

Republicanism and Political Theory

edited by

Cécile Laborde and John Maynor

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Chapter 1

The Republican Contribution to Contemporary Political Theory

Cécile Laborde and John Maynor

A thorough assessment of the republican contribution to contemporary political theory is long overdue. Republican themes have been deployed by political theorists, with increasing theoretical sophistication and political acumen, for the last three decades or so. Yet the general feeling among professional political theorists has been, in the words of Bob Goodin, that “we were right to have a look, and we were right to reject” republicanism (Goodin 2003). The present volume purports to convince critics such as Goodin that republicanism is worth a second look and that, if there are good reasons to reject it, they need to be comprehensively articulated by critics of republicanism. It is our belief that republicanism has not been taken as seriously as it deserves in Anglo-American political philosophy because of the wrong-headed claim, attributed to some of its defenders, that – like conservatism or socialism before it – it is able to provide a comprehensive alternative philosophy to the dominant philosophy of liberalism. This claim is wrong-headed in two important ways. First, by judging republicanism exclusively in terms of its wholesale compatibility or incompatibility with liberalism, it denies the *sui generis* specificity of the conceptual connections and normative proposals of the former. Second, by focusing on the pre-liberal origins of republicanism, it obscures the fact that most contemporary republicans take seriously what we may call the circumstances of liberal modernity – moral individualism, ethical pluralism, and an instrumental view of political life – and seek to adapt old republican insights to them. In this (limited) sense, they may indeed be called liberal republicans.

The thought behind this volume is that, because such categorizations are often uninformative, the current terms of engagement set by the liberal-republican controversy should be avoided altogether, as they have

too often resulted in mutual caricature. For example, our first section critically assesses the republican contribution to the understanding of the concept of liberty, asking whether interference or domination should be considered as its antonym. Yet it does not take a stance on whether liberalism *per se* is committed to the “pure negative” conception of freedom as non-interference, nor does it say anything about the centrality of negative liberty to contemporary liberalism. Side-stepping fruitless ideological controversies in this way allows us to go to the heart of the conceptual and normative disagreements between republicans and their critics. We hope that the pieces assembled in this volume will allow republican ideas to be looked at in their own terms, and judged accordingly. Put together, they point toward a distinctive theory of *citizenship* organized around the ideal of *non-domination*. This theory is sketched in Philip Pettit’s seminal *Republicanism: A Theory of Freedom and Government* (1997a), whose influence on republican thought over the last 10 years is amply testified by the contributions in this volume. Pettit’s ideal of non-domination (which the historian Quentin Skinner prefers to call independence) is central to contemporary republicanism. To be free, on the republican view, is to be free from arbitrary power: thus the republican concept of freedom offers a parsimonious conceptual basis for the defense of a normative ideal of political citizenship as non-subjection to arbitrary rule. This has led to distinctive republican contributions to debates about the geographical scope, institutional mechanisms, and motivational foundations of political democracy. The ideal of citizenship as an intersubjectively validated status of non-domination has also stimulated original contributions about the nature of republican community, the relationship between rights and power, and struggles about racial, gender, cultural, and socio-economic exclusion in the contemporary world. In the rest of this introduction, we develop these points and, in the process, offer a summary of each contribution to the present volume.

1. Conceptualizing Liberty

The republican revival began as a work of historical retrieval of a forgotten tradition of Western thought. Challenging the conventional view that liberal modernity in the Anglo-American world emerged out of Lockean natural-rights ideology, revisionist historians showed that there was a coherent republican tradition, running from the neo-classical

civic humanism of Renaissance Italy powerfully exhibited in Niccolò Machiavelli, through to the works of James Harrington and the “Commonwealthmen,” and later to Jean-Jacques Rousseau and James Madison, which deeply influenced English thought up to the late eighteenth century, and was a powerful inspirational force during the American Revolution (Baron 1955; Bailyn 1967; Fink 1962; Pocock 1975; Skinner 1978, 1997; Wood 1969). While the tradition as a whole was centrally concerned with the themes of freedom, political participation, civic virtue, and corruption, it was also (perhaps retrospectively) seen as exhibiting two distinct strands. The first, magisterially brought to life by J. G. A. Pocock, endorsed the Aristotelian concern for the good life and argued that human beings could only realize their nature as “political animals” through participation in self-governing communities. More recently, this reading of republicanism has become closely linked with certain writers such as Michael Sandel (1996: 24–5) and Charles Taylor (1995: 192), who favor a strong civic humanist neo-Athenian reading of republicanism. Alongside this tradition of republicanism could be discerned a neo-Roman tradition whose central concern was *libertas* – the powerful ideal of freedom under the rule of law passionately defended by Roman orators such as Cicero.

In a series of erudite historical writings, Quentin Skinner has demonstrated that neo-Roman thinkers held a distinctive conception of liberty. On the one hand, they did not endorse the Aristotelian view that real freedom consists in self-mastery or self-realization in a community with others. In particular, by contrast to followers of the neo-Athenian tradition, they believed that liberty is not definitionally linked to popular participation. The people, neo-Roman writers from Machiavelli through Harrington assured us, did not want to rule: instead, they wanted not to be ruled, or at least not to be ruled in a particular way. On the other hand, the only guarantee of not being so ruled is to live in what they called a free state. A free state is a state where citizens are not subjected to the arbitrary power of a ruler. It does not need to have the institutional form of a republic (English neo-Roman writers favored a mixed government with a limited monarchy), but it needs to be a republic in the sense that only if rulers are forced to uphold the *res publica*, instead of following their own whim or interests, can citizens enjoy *libertas*. In thus excavating the conceptual foundations of an old ideal – that of the *vivere libero* – Skinner believes that he has identified a coherent way of speaking about liberty which

