- Doron, G. (1979) The Hare System is Inconsistent, *Political Studies* 27: 283–286.
 Farkas, D. and Nitzan, S. (1979) The Borda Rule and Pareto Stability: A Comment, *Journal of Economic Theory* 17: 1305–1306.

16. Freedom, Coercion, and Ability

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1. Introduction

In his methodological comments about the study of ethics and politics, Aristotle famously remarked that one should not demand more precision from the study of a subject than that subject allows.¹ He has sometimes been interpreted as suggesting that analytical rigour is not required here. Indeed it may well be true that at the end of analytical scrutiny, central topics in moral and political philosophy, such as freedom or power, may still leave room for interpretation because the superiority of one analysis over another may well be embedded in our intuitions. This fact, if it proves to be so, should not dissuade us from analytical rigour. In the last few decades philosophers, economists and mathematicians have fruitfully applied mathematical and formal analysis to the concepts of 'power' and 'freedom'. From that analysis we have learned much.

The concept of power was the first to which formal theorists turned their attention. This was quite natural, given the obvious bargaining ramifications of game theory. It is cooperative rather than non-cooperative game theory that has undergirded most of the analysis however. A natural interpretation of the Shapley value (Shapley 1953) – specifically in voting applications – can be seen as an agent's power. In voting contexts, the Shapley value assigns to each player the probability of being pivotal in all possible coalitions where orders are sampled randomly with equal probability, and is now known as the Shapley-Shubik index for simple games (Shapley and Shubik 1954). Since then a large literature has developed discussing whether this or rival indices are preferable for measuring voting power (e.g. Felsenthal and

¹ *Ethica Nicomachea, Book I, 1094^a*. Unfortunately Aristotle did not specify *how much* precision is appropriate when studying ethics and politics.

Machover 1998); the precise interpretation of power it contains (and whether we need to incorporate actors' preferences into the measurement of power (e.g. Napel and Widgren 2004; Braham and Holler 2005); and the relationship between power thus understood and concepts such as freedom and ability (Braham 2004; Holler 2007; Morriss 2002).

Such are the obvious and close links between the concepts of freedom and power that analytically distinguishing them might prove problematic. Somewhat surprisingly, therefore, a growing literature on the formal analysis of freedom emerged largely independent of the literature on power. Two central issues in this literature are the analysis of *the extent* of a person's freedom of choice and *the value* of having such freedom. The situations that are to be compared are described by opportunity sets, the elements of which can be seen as the things an individual is free to choose. The alternatives could, for instance, be interpreted as commodity bundles, social states or vectors of functionings. The set of all possible opportunity sets is then taken to be the set of all non-empty sets of feasible states of affairs. The freedoms an individual possesses in some situation is thus described by some opportunity set, and it is assumed the individual selects exactly one element from the set. The question now is how to compare these different opportunity sets in terms of the extent (or degree) of freedom they offer an individual, or in terms of the value to choose from them.

Like much of the power literature, the approach is axiomatic. Given some axioms about how to judge the extent or value of a person's freedom of choice, theorists have studied which ways – if any – of comparing the extent or value of the freedom offered by different opportunity sets are compatible with those axioms (see, among many others, Arrow (1995), Klemisch-Ahlert (1993), Nehring and Puppe (1999), Pattanaik and Xu (1990, 1998), Puppe (1996, 1998), Sen (1990, 1991, 1993), Sugden (1998), van Hees (1998)). Obviously, the simple framework has important limitations. For instance, it is assumed there is a direct relation between performing an action (choosing an element from an opportunity set) and the consequences of the action (the state of affairs described by the element in question): the possible actions of others are ignored. Making a distinction between the things an individual *does* and the state of affairs that might be *realized* becomes difficult. Stated differently, in most of this literature the concept of freedom is analyzed within a parametric rather than a strategic setting.

The separate development of the formal literatures on power and on freedom seems due, at least to some extent, to the fact that both approaches focus on rather specific issues: much of the power literature concerns voting power, and much of the freedom literature concerns freedom of choice within a parametric context (exceptions include van Hees (2000) and Ahlert (2008)). Clearly, an extremely challenging area of research is the formulation of a general formal framework that enables integration of the

analyses of power and freedom. An important preliminary step towards the construction of such a framework is offered by Braham (2006).²

How can the concept of freedom be analyzed within a game-theoretic framework that focuses on power? To answer that question, we need some informal understanding of the concepts of freedom and power that we would like to be represented within the framework. That is, before setting up a formal analysis of power, freedom and their mutual relations, we have to be clear about the nature of power and freedom concepts upon which we will be focusing. For some concepts of freedom – say freedom of will – the relation with (a particular concept of) power may be quite different from that with other concepts of freedom – say legal freedom. Similarly, different concepts of power will be differently related to a particular concept of freedom.

The object of this paper is to show that an integrated analysis of freedom and power may be quite useful even when the concepts of freedom and power are very similar to each other. We present a non-formal (or perhaps quasi-formal) discussion of a concept of freedom that is, at least intuitively, very close to that of power, since it is defined within a strategic rather than a parametric setting, and since it identifies the freedoms of an individual with the things a person *can* do. We shall argue that even for such a concept of freedom, which is very close to the notion of ability and thus to concepts of power defined in terms of ability, there are situations in which the abilities of a person do *not* coincide with her freedom.³ Insofar as the power of an individual is determined by her abilities, the analysis thus points to some important differences between freedom and power.

