ON FREEDOM

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INTRODUCTION

BITTEN APPLES

Does freedom of choice promote human well-being? Many people think so. They insist that each of us is the best judge of what will promote our own well-being. They argue that people should be allowed to go their own way, so long as they are not harming others.

But what if people do not know how to find their way? What if they have no idea?

For many of us, *navigability* is a serious problem—perhaps the most serious problem of all. Navigating an unfamiliar city or an airport might be baffling. The same might be true of the health care bureaucracy or the criminal justice system. When life is hard to navigate, people are less free. They are unable to get where they

want to go. The challenge arises not only when we are looking for literal destinations (a gasoline station, a bank, a doctor's office), but also when we are seeking some kind of outcome (good health, a visa, a decent place to live, personal safety, economic security, a satisfying relationship, a good job).

Obstacles to navigability are major sources of unfreedom in human life. They create a kind of bondage. They make people feel lost. In wealthy countries and poor ones, they reduce people's well-being. Freedom of choice is important, even critical, but it is undermined or even destroyed if life cannot be navigated. Obstacles to navigability have been the great blind spot in the Western philosophical tradition. They deserve sustained attention—not only from philosophers and political theorists but also from economists, psychologists, designers, architects, computer scientists, lawyers,

happened to catch someone's eye. That someone is now your spouse. Or some work commitment was cancelled, and so you visited a city, far away, to spend a little time with a friend. To your amazement, you fell in love with the place. It is now your home.

Writers of science fiction (along with some philosophers and historians) like to speak of "parallel worlds" or "counterfactual history." I am focusing on something similar and narrower: cases in which some feature of the social environment leads people to choose Option A, Option B, Option C, or Option D—and choosers end up glad after the fact, never wishing things should be different, *whatever they chose*.

Some such cases are fairly mundane. For example, we can imagine situations in which people would be content with one or another health care plan, and what they choose is a product of a seemingly innocuous social cue

(such as a font or color on a website). Other cases involve large features of people's lives—situations in which people would be content with one or another city, spouse, or career—and a seemingly innocuous social cue (an advertisement, a smile, a word of encouragement, a path of least resistance) makes all the difference. In the hardest cases, where free choices can lead in different directions, there is no escape from evaluating outcomes by asking about what promotes people's well-being. At least there is no escape from that question if a designer of the social environment—an employer, a doctor, a government—is deciding what kind of social environment to design.

A STRANGE NEW SMELL

Two passages will help frame the discussion. The first should be familiar:

So when the woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was to be desired to make one wise, she took of its fruit and ate; and she also gave some to her husband, who was with her, and he ate.

Then the eyes of both were opened, and they knew that they were naked; and they sewed fig leaves together and made loincloths for themselves.[2]

The second passage is from a magnificent novel on the topic of freedom, A. S. Byatt's *Possession* (1990), after a fateful choice (and yes, it involved a love affair):

In the morning, the whole world had a strange new smell. It was the smell of the aftermath, a green smell, a smell of shredded leaves and oozing resin, of crushed wood and splashed

> *sap, a tart smell, which bore some relation to the smell of bitten apples. It was the smell of death and destruction, and it smelled fresh and lively and hopeful.*[3]

In *Genesis*, Adam and Eve exercised their freedom of choice, and everything was lost. (Much was gained as well.) Byatt is also speaking of a free choice and a kind of fall. Although her tale overlaps with that of *Genesis*, her account is far more upbeat. There is a smell of death and destruction, but it is full of life and hope. Let us be clear: Every human being is blessed to experience that smell.

Do people's free choices really make their lives go better? The liberal philosophical tradition offers a simple answer: *Yes*.[4] Artists, novelists, psychologists, and theologians offer a more complicated answer, and they are right to insist that the simple answer is far too simple.

People might have no idea how to get where they want to go. Like Adam and Eve, they can be tempted. Sometimes they lack self-control. Background conditions greatly matter. Sometimes people's choices are not, in the deepest sense, their own; they are deprived, deceived, or manipulated. Sometimes people lack crucial information. Sometimes their preferences are a product of injustice or deprivation. Sometimes they simply blunder. As a result, their lives go much worse.

To make progress, I will focus largely on what Richard Thaler and I call "nudges":[5] interventions that steer people in certain directions, but that also preserve freedom of choice. But I shall have something to say about coercion as well.

The topic of navigability does not, of course, come anywhere close to exhausting the topic of freedom. I will not, for example, explore the

are especially likely to purchase cars with four-wheel drive, which they do not always love, and return to the market unusually quickly.[2] Human beings cannot live without some kind of weather. Nature provides a kind of choice architecture. So do people in both public and private sectors. The law of contract is a regulatory system, and it influences us, even if it gives us a great deal of flexibility and preserves a lot of space for freedom of choice. For example, contract law includes "default rules," which specify what happens if the contract is silent on a disputed question. Because contracts are often silent, default rules can make all the difference.

We can insist on freedom of choice all we like, but we cannot wish choice architecture away. Any store, real or online, must have a design; some products are seen first, and others are seen last, and still others are barely seen at all. Any menu places options at various

locations. Television stations are assigned different numbers, and strikingly, the number matters, even when the costs of switching are vanishingly low; people tend to choose stations with lower numbers.[3] Any website has a design, which will affect what and whether people will choose. One of the best books on website design is entitled *Don't Make Me Think*.[4] The title signals the importance of navigability. It suggests that the best websites are so easy to navigate that you don't even know that you are navigating them.

It would be possible, of course, to define choice architecture in a narrow way, and to limit it to intentional designs by human beings. There is nothing intrinsic to human language that rules out that definition, and my emphasis here will be on intentional design. But if the goal is to see how and when people are influenced, the broader definition is preferable. It

shows that our choices are often an artifact of an architecture for which no human being may have responsibility—a sunny day, an unexpected chill, a gust of wind, a steep hill, a full (and romantic) moon.

NUDGES

Nudges are interventions that fully preserve freedom of choice, but that also steer people's decisions in certain directions. In daily life, a GPS device is an example of a nudge. It respects your freedom; you can ignore its advice if you like. Perhaps you like a more scenic route; perhaps you enjoy seeing familiar landmarks. But the device is there to help you to get to your preferred destination. It increases navigability.

Many other nudges have a similar goal. Signs are nudges. So are calorie labels at restaurants;

text messages, informing customers that a bill is due or that a doctor's appointment is scheduled for the next day; automatic enrollment in pension plans; default settings on computers and cell phones; and programs for automatic payment of credit card bills and mortgages. In government, nudges include graphic warnings for cigarettes; mandatory labels for energy efficiency or fuel economy; "nutrition facts" panels on food; and automatic enrollment in benefits programs. All of these are forms of choice architecture. Whatever form of choice architecture is in place, it will nudge.

Those who favor nudges emphasize that human beings often lack important information, have limited attention, face self-control problems, and suffer from behavioral biases. We have already encountered "present bias." People may also procrastinate; for many of us, inertia is a powerful force. We are often