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Freedom and Probability: A Comment on Goodin and Jackson

In a recent article, Robert E. Goodin and Frank Jackson offer a brisk outline and assessment of the 'basic positions' on the question of how to advance freedom: in particular, how to advance the freedom of human beings in relation to one another rather than in relation to natural impediments.[1] According to their outline, there are three available strategies for advancing the cause of freedom, which they describe as actualism, possibilism and probabilism; and according to their assessment, the winning strategy is clearly probabilism.

The question of how freedom should be advanced is often neglected in favor of the more standard issue of how freedom should be analyzed, and it is good to see it addressed. The approach taken by Goodin and Jackson goes wrong, however, because they in turn neglect some characteristic, widely endorsed principles of analysis. Let those principles be admitted and it becomes clear both that there are more strategies to be considered than the three they present and that their unqualified probabilism is unsustainable.

I develop the argument for this view in three sections. The first describes the mapping proposed by Goodin and Jackson and their case in favor of probabilism. The second section defends two principles in the analysis of freedom, one weak and standard, the other stronger and more controversial. The third section then shows how either of these principles would force us to recognize and support a fourth strategy—I call it *bounded probabilism*—that Goodin and Jackson ignore.

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1. Robert E. Goodin and Frank Jackson, "Freedom from Fear," *Philosophy & Public Affairs* 35 (2007): 249–65. Page numbers in the text refer to this article.

The weaker of the two principles introduced in Section II is associated with standard liberal theories of freedom as noninterference; the second, stronger claim is linked with the neo-republican conception of freedom as nondomination.[2] Goodin and Jackson suggest in passing that this latter conception—or at least a conception that they ascribe to anti-Hobbesian 'republicans' like Quentin Skinner and me (p. 251, n. 6)—supports their possibilist strategy. Part of my motivation is to rescue the republican view from association with a strategy that, like them, I regard as utterly irrational.[3]

I. THREE STRATEGIES OF FREEDOM

Goodin and Jackson are concerned with an agent's freedom from the obstacles that other agents may put in his or her way, identifying the relevant obstacles as the "external impediments to action that are due to human agency" (p. 251). They do not say whether the impediments have to be intentionally imposed or have to be at least the quasi-intentional interventions for which an agent might be held negligent. Equally, they are silent on whether they are thinking only of impediments that make the choice of an option impossible. Thus they do not say whether the category should be extended to include manipulative impediments that make rational choice problematic; burdensome impediments that make an option difficult or costly but not impossible; or informational impediments that make an option seem to be difficult or costly, or indeed impossible.

I shall assume in what follows that they have intentional or quasi-intentional impediments in mind, and that impediments are to be understood broadly to include burdening and informational

2. Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997); Quentin Skinner, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998).

3. I have argued against a similar line of criticism by Jeremy Waldron (Philip Pettit, "Joining the Dots", in *Common Minds: Themes from the Philosophy of Philip Pettit*, ed. M. Smith, H. G. Brennan, R. E. Goodin, and F. C. Jackson [Oxford: Oxford University Press, 2007], pp. 255–344). For a formalization that offers a wonderfully clear (and to me, congenial) view of how the liberal and republican approaches compare in their treatment of possibility, see Christian List, "The Impossibility of a Paretian Republican? Some Comments on Pettit and Sen," *Economics and Philosophy* 20 (2004): 1–23.

impediments as well as obstacles that render an option impossible.[4] My argument can be recast to fit with variations in this construal of external impediments but it will be clearer if it is initially formulated in terms of a tightly specified conception of impediments. I shall speak of impeding an option in the intentional, inclusive sense intended, in a term they also use (p. 250), as interfering with the agent's choice.

The basic feature of the proposed map of freedom is the threefold distinction that it introduces between actualist, possibilist, and probabilist ways of being concerned about freedom. According to the actualist strategy, being concerned about freedom means seeking the absence of actual interference; according to the possibilist, it means seeking the absence of possible interference; and according to the probabilist, it means seeking the absence of probable interference.[5] The actualist will be happy to the extent that no interference actually occurs, regardless of how far interference remains possible or probable. The possibilist will be happy to the extent that any possibilities of interference are reduced, regardless of how probable or improbable the eliminated possibilities are; freedom will be advanced just as well by ruling out possibilities that are 'not remotely probable' as by ruling out probable possibilities.[6] And the probabilist will be happy to the extent that no interference is probable: none is actual, since this would give it a probability of one, and the possibilities in which interference materializes are relatively improbable.