Our argument is based on a critical discussion of an inference put forward by Cohen (1979). According to this inference, a person is free to do the things that she is forced to do. On the basis of an extensive discussion of different notions of ability, we argue that this claim cannot be sustained: there are situations in which a person is forced to do something, and thus is actually doing it, and yet is not free to do it.

² Important earlier contributions to such a general game-theoretic analysis of power include Harsanyi (1962a; 196b) and Miller (1982).

³ More precisely, freedom and power are defined in terms of 'ableness', that is, the ability plus the opportunity to perform some act (see Section 3 below). The most rigorous account of freedom-as-ableness is offered by Kramer (2003). In Kramer's view, ableness is a sufficient and necessary condition for freedom. The weaker claim that ableness is a sufficient but not a necessary condition is held by others: for instance by negative freedom theorists like Carter (1999) and Steiner (1994), but also by theorists such as Sen (1985) and Nussbaum (2000) who embrace a positive conception of freedom. Morriss (2002) presents the most elaborate argument in favour of conceiving power as ableness.

2. 'To Be Forced is to Be Free'

Our examination of the claim that a person's freedom can be identified with her ability starts off with a criticism of Cohen's (1979) argument for the view that one can be forced to do something and yet be free to do it. Cohen claims that from the assumptions (a) one cannot do what one is not free to do, (b) one cannot be forced to do what one cannot do, it follows that (c) one is free to do what one is forced to do. It has been claimed that the inference is invalid as stated but there can be no objection if the inference is more simply reformulated not in terms of negations:⁴

- P1. If one is forced to do x then one can do x ,
- P2. If one can do x , then one is free to do x , hence,
- C1. If one is forced to do x then one is free to do x .

Cohen (1979: 163) calls the conclusion 'odd sounding but demonstrable', and goes on to explain why the conclusion, that one is free to do something when one is forced to do it, is of moral and political interest.

Before we assess the truth of the premises (and of the conclusion) we point out that the reasoning is based on a particular conception of freedom that does not have universal assent. Consider, for instance, Hayek's (1960) conception of freedom as the absence of coercion. Hayek believed one is free to do anything that one is not coerced to do, even if doing that thing is impossible. Clearly, if one assumes that there are some things which one is *not* free to do, then such an account of freedom is not compatible with at least one of Cohen's premises.

Another concept of freedom which is at odds with Cohen's inference comes from republican accounts (Skinner 1998, Pettit 1997). They define freedom as the absence of domination and domination in turn is defined in terms of possible arbitrary interference by others. The slave who is in the service of a benevolent master is unfree even when the master does not interfere in the activities of the slave. The mere fact that the master could interfere means the slave is not free. Hence, P2 need not be true. C1 may also fail to hold – the slave who is forced by his master is not free. The republican concept of freedom has been criticized itself, notably for conflating the notion of being free to do some x and being free overall.⁵ However, if one were to adopt such a conception of freedom, Cohen's inference will not hold. Yet another account of freedom for which Cohen's inference will not hold is the view that freedom is to be defined in terms of the possibility of doing what one wants. Clearly, if one is forced to do something that one does not want to do, then one is not free.

Rather than adopting these or other conceptions of freedom that either directly or indirectly leads to the rejection of P2, we shall assume that to be free to x means having the ability and the opportunity to x . However, we shall show that even with freedom thus defined the inference does not go through; there is equivocation of the 'can' of ability.

3. Opportunity, Ability and Counterfactuals

Cohen's first premise seems to be the conjunction of two separate premises. The first is the premise that one can only be forced to do x if one is doing x . Though this premise can be contested too – to wit, for conflating the 'doing' of an action with the 'doing' of an undergoing – we shall only focus on the second underlying premise:

- P0. If one does x , then one can do x .

In some sense such a premise seems unimpeachable.⁶ However, what matters is the role or meaning of the 'can' in this statement. To assess the truth of P0, and of P1, we need to know what it means to say that a person can or cannot do something. Or, more generally, to understand a concept of freedom-as-ability, we need to understand what it means to say that a person is able to do something.

Morriss (2002: 81) makes a useful distinction between the 'can' of *ability* and the 'can' of *ableness*. The 'can' of ability does not necessarily involve the presence of an opportunity, whereas with the 'can' of ableness such an opportunity is always presupposed. The statement 'I can play the piano' is about ability, whereas the statement 'I cannot play the piano (now) because there is no piano available to me' refers to ableness. In the first sense of 'can' (that of ability) a person can do something (play the piano) even though there may be no opportunity to do so, whereas in the second sense (that of ableness) the absence of the opportunity (the piano) implies that the person cannot perform the action. On this account, ableness is logically stronger than ability: 'ableness' is 'ability plus opportunity'. The freedom views that we are examining – that is, the views of Cohen and Kramer – define freedom in terms of ableness rather than abilities. On those freedom-as-ableness views, having a freedom consists of having the opportunity as well as the ability.

