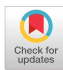

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ARTICLE

Hybrid wellbeing and the value of freedom

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Abstract
Which implications follow for the value of freedom on a hybrid account of wellbeing that appeals to endorsement? On the basis of Olsaretti's empirical claim that one is unlikely to endorse wellbeing when one is forced to achieve it, I show that standardly on the hybrid account there is a reason to protect people's freedom to dysfunction, and hence that the freedoms to dysfunction are valuable. I also discuss whether freedom is non-specifically valuable on grounds of endorsement. I advance an epistemic version of freedom's non-specific value that is especially relevant for a theory of justice that appeals to publicity.

Keywords: freedom; the capability approach; publicity; hybrid theories of wellbeing; endorsement

1. Introduction

The relationship between freedom and wellbeing is a major theme in the freedom literature (Raz 1986; Sen 1992; Carter 1999: Ch. 2; Clarke 2012).[1] Philosophers have been discussing how freedom benefits persons and why having freedom is one of the things that improve individual lives (alongside, for example, autonomy and meaningful relationships).[2] In this essay I contribute to this literature by discussing the implications of a particular view of wellbeing – the hybrid account of wellbeing – for the value of freedom. On the hybrid account, wellbeing is composite: it has both an objective and a subjective component. On such a view, wellbeing consists in doing or getting something objectively good *and* in having a positive attitude towards attaining the objectively valuable thing: in endorsing it. For example, if swimming in the lake is something from which someone would objectively benefit,

[1]I shall work with an understanding of freedom as an opportunity-concept (Taylor 1979) and as negative freedom (see §4).

[2]This is compatible with also saying that having certain freedoms or too much freedom has (some) disvalue (see Carter 1999: 37–41, 61–63; Kramer 2017: 204).

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the swim positively contributes to wellbeing only if the person also endorses it.[3] The question I ask in the paper is: if one assumes the hybrid account of wellbeing, which implications can be drawn for the value of freedom?

I address this question by discussing an influential argument by Serena Olsaretti. Olsaretti assumes the hybrid account of wellbeing and argues that one is unlikely to endorse certain functionings when one is forced to achieve them (Olsaretti 2005, 2014; see also Dworkin 2000: Ch. 6, esp. at 267–274). Take the case of someone who goes for a swim in the lake *because she is forced to* – e.g. because the alternative would be that of being severely punished. This seems to be a case in which the agent does not have a very positive attitude towards swimming (does not endorse the swim). If so, on the hybrid account, the agent fails to attain wellbeing. Olsaretti's claim is mainly about freedom of choice, or voluntariness – the main issue being that the alternative to attaining wellbeing is rendered unacceptable (because one would be severely punished). Now, I wish to ask: what follows if Olsaretti's argument is more specifically applied to cases in which people lack freedom, where freedom is understood as negative freedom?[4] That is, what if, rather than being rendered unacceptable, opportunities to *dysfunction* – to do things that damage one's own wellbeing – are entirely closed-off?[5] What would be the implications for the value of freedom? Can the removal of disvaluable options make one less likely to endorse valuable options? If so, which implications can be drawn for the value of freedom?

A central argument of Olsaretti's paper is that endorsement is best promoted by providing people with the effective freedom to attain valuable things, as well as the freedom to forego wellbeing (Olsaretti 2005). How convincing is this argument, if it is seen through the lenses of a negative freedom approach? Does the hybrid account ground a reason to protect people's freedom to *dysfunction*? Is the freedom not to achieve wellbeing valuable? In the paper I show that addressing these questions has also implications for understanding whether, on the hybrid account, freedom has non-specific/content-independent value (Carter 1999; Kramer 2003: 240–245; 2017: Ch. 5): that is, whether there are endorsement-based reasons to claim that there is value in having freedom *as such* – or, freedom non-specifically – and not only certain specific (valuable) options. Building on Olsaretti's views, I put forward an epistemic version of freedom's non-specific/content-independent value: I argue that there are epistemic reasons to claim that freedom is non-specifically/content-independently valuable on grounds of endorsement.[6] In terms of structure, I start with situating the hybrid account of wellbeing within the relevant literature (§2). I then present Olsaretti's views in greater detail (§3). In §4 and §5 I analyse the relationship between negative freedom and endorsement in the context of the hybrid account of wellbeing. I apply Olsaretti's reasoning to cases involving freedom

[3]The hybrid account has a number of proponents (Raz 1986: 308; Dworkin 2000: Ch. 6; Olsaretti 2005; 2014).

[4]Olsaretti's argument is also about freedom, though the argument is not fully worked out in her article, and in this paper I wish to develop it further.

[5]I introduce the specifics about negative freedom in §4. For clarifications on dysfunctioning, see Carter (2014: 79).

[6]Epistemic arguments for valuing freedom non-specifically are also provided, for instance, by Carter (1995: 834) and Jones and Sugden (1982: 52).

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removals, showing how removing options (e.g. that of damaging the relevant functioning achievement) can negatively affect endorsement (§4). Then I clarify how to interpret Olsaretti's claim that people's freedom to forego wellbeing should be protected, discussing cases involving passive wellbeing achievements (§5). Overall, §4 and §5 address whether, on the hybrid account, also opportunities to dysfunction are valuable. On the basis of this analysis, in §6 and §7 I examine whether freedom can have non-specific/content-independent value *on endorsement-based grounds*. I defend an epistemic version of freedom's non-specific value and I argue that such a view captures one way of interpreting the role of freedom in a theory of justice that appeals to publicity (§7). §8 concludes.

2. Hybrid Wellbeing

Individual wellbeing identifies what is *good for* someone, what makes one's life go well (see e.g. Raz 1986: 289). Following Parfit, theories of wellbeing can be distinguished into 'hedonistic theories', 'desire-fulfilment theories' and 'objective list theories' (Parfit 1984: Appendix I).[7] Hedonism holds that what is good for someone is to experience pleasure (and to avoid pain) or to attain happiness (Parfit 1984: Appendix I; Fletcher 2016: 8). And desire-based accounts make something being good for someone dependent on the person desiring it. These (hedonism and desire-based accounts) constitute subjective accounts of wellbeing in so far as they include a subjective state – pleasure or an attitude – as component of wellbeing. Take a good like 'friendship'. On desire-based views, friendship makes a direct positive contribution to wellbeing if one desires friendship as an end. On welfare hedonism, only mental states such as pleasure or enjoyment directly add to wellbeing: on such a view, friendship is instrumentally good, to the extent that one derives pleasures or enjoyment from it. On the other hand, objective list views of wellbeing hold that certain specific goods – such as health, knowledge, friendship – are good for persons irrespective of one's positive attitude towards them: for instance, irrespective of whether one desires them. To illustrate, if friendship is one of such goods, the life of a misanthrope who has no friends goes less well for that reason, even if the misanthrope has no regret for lacking friends.[8]