Goodin and Jackson do not offer an analysis of what freedom consists in and then add a story as to what a rational concern for freedom in that sense involves. While assuming that it involves noninterference in some manner, they abstract away from the detailed analysis of what freedom

4. They do refer to Hobbes in indicating which impediments they have in mind and Hobbes does only take account of impediments that render the choice of an option impossible, at least when he is thinking of corporeal freedom (Philip Pettit, *Made with Words: Hobbes on Language, Mind and Politics* [Princeton, N.J.: Princeton University Press, 2007]). But they suggest that the notion of freedom is the 'standard' or 'liberal' notion of negative liberty, and on the standard account impediments bear a much wider reading (David Miller, "Constraints on Freedom," *Ethics* 94 [1984]: 66–86).

5. For simplicity, I shall assume that to seek the absence of probable interference or the probability of noninterference is equivalent to maximizing expected noninterference.

6. Strictly, the possibilist need not have any special concern even about interference that is actual and has a probability of one. I make the point to emphasize the gross irrationality of the strategy.

requires, and go straight to the strategy question of what one should prize or seek, if one is concerned with freedom. Thus, the probabilist view that they espouse leaves open the analytical question as to whether freedom is lost only in the presence of actual interference or whether it is also lost—as distinct from being in danger of being lost—to the extent that interference is probable.[7]

Probabilism easily wins the competition that they set up, although it remains unclear whether actualism or possibilism comes in second place. Actualism beats possibilism insofar as it puts a premium on actual interference rather than distributing concern equally over all possible forms of interference, probable and improbable.[8] Possibilism beats actualism insofar as it recognizes that the interference that should concern us includes interference that has not yet actualized but may still happen. Yet however the competition between actualism and possibilism goes, probabilism clearly wins over the other two. It puts a premium on actual interference, as actualism does, since this has a probability of one, and like possibilism it also gives importance to possible interference. True, it gives importance to possible forms of interference only in proportion to their probability but that, on the face of it, is mere common sense. If interference "is possible, but not remotely probable, why worry?" (p. 252).[9]

II. TWO PRINCIPLES FROM THE ANALYSIS OF FREEDOM

The Liberal Principle

Suppose that an agent, A, has a choice between two options, x and y, and that A's freedom in the exercise of that choice is put in jeopardy by an agent, B, who has a choice between interfering with A's choice and not interfering with A's choice. In order to ensure that B's interference does indeed endanger A's freedom, we may suppose in addition that it is not

7. They do make one remark that supports the second, less intuitive position: "Your freedom is impaired in proportion to the probability of someone interfering with your actions and choices" (p. 250).

8. Goodin and Jackson, surprisingly, do not make the point about actualism.

9. In particular, why worry if worrying involves paying costs in order to protect against such interference? "Probabilistic-freedom tells us not to worry about possible-but-very-improbable events, if eliminating the possibility would involve costs disproportionate to the risks" (p. 252).

subject to any form of control on A's part; it is not like the interference of Ulysses's sailors in keeping him tied, at his own request, to the mast.[10] In order to keep the situation as simple as possible, we may suppose for the moment that A is unaware of B's presence or disposition and chooses between x or y on an independent basis, not out of a wish to avoid B's interference.[11]

Under these suppositions, there are four possible ways that things may turn out. A may choose x and B may be disposed to interfere with x, not y; A may choose y and B may be disposed to interfere with y, not x; A may choose x and B may be disposed to interfere with y, not x; and A may choose y and B may be disposed to interfere with x, not y. Those possibilities correspond with the four boxes in a matrix (see Table 1).

Table 1

B is disposed to	interfere with x, not y;	interfere with y, not x
A is disposed to	1. choose x	2. choose x
A is disposed to	3. choose y	4. choose y

Will A's freedom to choose between x and y be undermined in the case where possibility 1 or 4 is actualized? By all accounts, it will. In each case A makes a choice that triggers the interference of B, and in each case, then, A suffers some degree of actual frustration.

But what of the case where the actual world is represented by 2 or 3? In each of these cases A makes a choice that happens not to trigger B's interference; A is lucky enough to be independently inclined to choose as B wishes and the result is that A gets what he or she wants. However, had A chosen the other option in either case, then A would have been interfered with. Should we say in these cases that, not suffering actual interference or frustration, A enjoys freedom in the choice made?