A person has the *opportunity* to perform some action if the means that are needed to perform the action are available to her. Consider the opportunity to fly to England. If you have a ticket (or the money to buy a ticket), a valid passport, transportation to the airport, and so on then you do have the opportunity. To establish whether someone has such an opportunity we have

⁴ We now see nothing wrong with the inference though Dowding (1990) objected to Cohen's original formulation and Boudewijn de Bruin also objected to it in conversation.

⁵ Kramer (2003). In particular, Kramer shows masterfully that it conflates the *impossibility* of non-interference with the *unlikelihood* of such interference.

⁶ The view that one is always free to do x when one is doing x can also be encountered in Carter (1992), Steiner (1994: 8), Kramer (2003: 245).

to make use of counterfactuals. If you are not inclined to go abroad and so have no reason to go to the airport we can still test the opportunity by considering whether you would be arriving if you did wish to do so. Or to give a different example, to see whether you have an opportunity to play the piano, we not only have to know whether there is a piano available to you, but also what happens if you were to try to play it. That is, will anyone try to prevent you from touching the keys; is the piano fully functional and so on? If no such external blocking would occur, then we can say that you have the opportunity to play the piano.

What does it mean to say that someone has the *ability* to do some *x*?⁷ To answer this question, we also take recourse in counterfactual analysis. Here we examine whether the person will successfully do *x* if he has the opportunity and were to seriously attempt to do *x*.⁸ You are able to fly to England if you end up flying to England in those circumstances. Similarly, you have the ability to play the piano if you would produce some recognizably musical tune if a piano were available to you and if you were to attempt to play it.

It might be argued that thus stated the distinction between opportunity and ability is somewhat blurred. That is, if for some doings counterfactual success is needed to determine both whether a person has the opportunity and whether the person has the ability to perform the action, then it is not clear what the distinction amounts to. Yet there are important differences between the two. In particular, it is the nature of the counterfactual success that differs for the two notions. This is most easily seen in the piano example. To have the opportunity to play the piano means that you are hitting the keys in the relevant counterfactual worlds, but the sounds that you produce need not be what we understand by music. The counterfactual success needed for saying that you have the ability is more demanding – you should not only be hitting the keys, but you should be doing so in a way which we can describe as ‘playing the piano’. Although less obvious, such a difference can also be discerned with respect to the flying example. Suppose that you have all the means needed to fly to England (passport, ticket, and so on), but that you have an extreme fear of flying. Say any serious attempt to board a plane leads to hyperventilation and a fainting fit. Here we might say that you have the opportunity to fly but lack the ability. Stated differently, the absence of an extreme fear of flying is not what we count among the *means* that are needed to fly to England any more than we count the presence of musical skills a necessary condition for having an opportunity to play the piano. Rather they count as part of one’s abilities.

To recapitulate, we say that a person who is not currently doing *x* has the ability to do *x* if his attempt to do *x* does indeed lead to his doing *x* if he

were to have the opportunity to do so in the relevant counterfactual worlds. The analysis of ableness for those situations is similar to that of ability except for the fact that the opportunity *actually* exists, not merely counterfactually. To determine whether I have the ableness to play the piano, we thus examine whether there actually is a piano available to me and whether I would indeed be playing it if I were to try to do so. Thus, we are drawn to the conclusion that, for all those situations in which *x* is not being currently performed, an ability to do *x* means ‘if one were to have the opportunity to do *x*, then attempting to do *x* entails doing *x*’; and ableness to do *x* means ‘one has the opportunity to do *x*, and attempting to do *x* entails doing *x*’. However, as we shall see, this account of the distinction between a person’s ability and ableness brings forth a problem. And it is this problem that is crucial for the question whether one can be free to do something when forced to do so.

4. Two Kinds of Abilities

In the preceding analysis of the notions of ability and ableness, we began by saying that ableness is logically stronger than ability: ‘ableness’ is ‘ability plus opportunity’, and any person who has the ableness to do some *x* has *a fortiori* the ability to do *x*. Yet our definitions do not guarantee that this assumption is satisfied because in establishing a person’s ability to do some *x* we focus implicitly on the ‘relevant’ counterfactual worlds where he has that opportunity. However, such a criterion of relevance is not invoked when assessing a person’s ableness.

To illustrate, suppose we are examining a famous pianist’s ableness to play the piano. He is sitting at a fully functioning piano suspended 1000 feet up in the air and the pianist suffers vertigo. He is unable to play any decent tune. In this world any attempt of his to play the piano is unsuccessful. Ordinarily, phobic pianists are not thought to lack the ability to play the piano because of their inability when so suspended: the situation does not belong to the set of relevant counterfactual worlds for assessing piano-playing ability. Being a virtuoso does not guarantee he is *always* successful in playing the piano. But this implies that, were he *actually* hanging in mid air, he would have the ability to play the piano and the opportunity but not the ableness: ability does not lead to ableness in that situation.⁹

The problem is avoided if we assume that the set of relevant counterfactual worlds used for determining the existence of an ability always contains the actual world. That is, we drop the claim that the piano player has the ability to play the piano when hanging in mid-air. Indeed, on the usual

⁷ For a different and more detailed counterfactual account of ability and freedom than the one presented here, see Lehrer (1990).