significantly departs from prevailing assumptions. These are that liberty and political participation can be only conceptually connected on the basis of controversial Aristotelian views about the good life. Not so, according to Skinner: liberty can have a “negative” content *and* only be present if certain “positive” conditions (citizen virtue, non-arbitrary rule, public service) obtain. To be free, on the neo-Roman (or republican for short) view, meant living in a free state. Thus republicans claimed that they had successfully rebutted Hobbes’s denial of the relevance of political forms to liberty, according to which if liberty is seen as absence of interference, then it is the extent and reach of power, not its source, that matters. As Hobbes wryly put it, “Whether a Common-wealth be Monarchical, or Popular, the Freedome is still the same.” Republicans disagreed: in Joseph Priestley’s words, “the more political liberty a people have, the safer their civil liberty.” By 2001, Skinner claimed that he had isolated a “Third Concept of Liberty” (as the title of his British Academy lecture indicated) which opposed “the key assumption of classical liberalism to the effect that force or the coercive threat of it constitute the only forms of constraint that interfere with individual liberty” (Skinner 1997: 84). For republican thinkers, living in subjection to the will of others *in itself* limits liberty (Skinner 2002a: 262).

Meanwhile, these republican insights had been deepened and formalized in Pettit’s *Republicanism* – the book which more than any other has inspired the current revival in republican political theory. Like Skinner, Pettit believes that republican freedom represents a distinct conception of freedom, which he describes as non-domination. Also using Isaiah Berlin’s equation of positive liberty with self-mastery and negative liberty with the absence of interference by others as his starting point, Pettit argues that republican liberty is a third conception of liberty. Pettit’s argument centers on the claim that freedom consists not in the non-interference of others as in negative liberty, nor is it equated with self-mastery as in positive liberty. Instead, Pettit argues that agents are free when they are not subject to the possibility of arbitrary interference, or domination, by others. Importantly, in contrast to traditional liberal approaches, interference, or the absence of it, is not the primary measure of freedom. There are two ways in which domination importantly differs from interference. Firstly, you can be dominated without being interfered with. Consider the classical republican paradigm of unfreedom: slavery. Even if your master is of a benign disposition, and does not interfere with your actions, you are dependent upon his will and vulnerable to his

interference: this is what makes you unfree. As Trenchard and Gordon put it in *Cato's Letters*, "Liberty is, to live upon one's own Terms; Slavery is, to live at the mere Mercy of another." To live at the mercy of another is to suffer unending anxiety about one's fate, to have permanently to anticipate the other's reactions, and to have to curry favor by behaving in a self-abasing, servile manner. Negative liberty theorists are, according to Pettit, unable to see that there is unfreedom when "some people hav[e] dominating power over others, provided they do not exercise that power and are not likely to exercise it" (Pettit 1997a: 9). Thus domination is a function of the relationship of unequal power between persons, groups of persons, or agencies of the state: the ideal of republican freedom is that "no one is able to interfere on an arbitrary basis – at their pleasure – in the choices of the free person." This raises the possibility, secondly and conversely, that you can be interfered with without being dominated. This happens when interference is not arbitrary, for example when it tracks what Pettit has recently called your "avowed interests." For example, while the state interferes in people's lives, levying taxes and imposing coercive laws, it may do so in a non-arbitrary way, if it only seeks ends, or employs only means, that are derived from the public good (the common, recognizable interests of the citizenry).

Pettit and Skinner's conceptualizations of republican freedom have not gone unchallenged. The first section of this volume ("Republican Freedom and its Critics") presents a series of completely new debates between them and defenders of "pure negative" liberty. The four chapters, taken together, offer a highly sophisticated discussion about the proper meaning of the concept of liberty, and chiefly center on the coherence of Pettit's first, and Skinner's main, claim: that there can be unfreedom without interference. While it is no surprise that the most vigorous challenge to republican freedom should have come from advocates of the negative view of liberty as non-interference, it is perhaps more unexpected that the challenge has taken the form of calls for a *rapprochement*. In their chapters, Matthew Kramer and Ian Carter both argue that the pure negative theory of freedom is more capacious than republicans recognize, and is thus able to accommodate domination and dependence, as well as interference, as reductive of liberty. This is because their revised theory of negative liberty diverges from the traditional Hobbesian paradigm in two important ways. First, freedom is reduced by potential as well as by actual interference, as exemplified by cases of subtle coercion, threats, arrogant displays of superiority and

so forth. Second, freedom is reduced not only by the removal of single options, but also by the foreclosing of sets of options. Thus, when faced with the highwayman's threat ("your money or your life"), I am, on the Hobbesian view, free to keep my money and free to keep my life (I am not physically prevented from doing either) but, on the "new" negative theory, what I am not free to do is to keep both my money and my life: I am not free, that is, to exercise both options conjunctively. By analogy, if I am dominated, I may be able to exercise most of my liberties, but my overall liberty is reduced by the fact that I cannot exercise them in conjunction with (for example) non-deferential behavior toward my dominator.