The recent literature has seen the emergence of hybrid views of wellbeing. There can be different types of hybrid views (Woodard 2016). Here I am concerned with views that interpret wellbeing as involving both the attainment of specific valuable goods – as held by objective list theories – as well as engaging with such goods in the appropriate way – as held by subjective theories (Parfit 1984: 501–502; Raz 1986: 308; Lauinger 2013). I shall interpret the kind of relevant engagement in terms of endorsement (Raz 1986: 292, 308; Dworkin 2000: Ch. 6; Olsaretti 2005, 2014), assuming that both the attainment of objectively valuable goods and the endorsement of such goods are necessary for wellbeing (Olsaretti 2005: 99; 2014: 374). To illustrate, if exercising regularly is objectively good for persons, one attains

[7]Parfit calls them 'theories about self-interest' (Parfit 1984: 493).

[8]And even if the misanthrope does not find friendship pleasurable. Dworkin uses the misanthrope example to illustrate a different point, the relevance of a subjective component to wellbeing (Dworkin 2000: 268).

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wellbeing only if one also endorses it.[9] Endorsement amounts to a positive attitude (Olsaretti 2005: 98): perhaps, a *specific* kind of attitude – distinct from, say, praising or cherishing – that one can have towards the pursuit of activities/the attainment of goods. I shall not indagate this point further: drawing from Raz, I suggest to think of endorsement in terms of a positive engagement with the relevant goods/activities, expressed through undertaking such activities/attaining such goods 'whole-heartedly' (Raz 1996: 5–6; Clarke 2012: 69).[10]

As highlighted by a number of authors, the appeal of hybrid views can be said to rest on their ability to overcome the difficulties that characterize one-sided approaches that define wellbeing either in purely objective or in purely subjective terms (Clarke 2012: 75–76; Woodard 2016: 163–164; see also Lauinger 2013: 272–277; Parfit 1984: 501–502).[11] A purely objective view faces the challenge of explaining how someone's life can be improved by achieving something objectively valuable (e.g. creating an artistic masterpiece) if one feels totally alienated from it (e.g. if one disowns it or does not think it valuable) (Lauinger 2013: 273; Woodard 2016: 163). In light of this, one may revise a purely objectivist view to include an attitude-requirement. Thus, one may claim that the achievement of objectively valuable goods is necessary but insufficient for wellbeing: one should also have a positive attitude towards objectively good things. This allows one to stick to the objective component of wellbeing, while also infusing wellbeing with a subjective dimension. Symmetrically, suppose that one holds a purely subjective view. Such a view faces the challenge of explaining how certain objectively valueless/disvaluable activities – e.g. spending the day staring at the ceiling or drinking a glass of poison – can improve someone's life as long as one desires them (see Parfit 1984: 499–500; Woodard 2016: 162). If one is moved by such an objection, one may revise the purely subjective account of wellbeing and concede that wellbeing also has an objective component. That is, that the fulfilment of one's desires makes one's life go well only when one desires to do objectively valuable things (or, at least, non-disvaluable

[9]As Raz claims, 'goals are adopted, or endorsed. They contribute to a person's wellbeing because they are his goals, they are what matters to him' (Raz 1986: 292). Raz adopts the hybrid account of wellbeing, though he holds that endorsement is not required in the case of biological needs, whose satisfaction does not need endorsement to be beneficial (Raz 1986: 290).

[10]In Ch. 1 of Raz (1996) Raz does not explicitly use the term 'endorsement', but '(t)he wholehearted requirement provides the main subjective element in this account of wellbeing' (Raz 1996: 6). And, the discussion in Raz (1996: Ch. 1) refers to Raz's understanding of wellbeing in Raz (1986: Ch. 12) (where endorsement is explicitly mentioned). I also wish to add three points of clarification. (1) As I understand it, endorsement is distinct from choosing something for a reason: there can be an instrumental reason to eat vegetables (since eating vegetables is good for one's health) and one may eat vegetables for such a reason, but one may do it unwillingly (failing on endorsement). (2) Endorsement cuts across the instrumental/intrinsic value distinction: one may endorse something (say, working five days per week) for instrumental or for intrinsic reasons. (3) Raz's wholehearted requirement is helpful also for thinking about endorsement failures: the wholehearted requirement is incompatible with 'resentment, pathological self-doubt, lack of self-esteem, self-hate' (Raz 1996: 6). I'm grateful to an anonymous reviewer for pressing me to clarify my understanding of endorsement.

[11]However, Clarke also thinks that other (hybrid) conceptions of wellbeing (that do not appeal to endorsement) could equally provide a solution to this issue, and that it is not entirely clear whether we have more reason to favour the view that appeals to endorsement (as a necessary condition for wellbeing) or alternative (hybrid) views (Clarke 2012: 76).

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ones). So, the hybrid account can be understood as a point of convergence of suitably revised purely objective or purely subjective views of wellbeing.[12]

One may find the hybrid account appealing for a number of additional reasons (see Clarke 2012: 69–70, 74–77). Most notably, authors such as Dworkin and Kymlicka have argued that the account of the good that best chimes with liberal political morality is one that includes an appeal to endorsement (Dworkin 2000: Ch. 6; see also Kymlicka 2002: 216).[13] Yet, the hybrid approach is not immune from criticism. For instance, one can argue that wellbeing is entirely objective and deny that it has a subjective component (Arneson 1999: 135–141; see Olsaretti 2005: 102–103). Or, that endorsement is not (always) *necessary* for wellbeing (Clarke 2012: Ch. 5; Wilkinson 2003). Or, one can have a more complex view about the relationships between endorsement and wellbeing.[14] Here I shall not attempt a general defence of the hybrid approach against possible objections, since my arguments are internal to Olsaretti's views, which assume the hybrid approach.[15] In this paper I am interested in clarifying which implications can be drawn for the value of freedom, if one adopts the hybrid account of wellbeing. To this end, in the next section I introduce Olsaretti's argument (2005), which will be discussed in the rest of the paper.