⁸ The stipulation that the attempt is serious means that one does not make mistakes that one knows (or could have known) how to avoid (Kramer 2003: 267).

⁹ Another tack would be to deny that sitting at a piano suspended high in the air is an opportunity to play the piano for those who suffer vertigo. However, defining opportunities only when one can successfully accomplish the task brings its own problems.

counterfactual approach for ascertaining the truth of conditionals, we would say that the relevant counterfactual worlds are those that are as close as possible to the actual world – they only differ with respect to the presence of an opportunity if no such opportunity actually exists. Clearly, ableness then always implies ability: if the opportunity exists in the actual world, then the closest possible world to the actual world is the actual world itself. In such an account, the piano player lacks the ableness as well as the ability to play the piano at great heights, but possesses the ability otherwise.

However, such an approach yields new problems. Let us modify the example of the suspended piano player. Assume again that a person with vertigo is hanging in mid-air next to a piano. Suppose under normal circumstances he would not know how to play the piano. However, his extreme fear somehow elicits strange neuro-physical operations as a result of which he manages to produce music from the piano. Given the definition of ableness in terms of success in the closest possible worlds, we conclude that he has the ableness to play the piano: he has the opportunity, the closest possible world is the actual world, and in that world his attempt is successful. Furthermore, he has the ability when suspended at great heights (but not in any other situation). Now suppose the actual world is the one where he is sitting at home. By assumption, in all of the closest possible worlds in which he has the opportunity to play the piano, his attempts are unsuccessful. Hence he is now said *not* to have the ability to play the instrument.¹⁰

The examples show that we are dealing with two kinds of abilities: one is *generic* and the other is *time-specific* (Morris 2002: 49). The famous pianist has the generic ability to play the piano but not the time-specific ability to do so when hanging in mid-air. Conversely, the unmusical person has in that situation the time-specific but not the generic ability. To keep the desired logical relation between ability and ableness, we have two options. First, when we talk about ability we should refer to time-specific ability and when we talk about ableness we mean time-specific ability plus opportunity. The second possibility is to define ability generically and ableness as the combination of generic ability plus opportunity. But then we also have two possible views of freedom-as-ableness: freedom-as-specific-ableness and freedom-as-generic-ableness.

5. Freedom-As-Generic-Ableness

To establish whether a person has the generic ability to do some x , we assume that we know in which situations his successful performance of the act can be considered a necessary and sufficient condition for attributing to

him such an ability. We call these situations the set of relevant possible worlds and denote them by $W(x)$.¹¹ Clearly, the set will depend on the x we are focusing upon – the set of worlds we use to judge whether a person can play the piano will not be the same as the set of worlds needed to ascertain whether he can ride a bike. We assume that in each $x \in W(x)$, individual i has the opportunity to do x and attempts (directly or indirectly) to do x .

Definition 1 We say that i has the *generic ableness* to do x if, and only if, i is doing x in all of the worlds belonging to $W(x)$ (generic ability) and if he has the opportunity to do x in the actual world (opportunity).

Before proceeding let us note that the stipulation that i 'directly or indirectly' attempts to do x in all worlds belonging to $W(x)$ is important. After all, there may be clear instances where a person is able to do something, yet his doing so is not the *direct* result of an intention or an attempt. In fact, any such intention or attempt may be self-defeating. A familiar example is the insomniac firmly resolving to fall asleep, thereby failing to do so. The trick is to make an 'indirect attempt' to fall asleep: trying to think of things other than one's need for sleep. But if one knows that not intending to fall asleep is a necessary condition for falling asleep, and if one *therefore* attempts not to have that intention, then one is still attempting to fall asleep – an indirect attempt is also an attempt. And, indeed, the person who has trained himself to fall asleep in that way can be said to have the generic ability to fall asleep.

It is quickly seen that doing x is not sufficient for inferring ability-to-do x and hence also not for ableness-to-do x if ability is defined generically – the situation in which a person is doing x need not belong to the relevant worlds for ascertaining ability-to-do x . Thus P0 need not be true, and it therefore immediately follows that P1 need not be true: that is, a person may be forced to do something and yet be unable to do that very same thing. However, the logical possibility of doings-while-forced-without-ability may be uninteresting if the class of such inabilities is (almost) empty or contains only inabilities devoid of interest for the analysis of freedom. We now show the subset is not empty and contains examples of utmost importance for the analysis of freedom.

To do so, we first have to say a little more about being coerced or being forced. These concepts are of course notoriously complex, and we shall not try to give a fully fledged account of them. For our purposes it suffices to assume that there is a class of situations in which one person, say i , is being forced to do some x and in which the coercion consists of – but need not be defined by – (a) interference by some other person(s), which is (b) aimed at i doing x , that (c) i does not want to do x , and (d) would not be doing x

¹⁰ We do not require fantastic examples to illustrate this point. An unfit person might be able to run 100 metres in under nine seconds if the following wind was strong enough. But we would not claim that they had the ability to run 100 metres in under nine seconds.

