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Review

Republicanism and Political Theory, edited by Cécile Laborde and John Maynor.
 Oxford: Blackwell Publishing, 2008, 296 pp.
 ISBN 978-1-4051-5579-3 hb £55.00; 978-1-4051-5580-9 pb £19.99

The ten excellent essays in this volume form a very welcome contribution not just to the expanding interest in republicanism as a contemporary political ideal, but also to several other important and topical political issues, including national identity, the nature of democracy, the need for the constitution, the role of transnational institutions, punishment and gender relations. In addition to a helpful introduction by the two editors discussing the recent context in which republicanism has been revived, there are contributions from Matthew Kramer, Ian Carter, Quentin Skinner, Philip Pettit, David Miller, Richard Bellamy, James Bohman, Richard Dagger and Marilyn Friedman. As one would expect, each essay is well written and worth reading in its own right.

As a political ideal, the contemporary importance of republicanism is no longer in doubt. With the fading of a viable socialist ideology, and the failure of so-called 'third way' politics to provide a coherent overall framework for their ideas, a number of European centre-left parties have turned to republicanism to supply their theoretical basis (White 2008).¹ Philosophically, on the other hand, republicanism continues to be regarded sceptically in certain quarters. In particular, the debate between liberalism and republicanism looms large in the way that contemporary republicans have typically set out the position they hold. At root, however, as the editors make clear, both liberals and republicans start from what Laborde and Maynor call the 'circumstances of liberal modernity', namely moral individualism, ethical pluralism and an instrumental view of political life. With this in mind, it is the republican conception of freedom (non-domination as opposed to non-interference in a person's intended actions) that is the fundamental issue at stake in assessing the credibility of republicanism as a workable philosophical idea.

As a whole, then, the collection has two principal aims. The first is to examine a number of challenges to the coherence and distinctiveness of the central idea of freedom conceived of as non-domination. The opening four articles are given over to this debate, two in the form of challenges from Kramer ('Liberty and Domination') and Carter ('How are Power and Unfreedom Related?'), with replies from Skinner ('Freedom as the Absence of Arbitrary Power') and Pettit ('Republican Freedom: Three Axioms, Four Theorems'). The second aim is to examine the application of republican principles within the contemporary political arena. The final five contributions, grouped under the headings of 'democracy and citizenship' and 'rights and domination' complete this task. Both of these are important aims on which there is a lot to say, far more, indeed, than could be said in such a small volume. Nevertheless, and notwithstanding the quality of the articles themselves, the second aim is realised far more successfully than the first. Defending a distinctively republican ideal of freedom is, of course, a significant undertaking, to which four articles could never do justice. There is, however, a deeper reason why this

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question is not convincingly addressed, namely that those who defend the republican position in this volume take for granted a particular 'non-moralised' conception of republicanism.

The simplest expression of non-domination is that it is to be 'free from arbitrary power' (p. 2). More specifically, this is understood to mean that no one has '(1) the capacity to interfere, (2) on an arbitrary basis, (3) in certain choices' that a person is in a position to make (Pettit 1997: 52). All three aspects of this definition are important, but it is the notions of the capacity to interfere and the nature of arbitrariness that have come under most scrutiny from both critics and other republicans alike. When set against the idea that a person's freedom is only limited by interference, Pettit's formula highlights two differences. First, it is not necessary for there to be actual interference for freedom to be limited, but only the potential for interference. Secondly, not all interference is said to limit freedom, but only arbitrary interference. To understand the distinctiveness of the republican position, both these aspects must be understood. Kramer and Carter, however, are concerned only with the first part, the capacity to interfere. They reject outright the idea of interference without unfreedom (p. 67). In other words, they reject the distinction between arbitrary and non-arbitrary interference and consider what republicanism would be without it. By addressing only part of the republican picture, they are able to suggest a partial reconciliation between the concepts of non-interference and non-domination. In Carter's words, the judgements about freedom yielded by the negative conception he defends 'are, to all intents and purposes, equivalent to those comparative judgements implied by the republican view' (p. 59). Both Skinner and Pettit reject this conclusion, but do so without defending their idea of arbitrariness. The detailed discussion of the idea of the capacity to interfere in this collection is in itself very useful. Nevertheless, it is a pity that the idea of arbitrariness is not discussed in the same depth in this first section, given the pivotal role this concept plays in the controversy between the rival traditions. Without a justification of this notion the distinctiveness of republicanism cannot be sustained.