3. Forcing and Lack of Endorsement

Olsaretti's argument is developed in the context of a discussion of the capability approach. Olsaretti aims to defend Sen's view that the capability approach, interpreted as offering an account of advantage for a theory of justice, should maintain a normative focus on capabilities, rather than on achieved functionings (Olsaretti 2005: 91).[16] Valuable functionings are '[. . .] valuable states of doing and being' (Olsaretti 2005: 90) – like being healthy and having a good job. And '[c] apability is the *effective freedom to achieve functionings*, that is, the effective freedom to achieve wellbeing [. . .]' (Olsaretti 2005: 91, emphasis in original). Moreover, '[o] ne enjoys the capability to achieve a valuable functioning when one has the effective freedom to achieve that functioning, as well as the freedom not to achieve it'

[12]This can be seen as resulting from a process of reflective equilibrium that starts from a purely objectivist or a purely subjectivist account and revises such accounts to achieve coherence between theories of wellbeing and one's considered judgements (on reflective equilibrium and moral theorizing, see Rawls 1971: 46–53).

[13]Dworkin aims to argue that liberalism, as theory of the right, does not preclude the attainment of the good, nor it is neutral between all theories of the good. Indeed, for Dworkin, liberals who share certain values and normative premises (e.g. anti-paternalism) would be drawn to a certain view of the good life that, among other things, includes an appeal to endorsement (Dworkin 2000: Ch. 6).

[14]In his excellent discussion Clarke discusses the relevance of non-aversion for wellbeing (a different attitude from endorsement), and argues that endorsement is not always necessary for wellbeing. As Clarke claims, '[a] person's wellbeing can be advanced without her endorsement (except in certain activities), but endorsement would add to her welfare and enable further access to welfare, and aversion subtracts from a person's welfare' (Clarke 2012: 89; see also Ch. 6).

[15]That being said, it seems to me that the strongest defence of the hybrid approach comes from a Dworkinian view that seeks to integrate the good life (including endorsement) with liberal normative premises (Dworkin 2000: Ch. 6).

[16]In her article Olsaretti replies to Cohen's critique of Sen (Cohen 2011a).

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(Olsaretti 2005: 103).[17] Olsaretti aims to show that a focus on capabilities can be justified in light of the hybrid account of wellbeing (Olsaretti 2005: 98–106). Here is her claim:

> endorsement of valuable functionings is best secured when people choose freely which functionings to achieve, rather than being forced to achieve them; and people are better placed to choose freely which functionings to achieve when they have the freedom to forgo those functionings, as well as the freedom to achieve them. (Olsaretti 2005: 99)

There are a number of points that is important to clarify about Olsaretti's argument. First, Olsaretti's emphasis is on choosing freely among *a range of* functionings: her argument applies to opportunities to achieve a plurality of functionings, while for simplicity in the next sections I shall often discuss cases in which people are free or forced to achieve single individual functionings. Second, the very general implication that Olsaretti draws from her argument is that each person should have a range of opportunities to do valuable things (to achieve certain functionings) and also the option to refrain from achieving such functionings (Olsaretti 2005: 98–100). Third, Olsaretti's point is that endorsement is likely to be undermined or obliterated when one is forced to do something. On Olsaretti's account, one is forced to *X* when one chooses *X* because the option of not-*X* is unacceptable (because one would suffer hardship or be severely punished if one chose not-*X*) (Olsaretti 2005: 99; see also Olsaretti 2004: 139).[18] As I understand it, the thrust of the argument is that, if I choose to function well *because* I have no acceptable alternative – that is, if my choice to function well is motivated by lack of acceptable options, and hence it is not voluntary (Olsaretti 2004: Ch. 6) – then it is plausible that I do not endorse such a choice: that I do not have towards such a choice the kind of positive attitude that could be described as endorsement.[19] As Olsaretti puts it, if I am forced to X (e.g. being 'an active member of the community'), 'I am unlikely to have the sort of positive evaluation of such a functioning that would be necessary for it to contribute positively to my life' (Olsaretti 2005: 99). The connection between force and (lack of) endorsement that Olsaretti detects is of *empirical* nature: as I discuss below, this leaves the flank open to possible objections. Before that, I wish to present a *psychological* interpretation of Olsaretti's argument – one that emphasizes the psychological connection between force and lack of endorsement – and which aims to provide one possible explanation of how force can adversely affect one's attitude towards *X*, thereby lending further support to Olsaretti's views. Consider the following example:

[17]As Olsaretti explains, effective freedom amounts, first, to having the ability to obtain the functioning in question (not just lack of interference) (Olsaretti 2005: 91). And, 'freedom is 'effective' in the sense that a person is said to have her freedom increased 'in effect' when someone does something to her or for her which she *would* choose to have done to her or for her if given the chance, even if she does not actually choose that' (Olsaretti 2005: 91, emphasis in original).

[18]Olsaretti's criterion for discriminating between acceptable and non-acceptable alternatives is an objective one that refers to basic needs (Olsaretti 2004: 140, 154).

[19]Note that endorsement is not strictly speaking impossible, one could endorse what one is forced to do (Olsaretti 2005: 104). I comment below on the empirical nature of Olsaretti's argument.

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Flight Attendant: *A* is a flight attendant, and the reason why she does physical exercises every week is because she would be taken off flights if she were to gain weight. If the airline did not have strict requirements about the flight attendants' weight, *A* would exercise anyway (perhaps a bit less, say, twice rather than three times a week). In this counterfactual scenario *A* would fully endorse the choice of doing physical exercise, since she would be motivated exclusively by considerations concerning her own personal wellbeing, rather than by the fact that she is forced by the airline.

Assuming that exercising regularly is objectively good for persons, *Flight Attendant* aims to show that force can affect people's motivation for acting in ways that negatively affect endorsement or eliminate it entirely.[20] In *Flight Attendant A* is motivated by the fact that, if she doesn't exercise regularly, she will lose her job.[21] Now, to the extent that being motivated by the prospect of losing one's job adversely affects the kind of positive attitudes that *A* should have towards the relevant functioning, force undermines or obliterates endorsement, and hence also wellbeing (on the hybrid approach). There can be many ways in which being forced can affect people's attitudes in endorsement-undermining ways. For instance, prohibitionist laws against the consumption of alcoholic beverages or of recreational drugs could make the dysfunctional (e.g. because excessive) use of such substances more (rather than less) *appealing* for those who are more tempted to 'dysfunction'. Moreover, one may *regret* being forced. And this may affect one's motivation for acting: for example, in virtue of such a regret, one may harbour an intention to break the prohibitionist law as a way of protesting or of expressing disapproval.[22]

The connection that Olsaretti establishes between force and (lack of) endorsement is empirical (Olsaretti 2005: 104), and, to the extent that my reading above is correct, also psychological.[23] On the one hand, if force can negatively affect or obliterate endorsement in different ways, this lends credence to

[20]The example assumes that exercising regularly is the objectively good thing to be endorsed. This is compatible with also holding that exercising regularly is *instrumentally* good – e.g. because it improves people's health, because it is a source of pleasure, etc. If so, on the hybrid account, the intrinsically valuable thing would also need to be endorsed to add on to wellbeing.