Thus negative liberty theorists contend that readiness to interfere – which is what republican domination amounts to – reduces freedom, because of the need for the dominated to engage in patterns of behavior intended to ward off the threat of interference. As a result, in Kramer's words, "there is no need whatsoever to go beyond a theory of negative liberty for this important insight into the working of despotism." Carter, likewise, suggests that it is possible to derive "equivalent judgments" about degrees of freedom and unfreedom arrived at by the republican and the pure negative conception of freedom. However, an important difference between advocates of pure negative liberty and republicans has emerged from their engagement with Pettit and Skinner's writings on liberty. While Carter and Kramer concede to republicans that mere exposure to the power of another (as opposed to the actual experience of that power) can be an instance of unfreedom, they insist that freedom is negatively and proportionally affected only in relation to the probability of the power being actually exercised. Thus, if we live under the power of a benign master – or a Gentle Giant, in Kramer's example – whose actual willingness ever to interfere with our lives is negligible, we (*contra* republicans) cannot be said to be unfree. This is the core of the pure negative challenge to republican freedom. In their wide-ranging chapters, both Carter and Kramer develop a number of other thought-provoking objections to the republican theory of freedom. Yet their main claim is that the theory of negative liberty is compatible with the thought that we can be unfree when, *but only to the extent that*, we are subjected to a *plausible* threat of interference.

It is naturally on this claim that Skinner and Pettit, in wholly original chapters written specifically in response to Carter's and Kramer's, focus their attention. In the process, they considerably refine the

conceptual apparatus of republican liberty, and clarify some of its central tenets. Their central move is to deny that slaves, even if they have a benign master, can ever be considered free. For republicans, it is not the probability, but the mere possibility, of the exercise of power that matters to liberty. Skinner goes even further, and argues that the originality of the republican view is entirely to disconnect the presence of unfreedom from the likelihood of interference. We are unfree just by being dependent on the will of others, because everything we do, we do *cum permissio*, by their leave and under their control. We are unfree when our fate depends on the dispositions – however benign or gentle – of our princes. Unless they are strictly unable, rather than merely disinclined, to exercise arbitrary power over us, Skinner advises us not to “put . . . thy trust in princes.” Skinner also corrects what he takes to be the unduly psychological interpretation of freedom that may have been detected in his previous writings. There, he extensively chronicled the republican concern for the way in which servitude breeds servility, indolence, and self-censorship, thus reducing agents’ freedom of action without overt interference. Skinner is now keen to reiterate that such foreclosing of options usually accompanies, but does not itself define, the basic “existential condition” of slavery. In his sharp formulation, mere subjection to arbitrary power is what makes us unfree.

In his chapter, Pettit clarifies the central concept of arbitrary power and its connection with freedom as non-interference by introducing the notion of *alien control*. Republican freedom, on his new formalization, can be defined as the absence of alien or alienating control on the part of other persons – the absence, that is, of control which negatively affects the agent’s freedom of choice. Importantly, both alien and non-alien control can materialize with or without interference. Alien control without interference – the classic case of republican unfreedom – obtains even when the agent is not aware of living under such control, and independently acts as his controller wishes, because all his choices are invigilated, however implicitly, by his controller. Such control is “alien” if it removes options, replaces options, or otherwise undermines what Pettit calls the “deliberative assumptions of personal choice.” Like Skinner, Pettit asserts that when such situations of alien control obtain, a low probability of actual interference is only small consolation to the controlled agent. As he puts it, “alien control will remain in place so long as the agent can interfere or not interfere, whatever the reduced probabilities of interference that are dictated by the agent’s nature.”

The alternative scenario – that of non-alien control with interference – allows Pettit to expand on and formalize the second postulate of his theory of republican freedom, namely, that interference *per se* need not reduce freedom – only alien interference does. This possibility is evidently discarded by negative liberty theorists, and Carter specifically excludes from his discussion what he calls Pettit’s “moralized” conception of freedom. By this he means that, by making reference to interference that tracks an agent’s avowed interests, or is adequately checked or countered by the agent, as not limiting but enhancing freedom, Pettit smuggles in normative judgments about the legitimacy of certain kinds of interference (cf. also McMahon 2005). Pettit has retorted that his definition of arbitrary power is factual not evaluative (Pettit 2006). Yet it remains the case that if, as they do, republicans value liberty, and believe that certain forms of interference do not limit but enhance liberty, they will look favorably upon them. Thus republicans have long insisted, *contra* Hobbesians and utilitarians, that non-arbitrary laws do not limit freedom but enhance it. A law penalizing physical assault promotes my freedom by protecting me against potential assault, and securing me with a kind of shielded standing against the alien (and in this case violent) interference of others. A standard critique of this view, paradigmatically articulated by William Paley, Jeremy Bentham, and Henry Sidgwick (Kelly 2001), is that republicans simply confuse liberty with the security of liberty. The law may make my freedom (as non-interference) more resilient over time, but it does not constitute it. Republicans, it is further suggested, are vulnerable to Rousseau’s notorious paradox, that we can be “forced to be free” by the law. If I myself commit assault and go to prison, should I still be called free? While the standard liberal solution to this problem is to say that liberties can be reduced only for the sake of other liberties (Rawls 1971: 204), so that lesser liberties (that of being uninterfered with if I commit assault) are “traded” against more important ones (that of being free of assault from others), Pettit’s republican reply is to draw a qualitative distinction between the greater evil of domination (which leaves us “unfree”) and the lesser evil of interference (which leaves us “non-free”). Generally, interference by a non-arbitrary state, one suitably invigilated and checked by the constitutional people, does not compromise republican freedom.