10. This supposition is tantamount, in my interpretation of republican language, to supposing that the interference perpetrated is arbitrary rather than nonarbitrary: it is not forced to track the interests of the agent according to the judgments of the agent (Pettit, *Republicanism: A Theory of Freedom and Government*), i.e., the interests that the agent is disposed to avow (Philip Pettit, *A Theory of Freedom: From the Psychology to the Politics of Agency* [Cambridge and New York: Polity and Oxford University Press, 2001]).

11. Goodin and Jackson suggest that it is unlikely that "people can be free or unfree without knowing it" (p. 256). I am puzzled as to why they think this.

It is certainly true that A acts freely in case 2 and case 3. It is not as if A is forced to make the choice and, under our simplifying suppositions, it is not even as if A makes the choice because of being aware of B's dispositions to interfere with the alternative option. Thus we would certainly be willing to hold A responsible for taking the action.[12] But that is not relevant to our concerns. The question is whether A enjoyed freedom, freedom in relation to other people, in the exercise of that choice. This is the question of whether A was granted a free choice, not whether A acted in the belief that he or she had such a choice, and so acted in a way that incurred responsibility.

Thomas Hobbes may be the only major political thinker who opts unambiguously for a positive answer to this question.[13] He embraces that answer in an exchange with Bishop Bramhall. Bramhall had argued that if the door to the tennis court is closed, perhaps unbeknownst to someone, then that person is unfree to play tennis, whether or not he or she has any wish to do so. Hobbes responds: "it is no impediment to him that the door is shut till he have a will to play, which he has not till he has done deliberating whether he shall play or not."[14] The Hobbesian view is that the question of whether someone is free in a choice does not even arise until the person has formed a will or preference. The choice is free just in case the chosen action is unopposed and "he is not hindered to do what he has a will to."[15] What would have happened in the counterfactual case where the agent had a different preference is not relevant, on this way of keeping the books.

The Hobbesian way of keeping the books is now widely rejected.[16] On the currently standard analysis, agents enjoy freedom in a choice

12. See Harry Frankfurt, "Alternate Possibilities and Moral Responsibility," *Journal of Philosophy* 66 (1969): 829–39.

13. Other writers sometimes suggest a similar line, as when John Stuart Mill says that "liberty consists in doing what one desires" (*On Liberty* [Indianapolis: Hackett, 1978]). But this sort of comment is ambiguous: Mill may have meant that liberty consists in being able to choose whatever option one might happen to prefer.

14. See Thomas Hobbes and Bishop J. Bramhall, *Hobbes and Bramhall on Freedom and Necessity*, ed. Vere Chappell (Cambridge: Cambridge University Press, 1999), p. 91.

15. Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Indianapolis: Hackett, 1994), chap. 21, sec. 12.

16. See, for example, J. P. Day, "On Liberty and the Real Will," *Philosophy* 45 (1970): 177–92; Amartya Sen, "Well-being, Agency and Freedom," *Journal of Philosophy* 82 (1985): 169–221; Hillel Steiner, "Individual Liberty," in *Liberty*, ed. David Miller (Oxford: Oxford University Press, 1993); Ian Carter, *A Measure of Freedom* (Oxford: Oxford University Press,

between certain options, just insofar as those are truly options for the agents. They can think of each of the options: I can do that; whether I take it or not is up to me. They can think this rightly or correctly.[17] Thus if they are free in relation to other people in that choice, it must be that no one interferes with any of those options. More specifically, on the conception of interference adopted in Section I:

(1) No one manipulates their capacity to choose deliberatively.
(2) No one has removed one of the options from the domain of deliberative choice.
(3) No one has replaced an option by a burdened counterpart in which there is a chance or certainty of a penalty.
(4) And no one has misled the agent into thinking that an option has been removed or replaced in that manner.

This way of thinking constitutes the liberal principle. It is well expressed by Isaiah Berlin in his metaphor of open doors. Already present in his 1958 lecture on 'Two Concepts of Liberty', it is given particularly forceful expression later. "The extent of a man's negative freedom is, as it were, a function of what doors, and how many, are open to him; upon what prospects they open; and how open they are."[18] Someone is going to enjoy freedom in a given choice, according to this metaphor, to the extent that all of the options by which the choice is characterized, including those that do not attract the agent, remain open. Thus, in our schematic example, A does not enjoy freedom in cases 2 and 3. Although the door A actually pushes against is open, the door A pushes against in the counterfactual case is not.