¹¹ See Morris (2002: 83–85) for a discussion of some of the issues involved in establishing the nature of $W(x)$.

were it not for the interference. The restriction of the interference by others implies that we can avoid questions of whether a person can coerce (or force) himself to do something and whether non-humanly caused events can do so. Secondly, note we assume that these others act intentionally – that is, they want the person to do *x* and their interference is aimed at him doing so. Thirdly, we take it that the coerced person does not want or intend to do *x*; he is doing it only because he is being interfered with. Thus we also avoid the difficult question whether a person can be coerced (or forced) into doing something which he wants to do anyway.

Now suppose a person *only* successfully performs some action if he is forced to do so. Without such coercion the person would not be able to accomplish the task. There are many examples – often very dramatic ones – of such cases. Think of the POWs worked to death building the Thai-Burma Railway.

We would not usually say a person has the generic ability to perform a task if the only situations where he successfully performs the task are those where he is forced to do so – the relevant counterfactuals for establishing generic ability will for almost all abilities be ones in which no coercion is present. Exceptions will be formed by abilities that themselves refer to coercion or force: say a person's (generic) ability not to break down when being interrogated in a forceful way; the (generic) ability to resist an oppressor; and so on.

Not all examples of actions that are only possible when forced are as dramatic as the one of the POWs. An athlete's generic ability to train hard might for instance require the presence of a hard taskmaster who pushes the athlete that extra mile. However, the ability to train hard belongs to the athlete who chooses to work with the coach. So apart from abilities that themselves refer to coercion, a person lacks a generic ability when the only worlds in which he performs the task in question are those in which he is being coerced. But then P1 – if one is forced to do *x* then one can do *x* – is not true in general: in many worlds in which he is actually being coerced into doing *x*, he is doing *x* but lacks the generic ability and hence generic ableness to do so.

A quick and dirty argument against the Cohen inference, is that being forced to do *x* does not constitute 'the opportunity' to do *x*. On this view, opportunities are things that are available and one can choose – not things which are forced upon one. Such a quick and dirty argument would allow us to distinguish the cases of POWs forced to work the Thai-Burma railway and the athlete forced to train hard by her coach. The first was not an 'opportunity' for the POWs, but the second is an opportunity for the athlete; she can always choose not to work with him. (And if it were argued that for some athletes they did not have that choice and hence opportunity, they were not free when being trained so hard.) However, the quick and dirty argument merely shifts the burden of proving choice is somehow involved

in freedom onto the concept of opportunity, something that some writers might resist. So despite the quick and dirty argument's appeal, we leave it to one side.¹²

We can not only question P0 and P1, but also premise P2: having the generic ableness to do *x* often does not entail that one is free to do *x*. Many cases of what we call unfreedom consist of the absence of a specific ability rather than a generic one. Consider the case of someone threatened with dire consequences if they do *x*. Rather than give in to the threat, they attempt *x*. However, fear of failure makes doing *x* psychologically impossible. Surely we would think the person has been made unfree to do *x*. Assuming coercion does not belong to the counterfactuals used for establishing the existence of a generic ability to do *x*, we have to conclude that the person has the generic ability to do *x*. Since, in the example, he still has the opportunity to do *x*, then freedom defined in terms of generic ableness means he has retained his freedom to do *x*.¹³

It might be argued that these examples may well show that P1 and P2 are not true in general, but that the kind of situations where they fail to hold (that is, ones where one does something only because one is coerced or in which coercion makes some actions psychologically impossible) are so extreme that we can be sanguine about their consequences for more general discussions of freedom. However, the fact that the examples are extreme does not mean that similar counterexamples could not be formulated for less extreme cases. Their extremity merely allowed us to avoid having to discuss the nature of the criterion for establishing the relevant counterfactual worlds. That is, the possibility of doings-without-ableness is brought out clearly because the examples are so extreme. To give examples of violations of P1 or P2 for less extreme situations, we need more information about the criterion of counterfactual relevance. Has the person who accidentally hits upon a correct password the generic ability to crack the code? Has an author suffering from a writer's block lost the generic ability to write novels? Can the member of a minority group still be said to be free to protest against a majority decision if he stays at home out of fear of the contempt of his fellow citizens? To answer these questions, we need a fully developed account of the relevant counterfactuals, and that is not our objective here. Moreover, though in our examples the situations are extreme, it can hardly be claimed that they are not cases of importance to a theory of freedom. Indeed, if one's theory of freedom fails to give a convincing account of the relation between ability and freedom in cases of extreme oppression or coercion, how can we be sure that it will do a better job for 'ordinary' ones?

¹² Its appeal has been made clear to us in many conversations.

¹³ Note that we do not claim that all threats reduce a person's freedom. Whether that claim is true or not has been the topic of much discussion: see Day (1987), Benn and Weinstein (1971), Carter (1999: 224–232), and van Hees (2000).

6. Freedom-As-Specific-Ableness

Do the premises of Cohen's inference stand if freedom is defined as specific ableness? We shall first argue that in at least one account of specific ableness it is possible for a person to do something that he is not able to do, hence P0 and P1 will again fail to hold generally.