Leaving aside the claim that non-arbitrary interference enhances *freedom*, the idea that interference by the state in the lives of its citizens should be responsive to the latter’s interests and convictions is a fairly

uncontroversial tenet of most schools of democratic liberalism. As both Charles Larmore (2001) and Henry Richardson (2002) have pointed out, Pettit's concept of non-arbitrariness is perfectly compatible with liberal understandings of the common good, founded on basic ideals of equality and respect for individuals. Wherein, then, lies the distinctiveness of the republican approach? Two points, a conceptual and a normative point, can be made at this stage (others will emerge later in our discussion). Conceptually, Pettit's concept of non-domination is more comprehensive and thus more "parsimonious" (List 2006) than any liberal ideal. This is because non-domination makes definitional connections between the ideals of liberty, the rule of law, popular contestation and the common good. Thus, on the republican reading, I am free only if I am recognized by others as enjoying a status that resiliently protects me against alien interference and guarantees my equal status as a citizen living in community with others. In a word, I am free as a citizen of a particular state, a state that promotes the common good of non-domination. Non-domination thus supports the Rousseauian connection between *liberté* on the one hand, and *égalité* and *fraternité* on the other (Spitz 1995; Pettit 1997a: ch. 4). For most liberals, by contrast, the ideals appealed to by republicans have at best independent value and are contingently, not necessarily, related. (Of course, whether republican parsimony is a virtue or a vice is a highly disputed matter, and even writers sympathetic to republicanism have pointed out that the ideal of non-domination may not be robust enough by itself to support the range of republican normative ideals (Richardson 2002; Dagger 2006).) However, secondly, the tight conceptual fit between freedom and forms of political rule has strengthened the republican normative commitment to the political institutionalization of non-domination. Republicanism, after all, was historically a theory of popular self-rule and democracy. But how, and how much, should the people participate in politics to be free of domination? To this second, crucial theme we now turn.

2. Institutionalizing Self-Rule

In his chapter, David Miller sharply lays out the daunting challenges facing republicans in their attempt to adapt republican political forms to contemporary conditions. A long-standing republican concern was

with the appropriate *size* of the republic. While classical city-states could be ruled by the popular will because they were small and relatively homogeneous, they were also prone to majority tyranny and foreign domination. To these republican maladies, large-sized republics could, under certain conditions, provide republican remedies. Thus representation, federalism and constitutional checks and balances were conceived of by later republicans, notably Madison, as institutional devices intended to preserve the liberty and public spirit cherished by republicans. Miller is doubtful that the conditions under which such remedies can truly protect republican values easily obtain today. Specifically, he takes aim at those who wish to see republican values realized within the transnational European Union. He develops two chief objections to what he calls “Euro-republicanism.” The first is that, as national identity historically provided the foundation for the civic trust underpinning republican citizenship in large societies, nations-states today behave like “factions” at the European level by promoting their own national interests above that of a EU-wide common good. Moreover, they remain the primary repository of citizens’ allegiance and sense of belonging, and the distinctiveness of their heritage and culture makes it very unlikely that a genuinely European “constitutional patriotic” sentiment will emerge. Thus the “motivational” preconditions for European citizenship are not present. The second objection to Euro-republicanism is that it “makes virtue out of complexity” by describing existing power arrangements in the EU as a republican “mixed constitution” which preserve citizens’ liberty as non-domination while offering multiple avenues for democratic participation. Miller, for his part, is skeptical about the democratic, and therefore republican, credentials of the European Union. Complexity makes for opacity, he says: the EU is more of an oligarchic than a democratic regime, and the constitutional protection of rights furthers liberal ideals rather than republican ideals of civic engagement. Thus the “institutional” preconditions for European citizenship are not present either. In this way, Miller can be said to illuminate the two challenges that contemporary republican democracy has to confront. The first, the “motivational” challenge, looks for suitable modern substitutes for civic virtue capable of generating trust and solidarity between citizens. The second, the “institutional” challenge, asks how popular self-rule can be operationalized in large and complex polities. In what follows, we investigate how republicans have sought to address both challenges, starting with the latter.

There are two distinct questions underlying the institutional challenge for republicans. The first concerns the *form* that self-rule should take, and the second its *scope*. As regards *form*, republicans agree that, for the state not to dominate them, the people must in some way be involved in its government, but they disagree as to how. Advocates of contestatory democracy, of which Pettit is the most prominent, endorse a fairly minimalist version of popular involvement, seeing majority tyranny and “populism” as one of the chief forms of domination. In the old republican adage, the people want not to be a master, but to have no master. Thus power should be dispersed, not concentrated at any point, and there should be constitutional constraints on its exercise – notably a bill of rights (Pettit 1997a: 181). Pettit’s republic is designed to ensure that the government can reliably track the common interests of its citizens, who can then contest and review decisions through judicial, tribunal, ombudsman-like, multi-cameral, and localized institutions. In Pettit’s recent words, the people should be able to act as “editors” of policy in addition to the more traditional authorial role they play through their elected representatives (Pettit 2001a: 162–3). Advocates of participatory democracy, for their part, doubt that contestatory democracy is sufficient to guarantee the non-dominated status of all citizens, and have argued for more robust forms of self-government. More avenues for the political involvement of citizens – proposals include referendums, internet democracy, workplace democracy, town meetings, citizens’ juries, compulsory voting – are necessary for the voice of disadvantaged groups to be heard (Southwood 2002; Dryseck 2000; Barber 1984). Advocates of deliberative democracy share Pettit’s concerns about the dangers of untamed majoritarianism, but believe that democracy, conceived as rational deliberation about ends and values or “public autonomy” (Richardson 2002), has internal self-correcting tendencies. In a democracy organized deliberatively, all have an equal chance to speak, decisions are publicly made on the basis of the best argument presented, and citizens’ initial preferences and values are transformed in the process of interacting with others, generating virtuous circles of trust and participation (Sunstein 1988; Cohen 1989; Habermas 1994, 1996; Miller 2000). Thus deliberative democracy is an important corrective to the kind of unprincipled interest-group politics that has long been the chief target of republicans.