Why does Berlin hold that freedom of choice requires that dispreferred as well as preferred options should escape interference? He points out that in a world where various options are closed to me, the Hobbesian position entails that I can become more free just by adapting my

1999); Matthew Kramer, *The Quality of Freedom* (Oxford: Oxford University Press, 2003); and List, "The Impossibility of a Paretian Republican? Some Comments on Pettit and Sen."

17. An action description will identify an option for an agent if things are such at the time of action that the agent can make the description true. That things are this way does not need to be logically guaranteed, only guaranteed by actual, contingent arrangements.

18. Isaiah Berlin, *Liberty: Incorporating Four Essays on Liberty*, ed. Henry Harding (Oxford: Oxford University Press, 2002), p. 41.

preferences so that I prefer only those that are open.[19] If I am in prison, for example, I can become free—externally free, not just free in a Buddhist sense—by adapting my preferences so that this is what I want. This is an absurd thesis, by anyone's lights, and the fact that it would hold true in the absence of the liberal principle shows why that principle has a claim on our endorsement. No liberation by adaptation, Berlin supposes. And that supposition means that the freedom of a choice requires the absence of interference, not just with the chosen option, but also with unchosen alternatives.

The Republican Principle

Why is it so natural to go along with the liberal principle and assume that A's freedom is reduced by B, no matter which box in our matrix applies? Plausibly, because in all four scenarios depicted by those boxes, there is a sense in which B exercises a degree of control over A's choice. In each scenario, B raises the probability that A will choose according to B's taste beyond the level that it would have had in B's absence;[20] or at least B does this when there are no perturbing factors at work to reverse B's impact. In that sense B exercises a degree of control over A's choice.[21] B exercises such control on a need-for-action basis, interfering only as required. Suppose that B wants to raise the probability of A's choosing x. Absent perturbing factors, the best thing for B to do when A is disposed to choose y is to interfere, and the best thing for B to do when A is disposed to choose x is to stand by, guarding against a possible change of mind. That is exactly what B does. B controls A by active interference in the one case and by invigilation, i.e., invigilation with a view to possible interference, in the other.

The control that B exercises over A's choice reduces A's freedom, intuitively, because it is an uncongenial form of control that affects A's

19. Isaiah Berlin, *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), p. xxxviii; Sen, "Well-being, Agency and Freedom," p. 191.

20. Philip Pettit, "Dahl's Power and Republican Freedom," *Journal of Power* 1 (2008): 67–74.

21. On this usage, then, B still exercises control in the case when perturbing factors are at work to reverse his or her probabilistic impact. The paradigm of such a case is where A is defiant and countersuggestible and is prepared to suffer a serious loss in order to frustrate B's efforts. B may not raise the probability of A's behaving to B's taste in such a case, but B does require A to endure a heavy cost in order to avoid that effect.

can-do assumptions in respect of the original options, x and y. It makes one or another assumption false, whether by manipulating A's rationality, by removing one of A's options, or by replacing an option with a burdened alternative. Or at least it leads A to believe that one or another assumption is false. Thus, to highlight the contrast with congenial forms of control, B does not raise the probability of A's choosing x, for example, just by deliberating with A and sincerely offering, on a take-it-or-leave-it basis, considerations that argue for x. Nor does B raise the probability by making a refusable, nonmesmerizing reward for A's choosing x.[22] Such an offer would not remove or replace the option of choosing x but merely add a further option, x+: that is, x plus the reward.

Republican theory suggests that the reason why the liberal principle is sound is that B's interference with any option, chosen or unchosen, represents a form of uncongenial control over A and thereby reduces A's freedom of choice.[23] Uncongenial control may materialize via active interference or via invigilation, as we have seen. It may also be boosted by the self-inhibition of the agent, once he or she becomes aware of being invigilated and self-censors in order to avoid active interference. Indeed such self-inhibition can mediate the control in its own right, as when it is induced on the basis of B's false pretense of being able to interfere with A. If uncongenial control is identified as the antonym of freedom, then that argues for admitting the truth of the republican principle, as I call it, in addition to the truth of the liberal.[24]

22. The mesmerizing reward, say, the offer of a drink to an alcoholic, would reduce the agent's capacity for rational choice. The nonrefusable reward, like the nonrefusable penalty, would replace the option by an alternative.