Definition 2 Given a situation A , let B be the closest possible world to A where individual i attempts (directly or indirectly) to do x .¹⁴ Individual i has the *specific ableness* to do x in A if, and only if, i is doing x in B .

Let x be an action that an individual cannot successfully perform when he (directly or indirectly) tries to do so. On the definition of specific ableness the person is not able to perform x in A – if he were to try to do x he would, by assumption, fail. Note, however, that the impossibility of successfully trying to do x does *not* preclude the person from actually doing x in A . After all, his doing x need not be the result of a (direct or indirect) intention to do so, nor need it be the realization of an attempt to do so. Indeed, by construction the person can only be doing x if he is not trying to do x . But then it directly follows that on this account of ableness it is possible that a person is doing something that he is not able to do.

To illustrate, consider the following example of Hillel Steiner, which purports to show that a person who is doing something is thereby free to do that action. The example concerns a bouncer who pushes a person, let us call him George, out of a nightclub. According to Steiner, we might rightly claim that the bouncer has made George unfree to abstain from leaving the club, but not that he has made him unfree to leave it. What has the bouncer prevented? Has he prevented the behavioural event of [George] leaving the club from occurring? Evidently not. Has he prevented [George] from forming the intention to bring about that event? Again, no. Can we say, then, that what he's prevented is that intention's being the cause of the event? Once again, no, because nothing in this story rules out the possibility of that intention including his pushing [George] as the means of bringing that event about (Steiner 2001: 63). Let us rephrase the argument in terms of 'ableness' rather than 'freedom'. Since George might want to be carried out of a nightclub by a bouncer, being carried out makes George able to leave (by being carried out). However, there is equivocation. Holding a lottery ticket means that George might be a lottery winner. But the fact that George *might* be a lottery winner does not make it the case that he *is* one. Similarly, the fact that George might want the bouncer to carry him out of the club does not make it the case that when he carries George out, George wants him to do so. It does not since the bouncer may only take people out

of the club when he knows that they do not want him to.

Indeed, suppose that is the case. Say we have a situation where a person has the intention of not doing x but is forced to do x precisely because he does not want to do x . That is, the coercer's primary desire is to frustrate the coerced's intentions: if the coerced had tried to do x , he would have been forced into not doing x . Moreover, assume that in all relevant counterfactual worlds in which he tries to do x , his attempts are frustrated. In such a situation, it follows from the account of specific ableness that a person is *not* able to do x even though he may well be doing x . In situation A , George does not attempt to leave the nightclub but is being ejected by the bouncer and hence is in fact 'doing' the leaving.¹⁵ By assumption, the closest possible world B in which he attempts to leave the night club is the one in which his attempt is unsuccessful. Hence the bouncer is forcing George to leave the night club, though George is not able to leave the night club. After all, if the bouncer were aware that George behaved badly in order to be forcibly ejected, he – by assumption – would not eject him. (He might take George to a back room and thump him.) Being forcibly ejected does not even entail that one can ensure being forcibly ejected through forming the intention to do so. Other conditions are necessary. In other words, whilst being forcefully ejected from a nightclub shows that a person might be able to choose to have themselves forcefully ejected from the nightclub, it does not demonstrate that they can be ejected when(ever) they have this intention: even under the can of specific ableness, a person may be doing something he is not able to do.

One might object that our rejection of P1 is based on an incorrect rendition of the notion of specific ableness. If we held that a person's specific ableness always includes the things she is currently doing, then P1 will hold. That is, we would then use the following weaker definition:

Definition 3 Let A be a possible world and let B be the closest possible world to A where i attempts (directly or indirectly) to do x . Individual i has the *weak specific ableness* to do x in A if, and only if, i is doing x in A or in B .

If we use this weaker definition of specific ableness, George *is* (specifically) able to leave the night club. Indeed, P0 then holds *by definition*. We do not see any conclusive argument in favour of the strong or weak definition of specific ableness – both seem to be compatible with at least some of our

¹⁴ Note that we assume, with Steiner, that a person who is forcibly (that is, against his will) ejected from a nightclub can be said to be 'doing the leaving' even though he is (unsuccessfully) resisting the bouncer in every possible way. A 'doing' is not the same as an action, that is, a person may be knowingly doing something while intending and trying *not* to do it. Thus a person without singing skill may, for example, be said to be singing out of tune even though she tries to sing in tune. The person's (rather desperate) attempts to sing in tune does not mean that she is not 'doing' the out-of-tune singing.

¹⁵ To simplify the analysis we assume here – as well as for the weaker definition given below – that B is the only such closest world.

intuitions. However, there are reasons to reject the weak definition as forming a convincing basis for an account of freedom-as-specific-ability. That is, whereas the weaker definition salvages the truth of P1, it is not compatible with P2.