[21]I take this example almost verbatim from Intropi (2019: 106). Note that *A* may be moved by mixed motives – partly wanting to do physical exercises, and partly being motivated by the fact that, if she doesn't exercise regularly, she will lose her job. In such a case force may have a negative effect on endorsement, without entirely removing it. This is one way in which the example can be thought to depict a psychologically complex situation. Such psychological complexities can be further examined, though it would be beyond the scope of this paper to fully discuss them. I'm grateful to an anonymous reviewer for raising this point. Olsaretti thinks that, in case of mixed motives, one's choice is non-voluntary if, counterfactually, in the absence of force one would not have chosen to do what one is forced to do (see Olsaretti 2004: 139, fn. 3).

[22]By contrast, for Clarke 'endorsement or lack thereof is to apply to the value of the activities, not the paternalism itself' (Clarke 2012: 71). He also interestingly notes that '[a] person may withhold endorsement of the paternalism say because she has strong libertarian beliefs about the justification of paternalism, but she may at the same time recognise the worth of the activity involved. The latter would be enough to satisfy EC' [i.e. to satisfy endorsement]. But he also notes that one may come to disvalue the activity when one is subject to paternalism, while she would not if paternalism were absent (Clarke 2012: 71).

[23]I thank Maria Paola Ferretti for pushing me to clarify this point.

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Olsaretti's claim that 'people are *more likely* to endorse functionings when these are not forced on them' (Olsaretti 2005: 106, emphasis mine). At the same time, the plausibility of Olsaretti's argument rests on the robustness of the empirical connection between force and (lack of) endorsement (Olsaretti 2005: 104). This is a point that critics have emphasized, and that Olsaretti discusses at some length (Olsaretti 2005: 103–104; Begon 2016: 59–60).[24] Olsaretti is also aware of the objection that it is possible that one endorses what one is forced to do – especially, with regards to certain biological functionings, such as being well-nourished: that is, that one would continue to endorse being well-nourished, even under coercion (Olsaretti 2005: 103–104). I shall come back to some of these critical remarks in §6: for now, it will suffice to say that, as an empirical generalization and perhaps with the exception of certain basic biological functionings, Olsaretti identifies a plausible empirical connection between force and (lack of) endorsement.

4. Lack of Freedom and Endorsement

I now want to delve into the relationship between freedom and endorsement: I wish to examine whether, on the hybrid account of wellbeing, there is value in having the freedom to dysfunction. To begin with, this requires clarifying the interpretation of freedom that is relevant in this context. I shall understand freedom as an opportunity concept (Taylor 1979) – as the opportunity to act, rather than the attainment of ideals, e.g. autonomy, *through acting* – and as negative freedom. On a negative freedom approach, unfreedom is due to other people's relevant interventions (Berlin 2002: 169), and I shall assume that one is unfree to *X* when others make *X* physically impossible (or would make it physically impossible, if one tried to *X*): i.e. I shall assume 'the impossibility view' (Carter 1999: 220).[25] I also do not take a stance on whether freedom requires the ability to act, or

[24]For another critique of Olsaretti's argument, see Carter (2014: 86–88).

[25]This view is famously defended by Steiner (2006 [1974–1975], 1994: ch. 2); see also Carter (1999: Ch. 8), Kramer (2003; 2017: Ch. 5). On the counterfactual dimension of unfreedom, see Carter (1999: 229) and Kramer (2003: 185–186; 2017: 196). One important debate within this literature concerns whether the interferer should be causally responsible or morally responsible for interference to count as unfreedom, or whether what matters is that the interferer intervenes intentionally (see Miller 1983; Carter 1999: 220–223; Kramer 2003: Ch. 4). I shall not take a stance on this issue here. The impossibility view could be criticized for counterintuitively implying that someone is not unfree when the individual faces a severe threat: e.g. when the individual faces the choice of either complying or being killed/severely punished (for a version of this objection, see Miller 1983: 76–77). However, also the view that underpins the objection has counterintuitive implications: it implies that, in the event of non-compliance, the individual did not comply *and was also unfree* to not comply (see Carter 2009: xiii). Moreover, the impossibility view has the resources to meet the objection head on: as Carter has argued, one can consistently both claim that the threatened individual is free to not comply *and* at the same time recognize that the individual suffers a severe diminution of overall freedom (i.e. of the total amount of freedom one enjoys). If the threat is credible, the individual 'suffers a great reduction in the number of sets of compossible actions available to him' (Carter 1999: 228), since he would no longer be free to do all the actions that the execution of the threat prevents him from doing. For instance, if one is threatened to be locked in a room, the execution of the threat would greatly reduce one's overall freedom (it would deprive the individual of a great number of freedoms that would have been available in the absence of the threat) (Carter 1999: 226–228); an alternative view on why standardly threats imply a diminution of freedom is developed by Olsaretti (2004: 143–144).

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whether mere lack of interference is sufficient.[26] Note that Olsaretti's argument is mainly about force, voluntariness, and (lack of) endorsement, rather than specifically about freedom/unfreedom. Olsaretti's point is that when one is forced to do something (because certain options are rendered unacceptable), one is less likely to endorse the choice of functioning well. For instance, in *Flight Attendant* the emphasis is on the fact that *A*'s choice is vitiated by the presence of force – i.e. that *A*'s choice to do physical exercise is not voluntary, due to *A*'s not having acceptable alternatives. But it would not be physically impossible for *A* to be physically inactive – *A* can decide to be physically inactive, at the cost of facing severe consequences: that is, on the physical impossibility view, she is not unfree.[27] Nonetheless, Olsaretti's argument can also be taken to illuminate the relations between freedom and endorsement. Removing freedoms is one way of altering the external conditions of choice – sometimes with the aim of directing people's choices towards certain ends (e.g. with the aim of preventing someone from damaging her own wellbeing) – and freedom removals can have negative effects on endorsement. I discuss this point below.

