

**“Comments on Phillips’ Folk Conception of Freedom”  
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Philosophers have been arguing about freedom for a long time. And perhaps we’ve made some progress. It is, after all, hard to read someone like John Locke on liberty next to Isaiah Berlin, Gerald MacCallum, or Philip Pettit on the same subject without coming to the conclusion that there are an *amful* lot of important distinctions that the former account blindly glides over. But still, all the fine distinctions in the world might not be of much value if we philosophers still can’t figure out what freedom *is*. Perhaps, then, it’s time to stop asking philosophers what they think about freedom and start asking some people who haven’t had their native intuitions corrupted by our peculiar brand of training?

I have my doubts regarding the philosophical utility of such an inquiry, but the results are usually interesting, at the very least as a bit of cultural anthropology. And Jonathan Phillip’s paper is certainly interesting. It draws upon some very well-crafted intuition pumps to argue that the folk hold a conception of freedom that differs from, and is a possible alternative to, the traditional value-dependent and value-neutral theories. Value-dependent theorists (such as T.H. Green) hold that a restriction on one’s ability to perform an action only counts as a restriction of one’s freedom if that action is a valuable one. Value-neutral theorists (such as Hobbes, Bentham, and Berlin) deny this, and hold that the extent to which a restriction on action counts as a restriction on freedom can be determined independently of the value of the restricted action. The folk account, which Phillips described as a value-*laden* view, holds something like the following: a restriction on one’s ability to perform an action only counts as a restriction of freedom *to the extent that* that action was a *morally* valuable one. I say “something like” because, for reasons I shall explain below, I am not entirely clear after reading Phillip’s paper what the folk account of freedom is. I stress “to the extent that” and “moral” value because the distinctive features of the folk account as Phillips presents it seem to be, first, that freedom is a scalar property, and second, that it is only moral value as opposed to other kinds of value that are relevant for analyzing freedom. I shall address both of these elements in turn.

One thing the folk account as understood by Phillips seems to involve is the idea that whether a restriction on one’s ability to perform an action counts as a restriction on freedom is not a question that can be answered with a simple ‘yes’ or ‘no.’ The folk conception of freedom is a scalar notion in that it holds that one’s freedom can be reduced to a greater or lesser degree. Thus while the case in which Tanya is prevented from acting on her (morally valuable) desire to help an oppressed minority is the

one judged by the folk to involve the *greatest* restriction on her liberty (5.53 out of a possible 7 on the Likert scale), the case in which she is prevented on acting on her (immoral) desire to harm the oppressed minority is still judged to involve a significant restriction on her liberty (3.53 out of 7 – almost exactly between “Not at all” and “Completely”).

This scalar conception of freedom has the advantage of avoiding what seems to Phillips and others such as Berlin to be a counterintuitive result of the value-dependent theory: that we are not made less free by restrictions on performing non-valuable actions. Personally, I don't quite see the impetus to avoid this result. But this is because I am a pluralist about freedom. I don't think there is any one thing that 'freedom' means, or ought to mean. So I am untroubled in admitting that there is *a sense* of freedom in which the restriction of non-valuable options might not make people any less free. Perhaps we think Green was being a bit prudish in supposing that restrictions of the sale and consumption alcohol fit this model, but I don't think many of us would have much trouble saying that the fact that we are unable to live under a fascist dictatorship in the United States constitutes no loss of freedom – at least in one important sense of that term.

Be that as it may, Phillips' folk account allows us to avoid biting this bullet, such as it is, by saying that although restrictions on our ability to pursue non-valuable options does not reduce our freedom as much as, say, a restriction on our ability to do something important like practice our religion, it nevertheless reduces our freedom *to some extent*. My question is – how is the extent of the reduction of freedom to be determined? Phillips arrived at the numbers mentioned two paragraphs above by taking a poll. But surely polls are, at best, merely an epistemic device for thinking about freedom, and not the *criterion* of freedom. Shall we say that the more immoral the restricted action, the less the restriction of it counts as a restriction of freedom? This seems a natural interpretation, but Phillips is a bit unclear on the details. Either way, it is worth noting that this view comes strikingly close to the value-neutralist position insofar as it admits (or seems to admit) that *all* restrictions on action constitute *some kind of* restriction of freedom regardless of the value (moral or otherwise) of the restricted action. Sure, the folk view differs from the value-neutralist position in holding that the *extent* of the restriction of freedom depends on the moral value of the restricted action. But this might be a small difference. Or it might even be an illusory difference. In order to know, we'd have to set up a survey in which the folk were asked to clearly distinguish between the claim that restrictions on a person's ability to perform an immoral action constitutes a *lesser restriction* of liberty, and the claim that it involves a *less morally significant* restriction of liberty. Phillips' current survey is not designed to discriminate between these two views very well, so it is possible that the folk really believe something like the latter claim, which would be compatible with a neutralist account (All restrictions on action are restrictions on freedom, but not all restrictions on freedom are of equal moral significance).

So in one way, I think Phillips' folk account comes pretty close to the value-neutralist one. In another way, though, it comes fairly close to the value-dependent one. One of the chief putative differences between the two accounts, I take it, is that Phillips' folk account of freedom is only dependent on the *moral* value of the restricted actions. The value-dependent approach, in contrast, is supposed to be broader so that even the non-moral value of actions might be relevant for determining an agent's freedom. So a value-dependent theorist might say that an agent's freedom is not restricted if they are prevented from watching poorly produced soap operas on TV, since this is not a valuable thing to do in some sense, while the folk apparently say that it is a restriction of freedom *even though* it is not a valuable thing to do in some sense. Phillips' explanation of the folk's response is that while watching soap operas is not valuable, it is also not something that is morally disvaluable (immoral), and it is this latter sense of value that the folk account of freedom is sensitive to.

I think Phillips may be correct in his interpretation of the folk conception. But I wonder how different this position is from the position held by actual value-dependent theorists like Green? I am not an expert on Green's work, but I assume that the reason he thought that a ban on alcohol was appropriate was not that he thought drinking alcohol was non-valuable in some non-moral (aesthetic? aretaic?) sense, but rather that he had a much more expansive conception of the domain of morality than most of us do today. Most people today view the consumption of alcohol as a non-moral issue, so if Green advocates prohibiting it it's natural for us to assume that he was doing so on non-moral grounds. But there are other conceptions of morality's domain, such as that held by eudaemonists, that would subsume things like the drinking of alcohol, laziness, and lack of self-respect within the domain of moral evaluation. Such persons might thus hold that a number of restrictions – on the consumption of certain drugs, on sleeping in too late, who knows – are compatible with respect for people's freedom not because they have a different conception of freedom than today's folk, but because they have a different conception of morality.

So in the end, I'm not convinced that the folk are going to be able to point the way to the resolution of our centuries-long philosophical struggle with the concept of freedom. That's not to say that such inquiries are without value, or even that they are without *philosophical* value. Knowing exactly what our natural intuitions are can help us think about the plausibility of those intuitions, and can help us to monitor the ways in which we rely on them – perhaps inappropriately – in our philosophical reasoning. And there is probably something to the evolutionary/conservative argument that folk knowledge contains a certain wisdom that exceeds the reasoning capacity of any particular individual – the folk conception might be better suited to for use in practical political decision making than, say, Berlin's subtle and nuanced value-neutral pluralist account. But as well-suited to practical use as it may be, I do not believe that the folk account constitutes a viable alternative as a *philosophical* account of freedom.