



ANALYSIS

Being Unfree to and Being Unfree

Author(s): George E. Panichas

Source: *Analysis*, Vol. 39, No. 1 (Jan., 1979), pp. 61-63

Published by: Oxford University Press on behalf of The Analysis Committee

Stable URL: <https://www.jstor.org/stable/3327310>

Accessed: 24-02-2023 17:20 UTC

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



JSTOR

Oxford University Press, The Analysis Committee are collaborating with JSTOR to digitize, preserve and extend access to *Analysis*

BEING UNFREE TO AND BEING UNFREE

By GEORGE E. PANICHAS

IN a recent and valuable essay concerned with some of the complex issues pertaining to the relationship between liberty and the law, J. P. Day has offered and defended some revised and revitalized versions of the views of Hobbes and Bentham.¹ Professor Day argues carefully for an analysis of unfreedom, the implications of which stand to refute the contentions that the unfreedom of an agent to do or perform some act is logically dependent upon the agent's being incapable (cf. section 4, pp. 260-1), unreasonable (cf. subsection 5.1, p. 261), immoral (cf. subsection 5.3, pp. 262-3), or not feeling free (cf. subsection 5.4, p. 262) in, or with respect to, performing the relevant act.

While Day's arguments on these scores are both interesting and important on their own account (I shall not call any of them into question here), their purpose is to establish a foundation for what I believe is Day's central claim; namely, that a person is unfree to do or perform some act or other just in case that person is rendered retrievably unable to do so by the actions of another. And it is with respect to this conclusion that Day believes his analysis has significance with respect to the concept of liberty. Day concludes that '... the sufficient and necessary conditions of the truth of "*A* is unfree to *D*" is the truth of "*B* makes *A* retrievably unable to *D* by Eing *A*"' (p. 264-5)² and emphasizes his conclusion with the claim that '... whenever any assertion is made about liberty, it is always possible to discover exactly what (if anything) is being asserted by seeking values for the four variables in the above formula, in order to obtain a clear statement which is either true or false.' (p. 265.)

In what follows, I shall not argue that Day's analysis of '*A* is unfree to *D*' is wrong; but I do want to call into question the belief that in analysing '*A* is unfree to *D*' one has in fact given an analysis exhaustive of *A*'s being unfree to *D* in the sense which is germane to *A*'s liberty. My point will be that Day neglects the fact that while it may be true that on some occasions 'unfree to' is used synonymously with (or as an instantiation of) 'unfree', none the less, on other occasions, the two are quite distinct. And, in neglecting this fact, the acceptability of Day's remarks concerning assertions about liberty is severely limited.

¹ J. P. Day, 'Threats, Offers, Law, Opinion and Liberty', *American Philosophical Quarterly*, Volume 14, Number 4, October 1977, pp. 257-71. All page and section references appearing in parentheses refer to this article.

² The word 'retrievably' is a crucial here, Day argues (p. 264), because if a person is rendered unable to perform a certain act *permanently*, then a necessary condition of his being unfree to perform that act—that he is able to do so—cannot be met. Thus a person who has been made irretrievably unable to perform an act is not unfree to perform that act. In such cases, it is the case that the question of one's being free to do or perform some act cannot (properly) arise.

The basis of my objection can be seen in cases where we do not say that a person is unfree, or that his liberty has been reduced, but where that person has been made retrievably unable to perform some act because of the activities of another. Consider a fairly standard case of medical treatment: Mr. Adams, who suffers from chronic respiratory congestion, enlists the services of Dr. Brown who is, in time, successful in the treatment of Adams. At time T_1 , the time prior to the completion of treatment, Adams was able to cough with sufficient vehemence so as to clear his lungs and afford himself relief. Also, at T_1 , Adams could resist such coughing and continue to suffer. At time T_2 , the time subsequent to the successful treatment of Adams by Brown, Adams is no longer able either to clear his lungs with vehement coughing, or to resist such coughing. At T_2 , then, Adams is clearly unable to perform at least two acts which he was able to perform at T_1 —and this is due to Brown's treatment of Adams. But Adams' condition is chronic, so that he may well (indeed probably will) suffer from this condition again. Brown's treatment of Adams, then, has made Adams retrievably unable to cough; or, as Day would have it, it is true that ' B makes A retrievably unable to D by Eing A '. Yet surely, while we might agree that Adams is unfree *to* cough so as to gain relief, or unfree *to* resist coughing, we do not want to say that Adams' liberty or freedom has been reduced or thwarted; indeed, we are inclined to say quite the opposite. Adams is unfree *to* cough or resist coughing at T_2 , but he is neither unfree nor less free than he was at T_1 . Adams' liberty is, I believe, quite intact.

It should be noted at this point that I am *not* claiming that Brown has not made Adams unfree *to* cough or resist coughing. In fact, I would agree with Day that neither Adams' desires or wishes (to be treated), nor Adams' reasons (or lack thereof) count as necessary conditions of the truth of ' A is unfree to cough' (cf. pp. 258–9, and 261). However, the question to be asked here is: what might one appeal to, in the above case, so as to justify the claim that Adams is both unfree to (cough) *and* unfree, if not to considerations of Adams' desires at T_1 and/or the reasonableness (or even, the desirability) of his situation at T_2 ? The problem with Day's account is that such factors are barred from consideration.

It is interesting to note that Day's analysis is confined to the sentence ' A is unfree to D ' (from which he makes inferences about A 's liberty), and that he does not consider for careful analysis the sentence ' A is free to D ' (or even, ' A is free'). For had the former claim been analysed in a way logically analogous to Day's analysis of ' A is unfree to D ', we would arrive at the biconditional:

A is free to D if, and only if, it is not the case that B makes A retrievably unable to D by Eing A .

And here, I think, we are more quick to see that what is being analysed is a person's being free to do or perform some act, but not 'free to' in a sense which is indistinguishable from claims regarding a person's freedom or liberty. That is, what we have is an analysis pertinent to 'free to' in the sense in which, for example, a person is free to return borrowed books to the library subsequent to the librarian having opened the doors for business; but not, I believe, an analysis which entails true (or false) claims about that person's liberty. Thus it would appear, if my objection holds, that there is more to liberty than our not having been made retrievably unable to do something by the interference of another.

Solano College

© GEORGE E. PANICHAS 1979

THE UNEXPECTED EXAMINATION

By A. K. AUSTIN

IN a school there are two teachers, D and W. One Friday D tells his class that there will be an exam during the following week but that they will not be able to deduce, on the day before the exam, *that* it will be the next day. Also D explains that a pupil can deduce that p if and only if there is a set of propositions A such that the pupil knows or has been told every member of A and A entails that p .

The pupils in D's class immediately construct the following deductions.

Deduction 1. The exam will not be on Friday.

Reason: If it is then, on Thursday evening, we can deduce that it is on Friday. Contradiction.

Deduction 2. The exam will not be on Thursday.

Reason: If it is then, on Wednesday evening, we can deduce that it is on Thursday, using deduction 1. Contradiction. Similarly deductions 3, 4 and 5 for Wednesday, Tuesday and Monday respectively.

Deduction 6. The exam will be on Friday.

Reason: By deductions 2, 3, 4 and 5 it is not on any of the other days of the week. Similarly deductions 7 to 10 for the other days of the week.