23. We are taking interference here to be arbitrary: i.e., not to be subject to the ultimate control of the interferee. Thus, the fully articulated claim is that someone is free in a given choice to the extent that there is no one who exercises a degree of uncongenial, uncontrolled control—in other words, a degree of domination—in that choice. See Philip Pettit, "Republican Liberty: Three Axioms, Four Theorems," in *Republicanism and Political Theory*, ed. Cecile Laborde and John Maynor (Oxford: Blackwell, 2008). The republican tradition takes the freedom of a person or citizen, as distinct from the freedom of a particular choice, to depend on the absence of uncongenial, uncontrolled control in those choices that each can enjoy consistently with others enjoying them at the same time (Philip Pettit, "The Basic Liberties," *Essays on H.L.A. Hart*, ed. Matthew Kramer [Oxford: Oxford University Press, 2008]). More specifically, it takes the freedom of the citizen to depend on how far the absence of such control is ensured by the legal and political culture (Philip Pettit, "Free Persons and Free Choices," *History of Political Thought* 28 [2007]: 709–18).

24. In this rendering of republican theory, A's freedom is reduced by the use of uncongenial means—that is, means that jeopardize A's can-do assumptions—such that, absent

Imagine that in our schematic example, B comes to think kindly of A, perhaps because of finding A amusing or charming, or because of being duped by A, and that B ceases to be disposed at that point to interfere in A's choice. B might change his or her mind, of course, since A may cease to be able to charm or dupe B, or B's own tastes may shift. But for the moment B is disposed not to interfere: B is disposed to give A free rein in the choice between x and y. According to the republican principle, B still exercises control over A's choice even in this more benign situation.

Assume in this situation that B continues to be aware of how A is disposed to choose, and that B continues to have an interest in how A behaves. Assume, in other words, that B continues to invigilate A's performance. Absent perturbing factors, B's presence raises the probability that A will choose according to B's taste. By maintaining an invigilatory presence B guards against the nonzero probability that things will not work out as anticipated, whether as a result of a decline in A's charm or cunning or a change in B's taste. Let that possibility loom and B will interfere in the attempt to block A's action, or to render it, or at least a repeat performance, less likely. Absent special factors, then, B's invigilating presence makes it more probable that A will choose according to B's wishes.

This means, by our earlier account, that B exercises a degree of control over A's choice even in this benign situation. More particularly, B exercises an uncongenial form of control that should be distinguished from control that is based on take-it-or-leave-it deliberation or regular, refusable offers. B's invigilating presence means that each option has been replaced by that-option-provided-it-is-to-B's-taste. Whatever A does, even when B remains wholly positive and kindly, it is done by B's leave: it is done *cum permissu*, in the old republican phrase.

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special factors, this raises the probability that A will choose according to B's taste. In an alternative version, we might say that A's freedom is reduced by the use of uncongenial means in the attempt, successful or unsuccessful, to raise that probability. I follow the first version here, as in "Republican Liberty: Three Axioms, Four Theorems." The different versions offer different but convergent definitions of the notion of uncongenial control. Notice that on either version, the way that human beings reduce the freedom of a person, i.e., by the exercise of uncongenial control, is very different from the way in which natural obstacles may do so; such obstacles do not have tastes and do not exercise control by any means, congenial or uncongenial.

Where Berlin argues for the liberal principle on the ground that there is no liberation by adaptation, we may argue for the republican principle on the parallel ground that there is no liberation by ingratiation.[25] Suppose I live in a world where there are many others with the resources to interfere in my life. If it is sufficient for my freedom that those powers be disposed not to interfere—and this, on however flimsy a basis—then I can make myself free to the extent that I can use charm or cunning to ingratiate myself with them and keep them on my side. But this is a deeply counterintuitive result, on a par with the result from which Berlin recoils. We naturally think of the weakling who fawns or toadies or kowtows as the very epitome of someone slavish and unfree. It would be outlandish to think that fawning might be a way to freedom.

In order to avoid this result, it makes good sense not just to accept the liberal principle, but also to adopt the republican. An agent will be free in a given choice just to the extent that others do not have a degree of uncongenial control over that choice. Others will have such a degree of control just to the extent that they are in a position to interfere—in an invigilating position to interfere—should the agent not choose to their current taste. And others may be in this position, even while they are currently disposed to give the agent free rein in the choice. It will remain true that the agent acts, wittingly or unwittingly, by their leave. The agent will be dominated by them, living as under the power of a lord: *in potestate domini*.