To see why, consider unfortunate George in the night club again. The bouncer is still nasty: that is, if George wants to stay he kicks him out, and if George wants to leave he forces him to stay. Since George wants to stay, he is being thrown out, and hence by definition is free in terms of freedom-as-specific-ability, George has the freedom to leave the night club but lacks the freedom to stay. Now consider the following variation: the bouncer does not want George to be in the night club, and will thus eject George if George does not leave on his own account. The difference from the previous situation is that the bouncer will now frustrate only the George's attempt to stay at the night club – he will not force George to stay if George wants to leave. In this situation, if George wants to leave he is able to do so but still lacks the ability to stay. By the weak definition of specific ability, George's ability is thus the same: in both situations he has the ability to leave the night club, but not the ability to stay. Hence, if we equate freedom with specific ability, the bouncer's change of policy has not affected George's freedom – his overall degree of freedom has remained the same, even though the bouncer has lifted some constraints. Clearly, this runs counter to our intuitions. It seems clear that George's overall freedom has increased because of the lifting of some constraints. But such a difference in overall freedom between the two situations can only result from the fact that George acquires a freedom he did not possess in the first situation: the freedom to leave. *But that can only be true if P2 is violated*, that is, if he would *not* have the freedom to leave in the first situation.

Another possible way of explaining a difference in overall freedom without abandoning the weak definition is to say that though George does already have the freedom to leave the night club, he does acquire a new freedom, to wit the 'freedom to do what he wants to do', a freedom which he does not possess in the first situation. A difficulty of such an argument, however, is that it multiplies the set of potential freedoms enormously. The 'freedom to do x ' would constitute a freedom different from 'the freedom to do what a person wants to do' even when x is in fact the thing that the person wants to do. Moreover, even if one were to allow such an expansion of the realm of possible freedoms, it would have to be explained why the acquisition of the freedom to do what one wants yields more overall freedom when one has also lost such a preference-dependent freedom, i.e., the freedom to do what one does *not* want to do.

In this section we have discussed two arguments for the view that a person may be doing something which he is not free to do x , where freedom is defined in terms of specific ability. If it is possible that a person is doing some x that he is not (specifically) able to do, then P1 will not be true in

general and C1 may thus also fail to hold. On the other hand, if actually doing x always implies that one is able to do x , then one can no longer define freedom in terms of specific ability; P2 may not be true.

Note that much of this and the previous section's argument has considered situations where the performance of some x is only possible *because* the person is forced to do x . Freedom as generic ability is lacking because she fails to perform the task in all relevant counterfactual worlds – worlds in which the coercion is absent. Freedom as specific ability is lacking because the coercion is such that in the relevant counterfactual world, which is now defined as the world which is as close as possible to the actual world and in which she tries to perform x , she is coerced into doing the opposite of x . We saw that the first kind of generic inability corresponds to a paradigm kind of unfreedom – the unfreedom of the slave or prisoner who has to perform gruesome tasks and is only successful in doing so because of the coercion. Clearly, such examples also have paradigm importance. They concern those cases in which one person sets out to frustrate the wants and desires of another person.

7. Conclusion

We have discussed different ways of defining a person's ability to do something. In our discussion of generic ability we argued, first, that a person may do something under force that he is not generically able to do and, secondly, that a person's generic ability need not coincide with a person's freedom. If we were to define power as generic ability, then it follows that a person may be doing something that he has no power to do, and furthermore, that in the cases discussed a person's freedom will not coincide with a person's power.

However, one might argue that power should not be defined as generic but rather as specific ability. We distinguished two possible renditions of the notion of specific ability. On the strong interpretation, a person can again be said to be doing something under force that he is not able to do. If one were to define a person's power and freedom in the same way, that is, as the things a person is specifically able to do in the strong sense, one could thus conclude that a person may be doing something that he is neither free to do nor have the power to do. The weaker definition of specific ability precludes the possibility that a person may be doing something that he is not able to do. However, we argued that under such a conception of ability it is counterintuitive to equate freedom with ability. Hence, if one would define power as weak specific ability, the concepts of freedom and power will again diverge.

It was not the objective of this paper to come up with a particular definition of freedom-as-ability nor of a particular definition of power-as-ability. We have pointed out various possibilities for doing so, and have dis-

cluded some of the difficulties involved. In order to analyze both the notions of freedom and power in a general formal framework, a choice among the various possibilities should be made. We merely hope that the analysis of this paper is of some help in arriving at such a choice.

Acknowledgements

We would like to thank Peter Morris for his written comments and participants at the conference 'Power: Conceptual, Formal, and Applied Dimensions', Hamburg, Germany, 17-20 August 2006.