In his chapter, Richard Bellamy both surveys the variety of republican proposals for reform of existing liberal democracy and defends his

own version, which might be called realist democracy. It is realist in two ways. First, drawing on a more radical reading of Machiavelli than the one espoused by Pettit (cf. also McCormick 2001; Maddox 2002; Maynor 2003: ch. 5), Bellamy argues that conflicts of values and interests are an ineliminable part of politics, which republican political arrangements are designed to tame and control, but cannot eliminate. Second, Bellamy suggests that existing, ordinary politics – the rough-and-tumble of adversarial party politics – exhibit more republican features than republican philosophers have cared to notice. Only the procedural fairness inherent in “one person one vote” politics guarantees the non-domination of citizens. Thus Bellamy distances himself from those republicans who seek to rationalize or purify democratic outcomes, either by giving a semi-objective, consensual content to the public interest (contestatory republicans) or by rationalizing the democratic process so that it produces consensual outcomes (deliberative republicans). He specifically targets the republican conversion to legal constitutionalism, according to which non-arbitrary power and the rule of law are best guaranteed if certain matters are de-politicized and entrusted to judicial vigilance (Sunstein 1988; Michelman 1988; Richardson 2002; Pettit 1997a). Bellamy argues instead in favor of a “political constitutionalism,” where the constitution is identified with the body politic itself, and where the rule of law ultimately depends on the rule of men – on the actual ability of citizens to have a say in the way their collective life is to be organized. Thus, in Bellamy’s realist republicanism, it is through ordinary politics (such as voting in open elections) that common liberty as non-domination is best preserved. While Bellamy would agree with Miller that supranational political institutions should not seek to reproduce the motivational conditions which historically made the nation-state the natural site for active republican citizenship, he has also been one of the chief advocates of the view that existing EU politics – shorn of a formal constitution and bill of rights – have built-in republican qualities, notably that of offering multi-level checks and balances, as well as the potential for the development of transnational, *ad hoc* forms of participatory citizenship.

This question of the *scope* (or boundaries) of republican citizenship is further taken up by James Bohman in his chapter on transnational democracy and cosmopolitan republicanism. Noting that Pettit himself is agnostic as to the size and scope of the republic, Bohman argues that Pettit’s ideal of non-domination as contestation is particularly well-suited

to transnational politics. Bohman sees globalization as having generated new “circumstances of politics,” where unchecked arbitrary power is exercised across national borders with far-reaching but highly differentiated impact on groups and individuals worldwide; and where no supranational cooperative scheme or “basic structure” through which citizens could collectively self-govern can (or should) exist. Thus Bohman agrees with Miller and Bellamy that there can be no self-government where there is no constituted *demos*, but suggests a thinner form of democracy, rooted in the accountability of transnational economic and political organizations to ordinary citizens (Bohman 2004). In his contribution to this volume, Bohman draws on republican anti-colonial and anti-imperial literature to suggest, *contra* Miller, that membership in a single political community is insufficient for robust non-domination. As nineteenth-century republicans were well aware, there was a link between the oppression of foreign people and the corruption of democracy at home; and the only way to check the tendencies of “bounded” democracies to become corrupt was to create federations of republics. The EU can be seen as an approximation of this cosmopolitan republicanism, as it offers multiple avenues for citizens to contest the arbitrary exercise of power. The EU is also beginning to give effect to what Bohman calls the “democratic minimum” – the basic “right to have rights” (to use Hannah Arendt’s phrase) which can be universally claimed, notably by stateless persons and other “denizens.” In this way, the most basic right that human beings have *qua* human is, properly speaking, a *political* right, the right to belong politically, the right to have a voice, the right not to be dominated. Thus Bohman’s republican cosmopolitanism substantially differs from the dominant liberal cosmopolitanism – which detaches human rights from political membership – while considerably expanding the cosmopolitan scope of republican ideals.

3. Motivating Self-Rule

One question raised by Bohman’s contribution is that of the motivational basis of cosmopolitan republican citizenship. What exactly will motivate individuals to engage in transnational practices of democratic engagement, and how can they meaningfully see themselves as “citizens of the world?” This takes us back to Miller’s second challenge to

contemporary republicans, which is rooted in the thought that, for people to discharge their duties as citizens, they must identify with one another and share strong bonds of fellowship – which for Miller must be those of national identity (Miller 2000). Most republicans would agree with Miller that republican citizenship is underpinned, not only by good laws and institutions, but also by supporting norms of civic virtue or civility (Pettit 1997a; Dagger 1997). This is because republican citizenship is (reasonably) demanding: it requires that people willingly share in practices of social cooperation (such as wealth distribution), be able to make compromises for the sake of the common good, and also that they be ready to defend the institutions of their common liberty. Cosmopolitan republicans, however, have denied that such virtues can only manifest themselves as expressions of national fellow-feeling. Republicans should champion the universal promotion of democracy and liberty as non-domination, and as they care about their common liberty, so they will care about the common liberty of others (Viroli 1995; Nabulsi 1999; White 2003a). They will also be particularly concerned about the ways in which both are negatively affected by global interdependency and by the dominating power of powerful countries and corporations (Bohman, this volume). Common concerns and special obligations, therefore, arise beyond the nation-state. One could even say that *only* a republican conception of citizenship can do justice to the new global “circumstances of politics” where, in the absence of institutionalized spheres of rights and obligations, the political will to counter arbitrary power and structures of domination must partly rely on the civic virtue of ordinary people organized in transnational social movements (Chung 2003).