III. A FOURTH STRATEGY OF FREEDOM

The core objection to the probabilism that Goodin and Jackson defend can now be formulated. Their position entails that the way to advance A's freedom in the choice between x and y is to make B's interference less and less probable. But B's interference may become less probable without B's uncongenial control being in any way lessened. And in those cases it seems quite wrong to say that A's freedom has increased. Thus it is intuitively wrong to say that A enjoys a greater degree of freedom just because A's taste as between x and y shifts in B's direction or because B's taste for interfering with A happens to shift in A's favor. And it is

25. See Philip Pettit, "Capability and Freedom: A Defence of Sen," *Economics and Philosophy* 17 (2001): 1–20.

downright outrageous to say this when these shifts occur because of adaptation in the one case or ingratiation in the other.

Probabilism argues that freedom in a given choice, such as A's choice between x and y, increases just to the extent that interference in the actual world becomes less probable. Thus the strategy is to look for ways of decreasing the sum of the following two probabilities: the probability of A's choosing x times the probability of B's interfering with x; and the probability of A's choosing y times the probability of B's interfering with y. Adaptation will affect this sum by reducing the probability that A will choose in a manner that triggers B's interference. Ingratiation will affect it by reducing the probability that B will actually interfere.

The liberal principle suggests that A's freedom increases just to the extent that interference becomes less probable in two possible worlds—that in which A is disposed to choose x and that in which A is disposed to choose y; and this, regardless of which possibility is actual. This means that it looks for a decrease in the sum of two quite different probabilities: the probability of B's interfering, in the event that A chooses x; and the probability of B's interfering, in the event that A chooses y.[26]

The nonactual possibility where A chooses x or y is relevant, under this accounting, regardless of the probability that that possibility will be actualized. Suppose A becomes disposed to choose x and B is not disposed to interfere with x. That may mean that the prospect of A's preference-satisfaction increases but it will not mean that A's freedom improves. A's freedom is a function of the probability of interference under the possibility associated with each option and is not sensitive to the probability that one or another option will be chosen.

The republican principle expands still further the range of possibilities that become nonprobabilistically relevant in the measure of freedom. The Hobbesian says that A's freedom is sensitive only to the actual probability of interference. The Berlinian says that even if A suffers no interference in the actual world, A's freedom will still be sensitive to the probability of interference in the counterfactual world in which A

26. There are tricky issues raised by how exactly to interpret such subjunctive as distinct from conditional probabilities. See David Lewis, "Probabilities of Conditionals and Conditional Probabilities," *Philosophical Review* 85 (1976): 297–315; and "Probabilities of Conditionals and Conditional Probabilities II," *Philosophical Review* 95 (1986): 581–89.

chooses otherwise. The republican goes further still and says that even if A suffers no interference in either of those worlds, A's freedom will be sensitive to the probability of interference in the counterfactual worlds where B ceases to be charmed or duped by A.

There is a deep contrast between the position espoused under either the liberal or republican principle and the probabilism advocated by Goodin and Jackson. But this position, it should be noted, is not equivalent to the possibilism that they rightly reject. To be a possibilist is to want to reduce interference across an open-ended, probabilistically unweighted range of possibilities. But to adopt the sort of position supported by either the liberal or republican principle is to give only a closed subset of such possibilities the privilege of being nonprobabilistically relevant. On the liberal principle, it is to privilege those counterfactual possibilities in which the endangered agent's choice-dispositions vary; on the republican principle, it is also to privilege those counterfactual possibilities in which there is variation in the interference-dispositions of endangering agents.[27]

The difference between this position and possibilism comes out in the fact that adherents can readily agree with probabilists about how to regard nonprivileged possibilities. Take the possibility, not that an actual, powerful agent like B will interfere with A, but that an actual, powerless agent will become powerful enough to be able to interfere or that a nonactual agent will materialize, perhaps in the way a collective agent may materialize by incorporation, and have this power.[28] On both the liberal and the republican principles, those possibilities may be of concern only in proportion to the probability of their being realized. Adherents of the principles will be probabilists over these cases but their probabilism will be bounded; it will not extend to the privileged cases.

