theory of option-freedom. The theory of freedom as non-domination is primarily a theory of agency-freedom, though it can make room for a secondary level of concern with option-freedom. And the theory of freedom as non-interference is born of a confusion between the two: it does not adequately answer to either.

4. The theory might allow that impersonal influences are a secondary evil in a manner paralleling the move that I suggested republicanism can make. See in this connection Van Parijs (1995) and Pettit (2002).

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