I wish to present two examples that illustrate the possible effects of freedom loss on endorsement. Consider the following case: suppose that the state aims to make it impossible for people to produce and consume cigarettes. In such a society people would be unfree to smoke cigarettes. Such freedom-restricting measures could be justified in paternalistic ways: they could be put in place in order to prevent people from endangering their health.[28] And the freedom restriction could also relevantly affect (some) people's attitudes towards not-smoking: for example, it could make the prevented option of smoking more attractive. So, it is possible that removing the freedom to endanger one's wellbeing adversely affects or eliminates endorsement (of the relevant valuable end). The adverse effects of freedom removals on endorsement are also illustrated by cases in which endorsing a certain activity is itself constitutive of the functioning achievement (Clarke 2012: 74–75; see also Carter 2014: 86). For example, imagine – somehow fancifully – that someone is kept locked in a room with other family members when family meetings occur at Christmas. An individual may come to despise such family gatherings on grounds of being deprived of the freedom to leave the room. This example further illustrates that removing freedom may undermine endorsement. In the case under discussion the lack of endorsement directly prevents an individual from attaining the relevant valuable good (enjoying spending Christmas with family), assuming that willingly participating in family gatherings is itself necessary for such meetings to be good for someone.

The main take-away of this section is that the empirical generalization discussed in §3 analogously holds also for cases involving lack of freedom. That is, perhaps with the exception of certain basic biological functionings, lacking the freedom to

[26]For instance, on Kramer's account, *A* must be able to *X* in order to be free to *X* (physically able and unprevented by others). If *A* is physically unable to *X* in the absence of other people's interference (e.g. if *A* is unable to swim for 5 km, but nobody stops her), she should be considered not-free (rather than unfree), because simply unable, to *X* (Kramer 2017: 195–196).

[27]Of course, *A* suffers a reduction in her degree of overall freedom as a result of being forced: if *A* decides to put on weight, she will lose all the freedoms that would be available to her if she keeps her job (e.g. the freedom to do all the things that she could do with a salary) (see Carter 1999: 226–228).

[28]These are what Clarke calls cases of 'negative paternalism' (Clarke 2012: 97).

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dysfunction may adversely affect the endorsement of the relevant valuable end. So, there is an endorsement-based reason to protect people's freedom to dysfunction. Hence, on the hybrid account – and considering the exceptions indicated above – not only the freedoms to function well are valuable, but also the freedoms to dysfunction. Before discussing this point further (§5), I wish to consider a possible objection that targets the idea that it is valuable to have the freedom to dysfunction. The objection claims that to foster endorsement what matters is not *to have freedom* – the freedom to dysfunction – but that one *believes* oneself to have freedom.[29] For instance, take the example above concerning Christmas family gatherings: suppose one is in the room where the meeting occurs, and that this person believes that she would be able to leave the room if she wanted to, while in fact, unbeknownst to her, the doors are locked (or someone would lock them if she attempted to leave). Under such circumstances, the individual is *unfree*. But lacking freedom, when one mistakenly believes oneself to have it, has no adverse implications for endorsement. How can this objection be addressed? I think the objection helps us better framing Olsaretti's argument within the context of a liberal theory of justice. The force of the objection is defused with the introduction of two – I think reasonable – assumptions. The first one is that I take it that there is a wide range of cases in which people are not mistaken or unaware about whether they have freedom or not. This is, I think, a plausible assumption: if so, the number of cases to which the objection applies would be somewhat significant, but limited. The second assumption is normative: in the context of a liberal theory of justice, we should assume that people are not deceived or manipulated (e.g. by the state) into believing that they have freedom (while, in fact, they don't). The introduction of this assumption is motivated by a liberal stance on the at least prima facie wrongness of manipulation, which, I take it, liberals would be very much inclined to accept. If we assume that people are not manipulated into believing that they have freedom and that in a wide range of cases people can rightly gauge which freedoms they have (and which they don't), the objection loses much of its force.[30]

[29]I owe this objection to Serena Olsaretti.

[30]Consider a further objection that applies to endorsement: an argument that Clarke makes in general with regards to intentions. Removing a disvaluable option may have a negative effect on endorsement; yet one has many other remaining options among which to choose, and hence to endorse (or to choose with the right intention), and perhaps removing the freedom to dysfunction is not really problematic, as long as one has a sufficient number of other good options to endorse (Clarke 2012: 97–98). Note that the objection does not deny that removing freedom may have bad effects on the endorsement of *the specific functioning in question*: so, the point I make in this section about the possible negative effects of freedom removals on endorsement holds. Yet, the objection could be taken to suggest that, although there are endorsement-based reasons to attribute value to the freedom to dysfunction, there may not always be a sufficiently weighty reason to refrain from removing a certain specific freedom to dysfunction (especially, when one has a sufficient number of other good options to endorse and to choose from). So interpreted, Clarke's point is about what follows, practically speaking, from attributing value to the freedoms to dysfunction. And this is not an issue I need to take a stance on, since at this stage I am only concerned with what makes the freedom to dysfunction valuable on the hybrid approach, rather than on whether there is always a sufficiently weighty reason to protect such freedoms.

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5. The Freedom to Forgo Wellbeing

I now wish to dig deeper into the relations between freedom and endorsement, discussing some complications that arise when we consider whether someone can be made unfree to forgo certain functionings. Among other things, this will allow us to discuss cases in which wellbeing is achieved passively (e.g. when someone is fed by others) (see Cohen 2011a: 50–51). On Olsaretti's view, there are better chances of promoting endorsement when people have the freedom to achieve certain functionings *and the freedom to forgo or to eschew them* (Olsaretti 2005: 99). The question that underpins this section is: assuming a negative freedom approach, is it even possible to make someone *unfree* to forgo certain functionings, and therefore wellbeing? To address this question, I shall rely on the following argument by Matthew Kramer: according to Kramer, whereas one can be rendered unfree to *perform some action X* (if *X* is rendered physically impossible, or if it would be impossible for *A* to *X* if *A* attempted to *X*), one cannot be rendered unfree to *forgo doing X*, since it is always possible for *A* to renounce entirely to her agency. With some relevant exceptions, *A* cannot be made unfree to abstain from *X* (Kramer 2003: 17–25).[31] To illustrate: suppose that *B* wants to make *A* walk into a building. Can *B* make *A* unfree to forgo walking into the building? *B* can literally push *A* into the building – let's assume, *B* can even move *A*'s legs as to perfectly mimic the act of walking – but *B* cannot make *A walk* into the building, if 'walking' involves an intentional act on *A*'s part, since *A* can always renounce to her agency and decide to just passively undergo whatever bodily movements *B* imposes on *A*. So, *A* can be 'walked' into the building, but *B* cannot make *A* walk into the building.