More generally, many have challenged Miller’s idea that republican civility must be rooted in cultural affinity, even within established states. If “democracy needs patriotism,” as Charles Taylor memorably put it (Taylor 1996), it need not be a patriotism based on thick cultural or historical bonds. Thus Jürgen Habermas has argued that the connection between republicanism and nationalism was a contingent, not a necessary, one; today, republican values of trust and solidarity can be underpinned by a “constitutional patriotism” (*Verfassungspatriotismus*), an inclusive political identity which can motivate citizens to feel “politically responsible for each other” (Habermas 1996: 286) without having to share a thickly constituted collective identity. On this view, love of country and love of liberty are mutually supportive: republicans do

not support the thoughtless nationalism of “my country for good or ill,” but rather endorse the critical patriotism of “my country for the values it realizes (or should realize).” In Maurizio Viroli’s more “rooted” version of republican patriotism, “democratic politics do not need ethno-cultural unity; they need citizens committed to the way of life of the republic” (Viroli 1995: 176). Thus, on the new republican account of patriotic virtue, it is sufficient that citizens identify with the shared institutions and practices that have arisen out of social and political interdependency and underpin the feeling they have of sharing a common fate (Mason 2000). These sentiments appear to tie into a kind of Tocquevillian patriotism where democratic citizens view their contribution to the maintenance of the political community as being part of a common endeavor that they share with others and one in which they have part ownership. Seen in this manner, contributing to the maintenance of the republic helps citizens have a proprietary orientation to the state and its laws and institutions that helps to bind the citizenry together in a common enterprise. In Iseult Honohan’s illuminating analogy, citizens relate to one another, neither as strangers nor as family, but rather as *colleagues*: people with different memberships and values, connected through involuntary institutional membership, whom we treat as relative equals, owe special obligations to, and with whom we share common concerns (Honohan 2001). Such a political and institutional account of the motivational foundations of civic virtue allows republicans to expand the scope of citizenship beyond national boundaries, as we have seen. It also allows them to reflect on the forms of social and political solidarity compatible with the religious and cultural diversity of contemporary states – a theme which has recently come back to the fore, and has long been central to non-Anglophone traditions, such as French republicanism (Schnapper 1988; Laborde 2008). Yet questions remain about whether republican civic virtue really is compatible with modern values of individualism, universalism, and inclusion, as our next sections will show.

4. Taking Rights Seriously?

A common complaint against republican political theory is that it does not take individual rights seriously enough. Classical republican societies were pre-modern, pre-individualistic societies where citizens had

limited moral life independently of the community to which they belonged. Modern individualism, by contrast, is based on the intuition that individuals, as “self-originating sources of claims” (Rawls 1971), are entitled to live their own life in their own way. It is true that some republicans have joined in with communitarian critiques of liberalism to denounce the social disintegration and moral anomie to which the right-based liberal society is prone, and have expressed nostalgia for a more morally and socially homogeneous society organized around a unitary common good (Oldfield 1990; Sandel 1996; Pangle 1988). However, the dominant interpretation of republicanism – the one which is broadly reflected in this volume – fully endorses the moral individualism and ethical pluralism of modern society, and does not deny the existence and importance of individual rights. None the less, republicans are skeptical of accounts of rights that totally abstract from the political conditions of their formulation, realization, and protection. Take, as a fairly representative sample, the views of five of the authors represented in this volume. In the 1980s, Skinner interpreted the Machiavellian tradition of thinking about liberty as asserting that individual liberties and rights are not safe unless citizens are prepared to participate in politics in order to secure them (Skinner 1983, 1984) – an account believed to be compatible with Rawls’ defense of republican participation as instrumental to the defense of liberties (Rawls 1993; Patten 1996). Bellamy and Miller have argued that the content of rights should be deliberated upon politically, rather than derived *a priori* and handed over to an undemocratic judiciary. Bohman has suggested that the most basic right we have as human beings is the right of membership, the right to belong to a non-dominating political community. And along with liberal republicans, such as Cass Sunstein, for whom a number of basic rights – rights of conscience, speech, association – are indispensable pre-requisites for republican deliberation (Sunstein 1988), Pettit has conceded that certain legal or constitutional rights may be essential to achieve freedom as non-domination (Pettit 1997a: 101, 181). Yet generally, the vocabulary of rights is better suited to sanction *acts* of interference than to address *relationships* of domination and, as Pettit noted, the freedom of slaves, workers, and women has historically been more effectively furthered by their gaining more power (or “anti-power”) than by their being granted formal rights (Pettit 1999: 304).