References

- Ahlert, M. (2008) Guarantees in Game Forms, in M. Braham and F. Steffen (eds) *Power, Freedom, and Voting*, Springer, 325-341.
- Aristotle (1984) *Nicomachean Ethics*, in J. Barnes (ed.) *The Complete Works of Aristotle: The Revised Oxford Translation*, vol. 2, Princeton University Press, 1729-1867.
- Arrow, K. J. (1995) A Note on Freedom and Flexibility, in K. Basu, P. Pattanaik and K. Suzumura (eds) *Choice, Welfare, and Development: A Festschrift in Honour of Amartya K. Sen*, Oxford University Press, 7-16.
- Benn, S. I. and Weinstein, W.L. (1971) Being Free to Act, and Being a Free Man, *Mind* 80: 194-211.
- Braham, M. (2006) Measuring Specific Freedom, *Economics and Philosophy* 22: 317-333.
- Braham, M., and Holler, M.J. (2005) The Impossibility of a Preference Based Power Index, *Journal of Theoretical Politics* 17: 137-157.
- Carter, I. (1992) Being Free When Being Forced to Choose, *Politics* 12: 38-39.
- Carter, I. (1999) *A Measure of Freedom*, Oxford University Press.
- Cohen, G. A. (1979) Capitalism, Freedom and the Proletariat, in A. Ryan (ed.) *The Idea of Freedom. Essays in Honour of Isaiah Berlin*, Oxford University Press, 9-25.
- Cohen, G. A. (2001) Addenda to 'Freedom and Money', *mimeo*.
- Day, J. P. (1987) Threats, Offers, Law, Opinion and Liberty, in J.P. Day (ed.) *Liberty and Justice*, Croom Helm.
- Dowding, K. (1990) Being Free When Being Forced, *Politics* 10: 3-8.
- Felsenthal, D. S. and Machover, M. (1998) *The Measurement of Voting Power*, Edward Elgar.
- Harsanyi, J. C. (1962a) Measurement of Social Power, Opportunity Costs, and the Theory of Two-person Bargaining Games, *Behavioral Science* 7: 67-80.
- Harsanyi, J. C. (1962b) Measurement of Social Power in *n*-Person Reciprocal Power Situations, *Behavioral Science* 7: 81-91.
- Hayek, F. von (1960) *The Constitution of Liberty*, Routledge and Kegan Paul.
- Hees, M. van (1998) On the Analysis of Negative Freedom *Theory and Decision* 45: 175-197.
- Hees, M. van (2000) *Legal Reductionism and Freedom*, Kluwer.
- Holler, M.J. (2007) Freedom of Choice, Power, and the Responsibility of Decision Makers, in A. Marciano and J.-M. Josselin, *Democracy, Freedom and Coercion: A Law and Economics Approach*, Edward Elgar, 22-42.
- Klemisch-Ahlert, M. (1993) Freedom of Choice: a Comparison of Different Ranking of Opportunity Sets, *Social Choice and Welfare*, 10: 189-207.
- Kramer, M. H. (2003) *The Quality of Freedom*, Oxford University Press.
- Lehrer, K. (1990) A Possible Worlds Analysis of Freedom, in K. Lehrer, *Melamed*, Oxford University Press.
- Miller, N. (1982) Power in Game Forms, in M. J. Holler (ed.) *Power, Voting and Voting Power*, Physica Verlag, 33-51.
- Morris, P. (2002) *Power: A Philosophical Analysis* (2nd ed.), Manchester University Press.
- Napel, S. and Widgren, M. (2004) Power Measurement as Sensitivity Analysis - A Unified Approach, *Journal of Theoretical Politics* 16: 517-538.
- Nehring, K. and C. Puppe (1999) On the Multi-preference Approach to Evaluating Opportunities, *Social Choice and Welfare* 16: 41-63.
- Nussbaum, M.C. (2000) *Women and Human Development. The Capabilities Approach*, Cambridge University Press.
- Pattanaik, P. K. and Xu, Y. (1990) On Ranking Opportunity Sets in Terms of Freedom of Choice, *Recherches Economiques Louvain* 56: 383-390.
- Pattanaik, P. K. and Xu, Y. (1998) On Preference and Freedom, *Theory and Decision* 44: 173-198.
- Pettit, P. (1997) *Republicanism: A Theory of Freedom and Government*, Oxford University Press.
- Puppe, C. (1996) An Axiomatic Approach to 'Preference for Freedom of Choice', *Journal of Economic Theory* 68: 174-199.
- Puppe, C. (1998) Individual Freedom and Social Choice, in J.F. Laslier et al. (eds) *Freedom in Economics: New Perspectives in Normative Analysis*, Routledge, 49-68.
- Sen, A.K. (1985/1999) *Commodities and Capabilities*, Oxford University Press.
- Sen, A. K. (1988) Freedom of Choice: Concept and Content, *European Economic Review* 32: 269-294.
- Sen, A. K. (1990) Welfare, Freedom and Social Choice: A reply, *Recherches Economiques de Louvain* 56: 451-485.
- Sen, A. K. (1991) Welfare, Preference and Freedom, *Journal of Econometrics* 50: 15-29.
- Sen, A. K. (1993) Markets and Freedoms, *Oxford Economic Papers* 45: 519-541.
- Shapley, L. S. (1953) A Value for *n*-Person Games, in H. W. Kuhn and A. W. Tucker (eds) *Contributions to the Theory of Games II*, Princeton University Press, 307-317.
- Shapley, L. S., and M. Shubik (1954) A Method for Evaluating the Distribution of Power in a Committee System, *American Political Science Review* 48: 787-792.
- Skinner, Q. (1998) *Liberty Before Liberalism*, Cambridge University Press.
- Steiner, H. (1994) *An Essay on Rights*, Blackwell.
- Steiner, H. (2001) Freedom and Bivalence, in I. Carter and M. Ricciardi (eds) *Freedom, Power and Political Morality: Essays for Felix Oppenheim*, Palgrave, 57-68.
- Sugden, R. (1998) The Metric of Opportunity, *Economics and Philosophy*, 14: 307-337.