Now, on account of Kramer's argument, Olsaretti's emphasis on the freedom to forgo functioning well can be pleonastic. If we think of wellbeing in athletic terms – i.e. as always involving an act on the part of the agent – it is redundant to claim that there is a reason to protect people's (negative) freedom to forgo certain functionings (and therefore wellbeing), since such a freedom is always present: we are always free to forgo an action, and therefore also to forgo the corresponding functioning. For instance, suppose that I am taken captive and tied to a chair. And that my gaoler really wants me to eat vegetables: whatever threat she imposes on me, I am always free to abstain from eating vegetables. Even if she moves my facial muscles to literally make me chew vegetables, I can always abstain from performing the action of eating vegetables, since it is always possible for me to entirely relinquish my agency and passively undergo the process of chewing and ingesting vegetables. So, one may wonder whether there is any need to emphasize that we should protect people's freedom to forgo wellbeing. The spirit of Olsaretti's argument can be preserved if we take it to claim that endorsement is best protected when people have the freedom to achieve wellbeing as well as the freedom *to perform actions that undermine the relevant wellbeing achievement* (as discussed in §4). For instance, suppose that the relevant wellbeing achievement is that of being in good health; Olsaretti's argument implies that people should have (1) the freedom to do what is required to stay in good health, (2) the freedom to forgo such actions (which, following Kramer, is always

[31]Kramer also discusses some exceptions (e.g. cases involving complete mind-control) (Kramer 2003: 23–25).

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present), as well as (3) the freedom to *perform actions* (e.g. frequently eating too much) that may undermine the relevant wellbeing achievement.

A further line of reasoning justifies emphasizing a reason to protect people's freedom to forgo wellbeing. A key question in the capability literature concerns how to respond to Cohen's athleticism charge: i.e. to the claim that the capability approach implausibly interprets wellbeing exclusively in athleticist terms (as always involving actions) (Cohen 2011a; see also Pettit 2001; Olsaretti 2005; Begon 2016). And Olsaretti's argument can also be relevant if one adopts a more expansive notion of wellbeing, according to which wellbeing can also be achieved passively – without necessarily involving actions on the part of the agent (see Cohen 2011a: 50–54). If one holds this view, it is not pleonastic to claim that the freedom to forgo (passive) wellbeing achievements should be protected. Consider the following example: nourishment can be achieved passively, e.g. by means of feeding tubes while lying in a hospital bed (Cohen 2011a: 51). And, if we can speak of passive wellbeing achievements, it is not redundant to emphasize a reason to protect the freedom to abstain from *undergoing* the relevant wellbeing achievement. Claiming that people should have such a freedom justifies shielding them from (paternalistically) undergoing wellbeing achievements against their will.[32] If someone is unfree to forgo passive wellbeing achievements, such a person cannot but undergo someone's attempts to physically force her to achieve wellbeing (e.g. to be well fed). Stressing the freedom to refrain from undergoing such processes is of course of great importance.[33] To sum up: with some relevant exceptions, one cannot be unfree to forgo an action. Hence, one may wonder whether we have any reason to stress that people's freedom to forgo wellbeing should be protected. Stressing that the freedom to forgo functioning achievements should be protected should be interpreted as (1) indicating a commitment to protect people's freedom to perform actions that have a negative impact on wellbeing (in so far as wellbeing is conceived athletically) and (2) indicating a commitment to protect people's freedom to abstain from undergoing functioning achievements against their will (if wellbeing encompasses also passive wellbeing achievements).

6. Hybrid Wellbeing and the Non-Specific/Content-Independent Value of Freedom

Having discussed the relations between freedom and endorsement and the value of the freedom to dysfunction (§4 and §5), I now wish to discuss whether from Olsaretti's argument it is possible to derive a justification of freedom's non-specific/content-independent value. I take the expressions 'non-specific' (Carter 1999, 2014)

[32]On the relevance of 'undergoings' as instances of freedom, see Kramer (2003: 160–163). Olsaretti argues that certain forms of paternalist interventions can be justified when they are aimed at protecting people's achievement of very important functionings (e.g. biological needs) (Olsaretti 2005: 105).

[33]See Cohen's critical discussion of Sen's views on whether freedom requires control (Cohen 2011b). Consider the case of a terminally ill cancer patient, who is extremely weak, and would be unable to oppose force-feeding. If the will of the patient is that of refusing nutrition, allowing her to have the freedom to refuse nutrition would mean putting in place ways in which the individual (or someone else on her behalf) can successfully counteract people's attempts at force-feeding (e.g. by having policemen who would intervene if someone attempted to feed the patient).

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and 'content-independent' (Kramer 2003: 240–245; 2017: Ch. 5) as synonyms. They both denote the value that freedom has 'as such' (Carter 1999: 34) or qua freedom. The key point is that, if freedom has non-specific/content-independent value, freedom has value not just in light of the specific content of the freedom(s) in question – such as freedom to eat well, to travel abroad, etc. – but also simply as freedom. As Kramer explains, the value of freedom has a content-dependent dimension – the value that freedom has as a freedom (or set of freedoms) with a specific content (as freedom to eat well, etc.) – and also a content-independent dimension – simply as freedom (Kramer 2003: 240–245; 2017: 200–203).[34] I shall also assume that, if freedom is non-specifically/content-independently valuable, *any* specific freedom is valuable qua freedom, irrespective of content (see Intropi 2022: §4.2).[35]

A number of arguments have been advanced to support the claim that freedom has non-specific/content-independent value. For instance, there are circumstances in which people desire or love having freedom as such (e.g. 'think of how a prisoner feels on suddenly being released' (Carter 1999: 32)), rather than just certain specific freedoms. And this intuitively suggests that people have an interest in freedom as such (Carter 1999: 32, 41). And freedom (as such) can contribute to promoting other values: e.g. autonomy, societal progress, wellbeing (Carter 1999: Ch. 2; Kramer 2017: 203–207). Arguments of this type are often premised upon 'the unavoidability of human ignorance and fallibility' (Carter 1999: 45).[36] For example, take wellbeing, interpreted as desire satisfaction: Carter argues that it is in our interest to have not just certain specific freedoms, but also a measure of freedom as such. Since our future desires remain to an extent radically indeterminate, we'd better have more freedom (rather than less): this will increase the likelihood of being able to realize our future desires (Carter 1999: 45, 50–52; Kramer 2017: 205–206).[37]

At first sight, the structure of Olsaretti's argument seems conducive to asserting that there is a non-specific/content-independent connection between freedom and hybrid wellbeing. I shall show – and then critically discuss – this point with two

[34]Freedom can also have specific/content-dependent and non-specific/content-independent disvalue: the freedom to drink poisonous substances is an example of the former, and having too much freedom may justify non-specific/content-independent disvalue (see Carter 1999: 61–63; see also Kramer 2017: 204). Carter is only committed to the view that freedom 'is non-specifically valuable *on balance*': i.e. that 'freedom's non-specific value outweighs freedom's non-specific disvalue' (at least up to a high level of freedom) (Carter 1999: 61–63).