Both sides of the debate accept the idea that freedom is not a normative or 'moralised' concept (Carter, p. 72; Skinner, p. 88). What this means is that the criteria by which a person is deemed to be free or unfree must be defined only by reference to the facts of the situation (Pettit, p. 117). It is also accepted that in some sense freedom must have a 'resilient' quality, making it robust enough for individuals to make use of their freedom with a sense of security (Carter, p. 71, Skinner, p. 98). For non-interference theorists, resilience is understood in terms of the probability of interference, whereas non-domination theorists define resilience by reference to the kinds of interference that are possible. Since some forms of interference are allowed by republicans, most notably by the law as the guarantor of our freedom, this move relies on the legitimacy of the arbitrary/non-arbitrary distinction in non-normative terms.

Kramer and Carter each present a rich account of non-interference freedom. They do not think of freedom solely as a function of the direct hindrance of a person's actions but, rather, as dependent on the options one has available from which to select. Kramer puts this in terms of the 'combinations of conjunctively exercisable opportunities that are available' to a person (p. 34). So just as the republican maintains that one's freedom has been restricted where a dominator has the capacity to interfere arbitrarily in one's intended actions, the non-interference theorist, Kramer says, is able to agree in part, saying that where there is a credible threat of interference, such that one might have to take steps to prevent or avoid damaging interference, then the quality and exercisability of our options has been reduced, and with it our freedom. Pettit prefers to understand freedom

by reference to the kinds of control that people have over others. It is a fact of social life, he observes, that human beings do exercise control over each other. Where the power of choice of those under our control is undermined, then our control is said to be alien. This happens, for example, when we directly block their choices or issue a threat. Control can, however, be non-alienating where the other's power of choice remains intact, such as where it uses the force of reasons and deliberation. Non-alien control is consistent with freedom, Pettit says, since it is only alien control which 'undermine[s] the deliberative assumption of personal choice' (p. 107) that is said to underpin the very idea of freedom. To demonstrate that this not a moralised notion, however, Pettit must show how non-alien (or non-arbitrary) interference can be consistent with freedom.

The most striking feature of non-alien interference is that those suffering interference 'invigilate the choices of the interferer, being ready to stop or redirect the interference should the interferer not conform to a desired pattern or should the interferee have a change of mind' (p. 103). Although it is always the interferee's perspective that is Pettit's reference point, it is significant that he allows that interference need not be checked by the sufferers themselves. The function of checking interference can be delegated to proxies acting to invigilate interference on the individual's behalf. The act of protecting the individual's interests need not take place at the time of the interference, but might occur later in the form of retaliation. Pettit does not give an example of this, but one might think of the way teachers interfere in the lives of their pupils in a constrained way that is for their acknowledged benefit, and is always subject to review by a school panel should a pupil object. This is the sort of relationship that Pettit imagines exists between citizens and a republican government, where the people are said to be 'organized to serve as a suitable proxy for each individual citizen' (p. 118). Where this proxy relationship between the people as a whole and the individual can be sustained, the interference by the government is said by Pettit to be non-arbitrary and so non-dominating. This last point is crucial for his position, so it is a shame that he does not defend it in this volume. What Pettit must show is that the invigilation by the people as proxies is able to serve as the guarantor of non-alien interference on behalf of the individual as they see their own interests. He does this by appealing to what he calls the citizen's common avowable interests (Pettit 1997: 287). Common avowable interests are said to map individuals' subjective ideas about what they think is in their interests onto the more objective requirements of defining a criterion of arbitrariness suitable for serving as the basis for law and holding the government in check. This is a notoriously difficult task to pull off and something that is by no means obviously implied by his distinction between alien and non-alien control.

