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## BOOK REVIEW

### Promoting freedom in a modern society

Lars J.K. Moen (2024), *The Republican Dilemma: Promoting Freedom in a Modern Society*. Oxford: Oxford University Press

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The civic republican revival in political theory emerged about thirty years ago as a critique of so-called mainstream liberalism. There were, initially, two main strands among the revivalists. The first strand consisted of those like Michael Sandel, who accused liberals of proposing a self-destructive ideal. Sandel insists that maintaining free government demands that people be virtuous – and especially that they participate in politics. Should the state employ the sort of neutral policies espoused by liberals – rather than actively cultivate civic virtue –, its societal foundations will likely be undermined. The second, more recent strand in contemporary republican thought is the one influenced most heavily by the work of Philip Pettit, who argues (or used to argue) that liberal theory is inadequate for conceptualizing the wrongs associated with dominating power relations. To address this deficiency, they propose a distinct ideal of freedom: freedom from domination.

There was some discussion twenty years ago about whether or not republicans deliver on their promise of providing a feasible and attractive alternative to so-called mainstream liberalism. Republicans insist that freedom from domination is distinct from the ideal standardly associated with liberalism, namely, negative freedom (or freedom as non-interference); hence, the policy implications will be different in each case. From the liberal perspective, a person is free to the extent they are not interfered with. By contrast, the republican view is that interference as such does not restrict freedom – neither self-imposed restrictions, nor government interference that is on the people's terms. Instead, a person is free to the extent that they are not dominated. Domination is a serious inequality of power – be it based on physical strength, technological advantage, financial clout, political authority, social connections, communal standing, informational access, ideological position, or cultural legitimation (Moen, 2024, p. 44).

But there were those who were skeptical. It has been argued by critics that civic republicans may be either in opposition to liberals or pursue an appealing ideal – but they cannot do both. This is the republican dilemma. Some critics dispute that freedom from domination is conceptually distinct from freedom as non-interference (more on this below). Others concede that there is a distinction but argue that it comes at the price of republicans neglecting the wrongs associated with interference. Yet others believe that the

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path to establishing an interesting philosophical difference between neo-republicanism and contemporary liberalism is through neo-republicans adopting the traditional convictions regarding the importance of civic virtue that they received so much heat for from early modern liberals. The price of that is an unattractive and unfeasible ideal; classical republicanism, with its insistence on the value of popular participation and a convergence of social norms, is not fit for the modern world. On the other hand, should neo-republicans be too mindful of the liberal challenge – as Pettit is, according to critics –, there will be no philosophically interesting difference between republican and liberal theory. The first will collapse into another version of the second, albeit covered in archaic rhetoric.

Curiously, that sort of discussion about the civic republican revival – the one that situates it in its discursive setting, measuring it by the intentions of its proponents – has been, for many years, eclipsed by another, more technical sort of discussion. That is the discussion of the policy implications of the key republican ideal proposed by Pettit, namely, freedom from domination. There is now a huge body of literature that explores the policy implications of republican theory, with topics ranging from economic policy, the welfare state, the market, socialism, education, immigration, the legitimacy of state border controls, multiculturalism, cosmopolitanism, secessionism, ecology, and feminism, just to name a few examples. All of these discussions share, at any rate implicitly, the conviction that the republican contribution to policy is distinct (from liberalism, socialism, and the others) due to the fact that it is based on a distinct ideal – freedom from domination.

But the validity of that assumption is, in fact, far from obvious; therefore, the entire discourse on the allegedly distinct practical contribution republican theory has to offer rests on somewhat shaky grounds. Lars Moen's book *The Republican Dilemma: Promoting Freedom in a Modern Society* is a much-needed contribution to the discussion of republicanism insofar as it revisits the controversy regarding both the plausibility of republicanism as a critique of liberalism and the distinctiveness of freedom as non-domination. Moen accepts the viewpoint of Pettit's aforementioned critics: he believes that only that type of neo-republicanism is appealing and feasible in the modern world that can be collapsed into a version of egalitarian liberalism. But unlike other critics of republicanism, he does not believe that the non-liberal version is useless: in fact, he believes it is an appealing ideal, just not one that ought to be implemented, all things considered (a confusing statement at first sight – more on this below).

Moen develops a useful heuristic for comparing freedom from domination with pure negative freedom, the key dimensions of which are robustness and scope. The scope of freedom refers to the degree to which individuals are protected from interference. Negative freedom theory has maximal scope in the sense that it identifies any interference as a source of unfreedom; by contrast, non-domination theory has reduced scope in that it identifies only a subset of interferences as a relevant restriction. Republicans believe that controlled, or self-imposed, interference is consistent with freedom. Moen sides with those in the debate who believe this aspect of the non-domination ideal makes it, in a sense, moralized. That means, according to Moen, that neo-republicans like Pettit distinguish between various interferences on moral grounds: they believe that only unjustified interference makes a person unfree; justified interference does not.

Pettit insists that republican freedom is not moralized, arguing that interference is justified to the extent that it is effectively controlled by the person or group interfered

with. Therefore, interference should track any interest people actually hold, rather than some abstract moral principle – or perhaps a preference people *should* hold. Moen counters that argument by pointing out that Pettit introduces a restriction on the acceptable interests that people can avow – that is to say, the interests that should be taken into account at all. Despite Pettit's insistence to the contrary, the restriction seems to be based precisely on the sort of reasonableness political liberals like Rawls would endorse. Just like Rawls, Pettit believes that people must be willing to live on equal terms with others and respect one another's freedom; nobody should think they are special and above the law. Any individual preference that is contrary to that will be irrelevant for policy-making.