There is a related sense in which the ideal of non-domination can be seen to be adverse to the notion of individual rights. Non-domination,

as conceived by Pettit, is a *consequentialist* ideal. This means that it refers to a goal – the overall reduction of arbitrary power in society – to be promoted by social institutions, rather than a constraint on the latter’s actions (the protection of “natural” rights would be such a constraint). In his chapter in this volume, Richard Dagger critically examines the implication of republican consequentialism for Pettit’s (and John Braithwaite’s) theory of punishment (Braithwaite & Pettit: 1990). The aim of the criminal justice system, for Pettit and Braithwaite, is to promote overall non-domination (or *dominion*) in society. Consequentialist approaches to punishment are often criticized for failing adequately to explain why punishing an innocent person could never be justified (if, for example, it was effective in calming a nearly hysterical public in the midst of a series of horrible crimes). Pettit and Braithwaite retort that dominion is a special kind of good, one that can be promoted or maximized without threat to individual rights or to considerations of justice, because people would in fact be dominated if they suspected that the state would be unscrupulous in respecting their rights. Dagger is sympathetic to Pettit’s approach but takes seriously the retributivist objection that only backward-looking considerations, such as consideration of guilt and innocence, can ensure that the rights of the innocent will be protected. He shows that, in recent works, Pettit has developed such a backward-looking theory of punishment as rectification, which turns out, on closer inspection, to be compatible with Antony Duff’s influential communicative retributivism. Dagger concludes that republicans can and should be retributivists, without losing sight of their central intuitions – that the chief point of punishment is the restoration of citizenship in the community, and that citizenship is not only a legal status but also an intersubjective standing. But how inclusive can republican citizenship be? This is the subject of our next section.

5. Status, Inclusion, Emancipation

Traditionally, republican citizens were arms-bearing, property-owning men – a small minority enjoying a privileged status based on the honored virtue of (material, moral, and political) independence. Citizenship, then, was a positional good, whose value depended on others not having it (Honohan 2002: 258). The modern republic, influenced by the democratic, universalist revolutions of the late eighteenth century, is, by

contrast, a single-status society, one where the equal status of citizenship is (asymptotically at least) extended to all persons. Even one of the last “frontiers” of modern citizenship – the frontier of the nation-state – is being lifted by those republicans who argue that “denizenship,” the lack of a right to have any right at all, is the worst form of domination. Non-citizens, then, are dominated, and immunity from domination is construed as a kind of universal primary good (Bohman, this volume). Thus, while in classical republics the status of citizenship recognized and rewarded existing social standing, in modern republics it is citizenship that grants and protects social standing. All the same, republican citizenship remains a particular kind of intersubjectively validated social status, not merely a legal entitlement. It is more demanding and hence, in light of contemporary universalist egalitarianism, more radically inclusive than standard interpretations of citizenship. This (perhaps unexpected) claim can be vindicated in two ways. First, republicans will seek ways to give political voice to excluded groups in society, typically through representation in deliberative settings. Because (deliberative) republicans do not set limits as to who can enter public deliberation, and on which terms, they are better able actively to respond to cultural diversity than other traditions (Miller 2000: chs. 3 and 9). Further, because to be a citizen is intimately tied up with enjoying a certain status in communion with others, and having your voice authorized by others – what Pettit calls discursive control (Pettit 2001a: 140) – republicanism is sensitive to the subtle ways in which groups marked out as “different” are being dominated. Thus, they can be dominated if they are not allowed to speak for themselves, are subjected to demeaning images of their identity, and are made to feel vulnerable to the decisions and opinions of others. Even in the absence of interference, discrimination or otherwise unjust treatment, they are not secure in their status as citizens: the price of liberty, for them, is eternal discretion. This is not to say that republican theorists should therefore espouse the “politics of recognition,” if we mean by this that for people to be secure in the enjoyment of a non-dominated status, their particular identities must be given special protection and public recognition. Instead of the fixed representation of differences, republicans tend to favor inclusive participation in deliberation with others.

The second way in which republican citizenship has more radically inclusive implications than standard interpretations of citizenship is that it is concerned with protecting individuals, not only from the *imperium*

of the state, but also from the private *dominium* of other citizens and groups in society (Pettit 1997a: ch. 5). While the republican school of thought has thus far concerned itself more with political than with social domination, there is no doubt that the demand to be freed from domination was historically a profoundly radical call, as it targeted the structural and institutional contexts that produced inequalities in power relations in society. Pettit even suggests that the republican ideal of non-domination was abandoned in the late eighteenth century because it was seen to have too radical implications in a democratic age: it would have required the overturning of deeply inegalitarian social relations, such as those between men and women or between masters and servants, and therefore was discarded in favor of the less demanding ideal of non-interference (Pettit 1997a: 47–9, 77–8). Yet Karl Marx’s discussion of wage slavery and alienation was permeated by a critique of the evils of dependency. Likewise, Mary Wollstonecraft’s and J. S. Mill’s writings on the subjection of women drew on the ideal of independence to stress that “no slave is a slave to the same lengths, and in so full a sense of the word, as a wife is” (Mill 1970, in Pettit 1997a: 139; cf. also James 1992). Now, it is true that republicanism and feminism do not form a *prima facie* “plausible alliance” (Phillips 2000): republicanism was historically a masculinist, militaristic ideology whose vision was rooted in a highly gendered separation between the public world of rational deliberation, politics, and war on the one hand, and the private world of domesticity, emotionality, and the body on the other. However, the republican ideal of freedom from domination is potentially attractive to feminists for four main reasons. First, on a republican view, there is more to the ideal of liberty than merely to be “left alone,” as in the crudest versions of negative liberty. Second, interference itself may not be the chief obstacle to liberty, as some forms of caring and benevolent (“non-alien” in Pettit’s words) interference actually increase a person’s freedom. Third, domination, contrary to interference, is a structural, institutional, and collective social fact, which applies to systems, not only to individual actions, and can thus best capture the functioning of what feminists call “patriarchy” or “male domination.” Fourth, the structural nature of domination can explain phenomena such as those of the “contented slave” or the “tamed housewife” – cases in which individuals are not aware they are being dominated.