[35]This seems to underpin Carter's reasoning at p. 64 of *A Measure of Freedom*. A specific freedom is the freedom to do a specific thing (or a specific type of things) (Carter 1999: 13).

[36]Carter's quotation is referring to the *instrumental* (non-specific) value of freedom.

[37]On this argument freedom has non-specific instrumental value for the achievement of wellbeing. As Carter and Kramer argue, freedom can also have non-specific constitutive value (Carter 1999: 54–60) (e.g. for autonomy: Carter 1999: 59–60; Kramer 2003: 431–432, 2017: 207). And freedom as such can also be intrinsically valuable (Carter 1999: 41-43; Kramer 2017: 204–205). As Carter has argued, it is hard to justify freedom's intrinsic value, since it is hard to justify freedom's value without appealing to other values that freedom contributes to achieve (Carter 1999: 41). Nonetheless, one may just intrinsically desire having freedom as such (Carter 1999: 41), or it may just be objectively and intrinsically good to have freedom as such. If so, freedom would have intrinsic prudential value (on a desire-based account and on an objective-list view of wellbeing, respectively). On the hybrid account of wellbeing, if, objectively speaking, it is good to have freedom (as such), to achieve wellbeing one must also endorse having freedom.

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arguments that rely on the language of functionings/capabilities. Capabilities can be understood as what Carter calls 'freedom-types' (Carter 1999: 13): classes of specific freedoms to perform actions of the same type. A very general capability is the capability *to achieve the good*. On the basis of the arguments provided so far (§4 and §5), one way of interpreting Olsaretti's argument is as follows: however the good is defined, there is value not just in having the freedom to achieve the good, but also in not being interfered with in the exercise of all other freedoms, e.g. with the freedom to perform disvaluable actions (since having such freedoms makes it more likely that one would endorse the attainment of the good). Hence, it is valuable to have *any* freedom irrespective of content. And, therefore, freedom has non-specific/content-independent value. This argument arrives at the conclusion that freedom has non-specific/content-independent value from a very general capability (that of achieving the good). The argument is sound, but too abstract. We shall see this if we put the argument to the test by adopting the opposite strategy of starting from a specific capability and then seeing whether it generalizes over any capability. The general capability to achieve the good is composed of a wide range of specific capabilities: e.g. those included in the list devised by Martha Nussbaum (life, health, bodily integrity, imagination, etc.) (Nussbaum 2006: 76–78).[38] Consider the following statement by Nussbaum, concerning freedom of religion:

> The free expression of religion can be endorsed by people who would object to any establishment of religion that would involve dragooning all citizens into some type of religious functioning. (Nussbaum 2006: 79)

I take it that the religious functioning in question consists in developing religious beliefs or practicing a religious creed (e.g. Islam, Buddhism or Christianity). One can argue that people are better placed to endorse such a functioning, if they also have the opportunity to undermine the functioning in question: for example, if they have the opportunity to participate in the activities of atheist groups, or to be exposed to atheist beliefs. Hence, we should be concerned with protecting people's capability to function as religious individuals, which, crucially, includes also the freedom not to function well. Now, if for any capability (e.g. health, bodily integrity, etc.) it can be said that refraining from removing the freedom to dysfunction contributes to endorsement, then there is value in any freedom and hence freedom has non-specific/content-independent value.

However, as I have mentioned in §3, for some functionings removing the freedom to dysfunction may not contribute to undermining endorsement (Olsaretti 2005: 103–104).[39] Take the capability to live, which Nussbaum describes as '[b]eing able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living' (Nussbaum 2006: 76). We

[38]Nussbaum shares with Olsaretti the view that providing or protecting capabilities (as opposed to forcing people to function) should be the primary focus of the capability approach (Nussbaum 2006: 79–80).

[39]A further reason of scepticism concerning the possibility of justifying freedom's non-specific/content-independent in the context of the capability approach is that such an approach remains too specific in defining capabilities/functionings (see Carter 2014: 92–97): even if very inclusive, capabilities/functionings lists are restricted to a certain range of specific freedoms and corresponding functionings, and this undermines the possibility of claiming that *any* freedom (irrespective of content) is valuable (qua freedom).

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shouldn't underestimate the possibility of someone's having a life (perhaps barely) worth living and failing to endorse being alive on grounds of being deprived of the freedom to take one's own life; but standardly one would continue to endorse being alive even in the event of being deprived of the freedom to kill oneself. If so, there would be little reason to protect the freedom to undermine the associated functioning achievement (being alive) *on grounds of endorsement*. With respect to basic biological functionings, if one takes the viewpoint of an *average individual* – with standard psychological reactions and reasonable preferences – we should assume that such an individual would continue to endorse the relevant functionings (e.g. being alive), even if forced.[40] Hence, from Olsaretti's argument we cannot conclude that freedom has non-specific/content-independent value, since there wouldn't be an endorsement-based reason to protect that specific freedom to dysfunction; and so not all freedoms would have value. This strategy for establishing freedom's non-specific/content-independent value on grounds of endorsement is unsuccessful. In the next section I develop a further, more promising, epistemic strategy.

7. Epistemic Non-Specific/Content-Independent Value and Publicity

Consider Olsaretti's reply to the objection discussed in the previous section:

> Although, as we have just seen, it is true that people may sometimes freely choose functionings to which they have no acceptable alternatives, and may sometimes endorse functionings they have not voluntarily chosen, it is also true that looking at people's achieved functionings, rather than at the opportunities they face, does not suffice for us *to know* how well they are. For unless we know that people have acceptable alternatives to the functionings they actually achieve, we cannot be sure that they were not forced to choose those functionings, and that those functionings are ones they endorse. (Olsaretti 2005: 104, emphasis in original)

Now, a freedom-relevant interpretation of this argument reads as follows:

> *The Epistemic Argument (Freedom-Relevant Version)*: assuming that only information about achieved functionings is available, *A* has more reason to believe that *B* endorses certain functionings when *B* has not just the freedom to achieve such functionings, but also alternative options, including the freedom to dysfunction.