There is no mystery as to why bounded probabilism privileges some possibilities but not others. Freedom is a modally demanding good,

27. See List, "The Impossibility of a Paretian Republican? Some Comments on Pettit and Sen."

28. I describe these possibilities in *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997) as possibilities of virtual or potential domination. Actual domination, that is, uncongenial, uncontrolled control, may occur without actual interference, as we have seen; it may materialize by courtesy of invigilation or inhibition. But all such domination, however mediated, is an actual evil and it contrasts with potential domination, which is not. Potential domination represents only the danger of an evil and so is only probabilistically relevant to the cause of freedom.

under both liberalism and republicanism. It requires things to be organized so that the probability of noninterference is high, not just in the actual world, but also in relevant possible worlds: those that may materialize in virtue of what the endangered agent or the endangering agents are able, by hypothesis, to do.[29] While liberalism may seek to probabilify freedom as noninterference, then, and republicanism freedom as nondomination, the modally demanding nature of the good pursued means that some possible worlds, but only some possible worlds, have a privileged status; they are nonprobabilistically relevant to the freedom people enjoy.[30]

This ought to be enough to show that bounded probabilism should be identified as a fourth strategy of freedom, distinct from the three that Goodin and Jackson acknowledge. The strategy is to take agents like A and B as agents with options—x and y, on the one hand, interference and noninterference, on the other—and, assuming that there is no limitation in resources, to provide protections against what B may do to A, regardless of what option A is likely to choose, and regardless of how likely it is that B will interfere. This will mean trying, for each of those scenarios, to reduce B's capacity for interference: to remove the option of interference from B or at least to replace it by an option that involves choice-inhibiting costs and penalties.[31]

What if resources are limited, however, as they will often be? In that case, there will be a natural case for giving more attention to the more probable scenarios. This will be justified by a concern to increase A's preference-satisfaction, however, not by a concern to increase A's

29. Notice that the requirement is that things be actually organized so that suitable results are likely to materialize in the relevant possible worlds; the focus is on the actual protections against interference that can support those modal results. One early critic of republicans who thought that it is a mistake to concentrate in this way on actual protection against interference is William Paley: "they describe not so much liberty itself, as the safeguards and preservatives of liberty" (*The Principles of Moral and Political Philosophy, Vol. 4, Collected Works* [London: C. and J. Rivington, 1825], p. 197).

30. Freedom as noninterference, at least in the sense in which that ideal is associated with Berlin and his ilk, may not be well named, since the name does not signal the modally demanding nature of the ideal; as the text implies, to promote such freedom is not to probabilify noninterference, no matter on what basis.

31. Reducing the capacity for interference in this way amounts to establishing a degree of uncongenial control over the interference. If that control is in A's hands, and A tolerates the interference, then that interference will count as controlled or nonarbitrary interference. See n. 10 and 23 and Pettit, "Republican Liberty: Three Axioms, Four Theorems."

freedom. Suppose that B is set on blocking the choice of x, and a second person, C, is set on blocking the choice of y, and that x and y are equally important options for A. Better that the option that A is more likely to choose is protected than that the other option is protected. Even if it does not mean that A has more freedom, it does mean that A is likely to enjoy greater preference-satisfaction.

One last set of issues: Why should we care in a nonprobabilistically weighted way about what an agent can choose but is unlikely to choose? Why should we care in the same nonprobabilistic manner about what another can do in interfering with that agent, even when the other is unlikely to interfere? In short, why should we care about freedom, in the modally demanding sense that it has under both liberal and republican analyses?

In seeing ourselves as agents with options—agents who can do this or who can do that—we have to reject the way of thinking under which we are suitable subjects for detached prediction, akin to natural systems; otherwise we could not deliberate about what to do, or feel guilt about it afterwards. Equally, in seeing others as agents of the same kind, we have to reject that purely predictive way of thinking about them; we have to see them as free agents, holding to a perspective where resentment and gratitude, for example, are appropriate.[32] It is for this reason, I think, that we privilege the possibilities associated with what endangered and endangering agents can do, making those possibilities nonprobabilistically relevant in the measure of freedom. This may reflect an anthropocentric bias on our part but it is hard to imagine that we might ever live beyond the reach of that bias, or that there would be any joy in doing so.

32. Peter Strawson, "Freedom and Resentment," in *Free Will*, 2nd ed., ed. Gary Watson (Oxford: Oxford University Press, 2003).