In her contribution to this volume, Marilyn Friedman endorses the first two lines of argument. She begins by praising Pettit for denying

that “the best thing that people can do for each other is to get out of each other’s way,” although she argues that his ideal of independence is still vulnerable to the feminist objection that it underestimates the value of relationships of interdependence and dependency. Caretakers – say, parents – have capacities for arbitrary power as well as for benevolent, non-arbitrary caring, and men–women relationships are likewise too complex to be reduced to simple patterns of domination. Friedman suggests that we should distinguish between *acts* of domination and *relationships* of domination. More broadly, she is skeptical about the third and fourth lines of argument referred to above. The potentially collectivist and objectivist features of non-domination conflict with her liberal, individualistic feminism. Friedman is not convinced that the elimination of domination, understood as the mere capacity for the exercise of power, is a realistic or attractive ideal; and she argues that domination is best conceived of as actual or attempted arbitrary interference. She also worries about the paternalistic implication of liberating people from forms of domination that they are not aware of, and argues that non-arbitrary interference should track people’s ideas about their interests, not their (externally defined) interests. Finally, Friedman points out that the fact that women are dominated as a group does not mean that all women are dominated, and she offers a more individualistic interpretation of domination. Her chapter is therefore a good place to identify the lines of debate between liberal and radical interpretations of social domination.

6. Social and Economic Republicanism

A common critique of republicanism is that, because it is primarily a theory of political citizenship, it is relatively indifferent to questions of socio-economic justice and equality (Goodin 2003: 62). Yet there is little evidence for this: traditional republicanism was deeply concerned about the effects of the emergence of the “commercial society” on civic virtue, and recent republican contributions to the “political economy of citizenship” have been substantial and, if anything, have grown in size and scope over recent years (Sandel 1996; Sunstein 1997; Allen & Regan 1998; White 2003b; Pettit 2006; Dagger 2006). In Gerald Gaus’s perceptive albeit critical assessment, contemporary republicanism can be seen as a post-socialist critique of market society (Gaus 2003).

Republicans value the *market economy* for instrumental reasons, and because private property, as Rousseau insisted, guarantees citizens' self-sufficiency and independence (Pettit 2006). But they argue that the market by itself cannot secure equal non-domination, and they object to the *market society*, where market relations spill into, and corrupt, parts of life where they should not reign supreme (Dagger 2006).

More specifically, republicans have made four contributions to current debates about economic and social issues. First, non-intervention by the state in the economy should not be seen as a natural state of affairs from which deviations are *prima facie* illegitimate. Markets are not "natural" but political and institutional artifacts, and the distribution of existing entitlements may reflect unjust background conditions; thus democracies can legitimately override markets if this is necessary to promote non-domination (Sunstein 1997). Second, citizens should receive a basic income, not as an unconditional right, but as a "civic minimum" tied to their status as citizen and guaranteeing their independence (White 2003b). Third, republicans are as concerned about the relative as about the absolute position of the worst-off; they are as concerned, that is, with reducing gaps in living standards and lifestyles between the rich and the poor. This is because, as Michael Sandel puts it, "inequality undermines freedom by corrupting the character of both rich and poor and destroying the commonality necessary to self-government" (Sandel 1996: 330). Republican civic virtue is underpinned by an egalitarian ethos, a spirit of "social equality": if inequalities become too large, citizens will no longer see themselves as sharing the same fate and might default on their obligations of justice and solidarity. Inequality further undermines self-government by increasing disparities of political influence and thus corroding the value of equal citizenship. Thus republicans have been keen severely to limit the effects of wealth in the political process, notably through profound reforms of campaign financing (Sunstein 1988: 1552). Fourth and last, republicans, like socialists, have been concerned not only with issues of distribution but also with issues related to production and working conditions. The "political economy of citizenship" is designed to control the effects of economic arrangements on the independence and civic virtue of the citizenry (Sandel 1996). Much work remains to be done on republican political economy, and although the topic is not directly addressed in our volume, we expect it to be one of growing importance and relevance in years to come.

Conclusion

We hope we have said enough to convince skeptics that the republican contribution to contemporary political theory should not be summarily dismissed. Republicans have been articulating a political theory of citizenship which is conceptually parsimonious – organized as it is around the concept of freedom as non-domination – and normatively attractive – concerned as it is with the struggle against contemporary forms of arbitrary power. The contributions assembled in this volume further demonstrate the richness, originality, and diversity of contemporary republican thought. They also illustrate the vitality of current debates about and within republicanism. Thus in the first section, Skinner and Pettit respond to the searching criticisms of Kramer and Carter; in the second section, the exchanges between Miller, Bellamy, and Bohman testify to the strength of inter-republican debates about the nature of republican democracy; and in the third section, Dagger and Friedman critically apply the concept of non-domination to the areas of punishment and gender. Overall, this volume aims to provide the basis for a new (and overdue) assessment of republican political theory. A year before the publication of Pettit's *Republicanism*, Alan Patten had advanced the proposition that “either there is no interesting disagreement between liberals and republicans, or there is, but not one which should concern liberals” (Patten 1996: 27). The contributions assembled in the current volume show that the republican theory of citizenship as non-domination should be at the very least “interesting” to liberals – and others. Whether, and where, there is a “disagreement” between them is a question that can only be settled through further careful investigation.

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Republicanism and Contemporary Political Theory: Key Texts

Please note that this bibliography is thematic and not simply alphabetical. Different texts by the same author may appear in different sections.

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