[40]If, rather than assuming the idealized perspective of an average individual, we assume the perspective of a specific identifiable person, we would ask: is it true that *for this person* having the freedom to dysfunction will contribute to endorsement? There will be cases in which someone fails to endorse even a basic biological functioning in the presence of coercion or freedom removals. Yet, whether *for this person* freedom will have non-specific/content-independent value on grounds of endorsement will depend on whether *for any specific freedom to dysfunction* – i.e. for any freedom to dysfunction associated with specific capabilities – removing such a freedom will adversely affect endorsement. And it seems unlikely that this will be the case: more likely, an individual will continue to endorse some functionings even in the absence of the freedom to dysfunction.

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Consider an instance of a possible functioning – say, being physically active: if *B* has the freedom to function well, but also the freedom to do alternative things – including perhaps the freedom to spend all day in bed watching TV series – *A* has more reason to believe that *B* endorses the choice of functioning well, when *B* achieves the functioning in question (since *B* could have done otherwise). Now, it seems to me that from this claim it is possible to derive a justification of freedom's non-specific/content-independent value. If *X* is the relevant functioning achievement, assuring that people have both the freedom to *X* as well as other freedoms – including the freedom to dysfunction – gives us more reason to believe that the individual endorses the functioning in question when she achieves it. This argument entails that freedom has non-specific/content-independent value, since such a value implies that there is value in any freedom. The argument is interesting because it constitutes *an epistemic* version of non-specific/content-independent value. In the literature, epistemic reasons to value freedom non-specifically/in a content-independent fashion have sometimes been put forward (Jones and Sugden 1982: 52; Carter 1995: 834): *The Epistemic Argument* is a version of such arguments that draws on considerations related to endorsement, assuming the hybrid account of wellbeing. Consider how *The Epistemic Argument* differs from arguments that directly appeal to the prudential or personal value of freedom. While the latter arguments ground freedom's non-specific/content-independent value directly in the value that having a measure of freedom as such has *for the person who has freedom* (in virtue of contributing to autonomy, wellbeing, etc.) (§5), *The Epistemic Argument* shows that it is epistemically valuable *for an external agent (e.g. the state) that people* have freedom as such (rather than just certain specific liberties). So, *The Epistemic Argument* appeals to epistemic reasons (to value freedom non-specifically/ in a content-independent fashion) valid for an external agent, without directly grounding content-independent/non-specific value in the personal or prudential value that freedom has for the person who has freedom.[41]

I wish to conclude by suggesting a connection between *The Epistemic Argument* and justice. *The Epistemic Argument* justifies a reason to guarantee that people have a measure of freedom as such, or freedom *non-specifically* – and not just certain specific liberties – *on epistemic grounds*.[42] So, one can interpret this argument as having implications for the currency of justice (Cohen 2011c) – the metric used to assess people's levels of advantage in a theory of justice. In particular, the epistemic argument points in the direction of a freedom-centred interpretation of the currency of justice (Carter 1999, 2014), according to which justice entitles each individual to a measure of freedom as such (Carter 1999). This link between *The Epistemic Argument* and justice can be further strengthened through an appeal to the values of non-intrusiveness and publicity. Assuming that the state relies on information about achieved functionings – for example, because of practical problems related to gathering data about capabilities (see Sen 1992: 52–53) – a reason against gathering

[41]This is noted also by Carter (1995: 834). I use 'personal' and 'prudential' value as synonyms to denote the value that freedom has *for the person* who has freedom (i.e. in virtue of benefiting from their own freedom).

[42]Olsaretti's paper, indeed, aims to defend a focus on capabilities (rather than functionings), and the freedom-relevant version of the epistemic argument emphasizes even more this freedom-centred direction.

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data about whether people endorse the relevant functionings can be grounded in a liberal concern against a bureaucratic state that intrudes into people's lives by enquiring about people's attitudes and beliefs.[43] And consider how this can have implications for a view of justice that appeals to the value of publicity (for context: Gosseries and Parr 2022). Following Andrew Williams's understanding of publicity, publicity requires that 'individuals are able to attain common knowledge of the rules' (i) general applicability, (ii) their particular requirements, and (iii) the extent to which individuals conform with those requirements' (Williams 1998: 233). I interpret this broadly, to imply that the individuals should also be able to attain knowledge about the extent to which the principles of justice are realized (see Williams 1998: 233–234): for example, about whether people endorse the choice of functioning well. If so, assuming a liberal concern against intrusiveness, the best way in which a hybrid account of wellbeing can be institutionalized in accordance with publicity is indirectly: that is, (1) by providing people with the freedom to function well as well as with alternative options – including the freedom to dysfunction; rather than (2) by forcing people into certain functionings and then checking whether people endorse them.[44] Hence, a freedom-centred approach is better suited to meet the requirements of publicity: by giving people both the freedom to function well and alternative freedoms, including the freedom to dysfunction one *knows* – or, has more reason to believe – that, if people function well, they also endorse the functioning in question (since they could have opted otherwise).[45]

8. Conclusion

In this paper I have discussed the implications that follow for the value of freedom if one adopts the hybrid account of wellbeing. I have argued that, assuming the hybrid account, it is valuable to have the opportunities to dysfunction (not just the freedom to function well), since freedom removals can adversely affect or obliterate endorsement. This claim is based on an empirical generalization which, as such, can have its own exceptions: especially, when it comes to basic biological functionings. I have also offered an interpretation of Olsaretti's claim that people should have the freedom to forgo functioning achievements, showing the relevance of such a claim in contexts in which wellbeing is achieved passively. Finally, I have considered whether, on the hybrid account, it is possible to claim that freedom is non-specifically/content-independently valuable. The best strategy to argue that freedom has non-

[43]We may imagine, for example, that the state requires by law that the citizens report on their attitudes by filling out detailed questionnaires.

[44]One may also hold that checking on people's attitudes through questionnaires (in order to obtain knowledge about whether they endorse the relevant functionings) is too informationally demanding. In such a case, endorsement 'resists institutionalization for epistemic reasons' (Williams 1998: 239). Williams's quotation is referring to 'occupational compensation', since he is interested in whether extending the difference principle to people's private choices in the market could meet the requirements of publicity, whereas I am interested in understanding how a hybrid account of wellbeing can be institutionalised in compliance with the requirements of publicity.

[45]Of course, one may object to this argument by rejecting the value of publicity *tout court* or allowing that publicity may be legitimately compromised for the sake of other values. I shall not take a stance on these issues here. On the value of publicity, see Williams (1998: 242–246).

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specific/content-independent value on grounds of endorsement is an epistemic one that appeals to the epistemic value (for the state) of guaranteeing that people have the freedom to dysfunction, alongside the freedom to function well. This epistemic version of freedom's non-specific/content-independent value hints at a view of justice that is freedom-centred and that incorporates a concern for publicity.

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