Previously, Pettit has expressed freedom in terms of the way in which interference is forced to 'track' a person's interests. His new emphasis on kinds of control allows him to head off one line of criticism raised by Friedman in her chapter ('Pettit's Civic Republicanism and Male Domination'). Pettit's previous formulation, she argues, had the effect of focusing attention on isolated acts of domination rather than on relationships taken as a whole. Her example is of a marriage relationship in which the husband acts as the sole breadwinner. The benefits the husband brings his wife are genuine enough, and may well qualify as tracking her interests. Nevertheless, where the overall structure of the relationship is one of dependence, her overall freedom will be undermined. Since a husband may control his wife in an alien fashion, even where he does on occasion track her avowable interests, Pettit's new expression of freedom should avoid this difficulty. This much said, both Friedman and Bellamy worry about the problems involved in determining what is in our common avowable interest whilst still respecting the subjective character of people's own ideas about their situation. In Bellamy's words, 'within pluralist societies the range of core

values held by individuals is so wide, and the task of identifying the politics needed to implement them or the consequences that flow from so doing so complex and contested that any proposed reason is likely to conflict with that of someone else' ('Republicanism, Democracy, and Constitutionalism', p. 170). Bellamy is suspicious of any attempt to enshrine the idea of common interests by way of a republican constitution, arguing that it should always be left to the people to decide on their interests democratically.

Even if republicans can sustain their distinction between arbitrary and non-arbitrary interference, Skinner rightly observes that the question remains as to what it is about the mere fact of arbitrary power (as opposed to the probability of it) that is supposed to limit a person's freedom. By way of an answer, he offers a fascinating account of the historical way in which republicans have understood their freedom, starting with Justinian's *Digest* of Roman Law and concentrating on the period of the English Civil War. Of the two historical answers Skinner explores, the most interesting is the one he traces back to Tacitus, that 'those living in servitude can always be expected to behave with servility' (p. 92). The thought here is not that slaves (who are equated with the dominated) are obliged to be servile, since it is not disputed in this volume that this restricts freedom. It is, rather, that the condition of being dependent on the will of others leads to a subservient and servile mentality, because that is the sort of condition it is. This argument could be taken in either of two ways. Skinner prefers to read Tacitus as suggesting that due to the uncertain nature of the slave's life, they become accustomed to a life, as subsequent republicans would put it, of 'bowing and cringing' in order to curry favour. This is consistent with the non-moralised account of republicanism that he and Pettit favour, although the causal link between slavery and slavishness may be difficult to establish empirically.

There is, however, an alternative reading of Tacitus's claim, namely that to be dominated is itself servile and not befitting a free person. A much later republican, Richard Price, puts it this way: every free citizen, 'having his property secure and knowing himself his own governor, possesses a consciousness of dignity in himself and feels incitements to emulation and improvement to which the miserable slaves of arbitrary power must be utter strangers' (Price 1992: 29). The appeal to the dignity of freedom is, of course, a clearly moralised argument which neither Kramer and Carter nor Skinner and Pettit accept. Bohman, however, in his chapter on 'Nondomination and Transnational Democracy' takes up this line. The most secure form of non-domination, he argues, is one where one's membership of the community within which one enjoys resilient protection cannot be denied or arbitrarily changed. By invoking the dignity and normative worth of humanity, Bohman understands community as an inclusive concept embracing all human beings. Non-domination, seen in this way, is not just an obligation between citizens within the state, but something we owe all other people internationally. Bohman sees global institutions such as the UNHCR and International Criminal Court as offering a mechanism by which this obligation can be discharged.

Of course, there is more to republicanism than the vexed question of arbitrariness. In the remaining two contributions, Miller ('Republicanism, National Identity, and Europe') discusses the historic republican emphasis on active citizenship as a prerequisite for forging a commitment to upholding the common interests of the republic, applying these notions to the idea of a republicanism of the European Union; and Dagger discusses a republican view of punishment ('Republicanism Punishment: Consequentialist or Retributivist?'). Overall, this collection provides an important look at the contribution republicanism has made, and will continue to make, to contemporary political discussion. The range of material covered in this volume testifies to the scope and reach of current republican

1 thinking. If it leaves some questions unanswered, this only reinforces the potential that
2 exists for further work, picking up where this collection leaves off.

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10 NOTE

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12 ¹ This can be seen most clearly in Spain, where the socialist party under José Luis
13 Rodríguez Zapatero self-consciously defines its policies under the republican banner.
14 Pettit has been invited to make an assessment of their success in fulfilling their republican
15 aspirations which has recently been published along with Pettit's interview of Zapatero on
16 his political ideology (Pettit 2008).

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