Robustness, the next dimension of freedom explored by Moen, concerns the extent of protection against interference that is required. The negative theory of freedom has minimal robustness, since it stipulates that a person will be free to do something as long as nobody else interferes with them. By contrast, republican freedom has greater robustness since it demands that nobody be able even potentially to interfere with others in an arbitrary, uncontrolled manner. Moen is of the view that republicans overestimate the practical implications of the difference. He suspects this may be because republicans believe that negative freedom theory is only concerned with actual interference. However, this is wrong. Pure negative freedom is equally sensitive to the wrongs of *subjunctive* prevention: if a person decides not to leave the room *because* someone else will stop them if they try, then they are subjunctively prevented from undertaking a course of action. Robust protection against subjunctive prevention and overall negative freedom requires very similar protection to non-domination; to that extent, at least, republican and liberal theories will produce similar directions for promoting freedom (Moen, 2024, p. 50).

Nevertheless, Moen does not deny that there is a difference between the robustness of negative and republican theories of freedom – nor that this has practical relevance. Scope and robustness are inversely related: more robust protection of specific freedoms demands more extensive government interference, which evidently reduces scope (government interference must be justified). Republican freedom will require protection beyond what is compatible with the promotion of negative freedom if its robustness is increased drastically, coupled with an inevitable reduction of scope. Moen firmly believes that Pettit's version of so-called moderate republicanism does not deliver on this promise. Pettit believes that government interference does not restrict individual freedom if it tracks people's common interests. The scope of freedom is therefore specified based on a definition of common interests. As we have seen, Pettit defines common interests much the same way as political liberals like Rawls do – so not much in the way of transcending liberalism there.

Moen believes that the way to go for republicans who insist on transcending liberalism is to drastically increase the robustness of their ideal of freedom – and correspondingly reduce its scope. Achieving this end will involve adopting classical republican views about the necessity of active democratic control and civic virtue, making people participate in politics “whether they want to or not” (page 8). These views would have people commit to a narrow behavioral pattern and are potentially perfectionist, which is the reason why early modern liberals rejected them so fiercely. This version of the theory is rather unpopular among neo-republicans as well. In fact, the only reason active democratic control

is ever brought up in contemporary discussions is to be discarded out of hand on account of it being a completely unrealistic ideal. Much the same applies to state perfectionism, which is rejected by the overwhelming majority of neo-republicans.

Moen considers this to be a good thing overall, arguing that “strong” republicanism is an unappealing ideal for modern pluralistic societies. People want to make up their minds about what they think a good life is, and they should not be compelled to follow any republican conception. The “extensive vigilance necessary for the robust protection against uncontrolled power that strong republicanism requires will to most people involve a too costly sacrifice of personal pursuits” (Moen, 2024, p. 122). Nevertheless, Moen insists that “strong” republicanism captures an important truth that ought to be salvaged. People who actively participate in politics are better protected against the abuse of political power and have greater control over the government. The preferences of those who are active will likely have a greater influence on policy than the preferences of anybody else. It is very difficult to track the common avowable interests of people who do not leave clues as to what their interests are. Perhaps this also means that politically active citizens have more control over their lives – and are hence freer – than those who have the opportunity to participate but refuse to take it.

There is not necessarily a contradiction in arguing that an ideal is valuable, but, all things considered, it should not be a basis for policy. Moen subscribes to the “radical pluralist” idea, influenced by Cohen, according to which “we define justice, or any other value, without considering how it should inform our thinking about how social institutions should operate under actual conditions. Values are fundamentally insensitive to facts” (Moen, 2024, p. 137). If thus defined, freedom becomes just one value among many, providing a *pro tanto* reason for action. According to Moen, the advantage of the pluralist approach is that it “clarifies what we promote and what we forgo when we make the trade-offs and the all-things-considered decisions we must make to run our society” (Moen, 2024, p. 137).

Facts then serve to determine how to prioritize among values. As a matter of fact, modern society is pluralistic, and the people who engage in politics intensively comprise a distinct minority. In our society, respect for pluralism and personal autonomy must ultimately take precedence over the demands of active control; therefore, people should not be coerced into virtuous behavior. Strong republicanism could potentially be a basis for all-things-considered judgments, but only in a society radically different from ours (namely, in a society where the majority of the population wants to engage in politics all the time). According to Moen, republicans should “think of strong republicanism as the ultimate ideal, while accepting that it might be unwise to try to implement it under current circumstances.” Implementing it here and now “would come at an unacceptable cost in terms of other values” (Moen, 2024, p. 136). “While it cannot provide all-things-considered directives, strong republican freedom can give republicans grounds for evaluating society and for criticizing citizens for their failure to live up to this ultimate republican ideal” (Moen, 2024, p. 136).

Moen is a bit reluctant to make it clear, but he seems to be arguing that, in fact, the correct interpretation of democratic control is active democratic control. This is suggested by the fact that he calls strong republicanism the “ultimate ideal” and that he characterizes Pettit’s conception of virtual control as “freedom constrained by concerns for individual

respect” (Moen, 2024, p. 143). The latter is perhaps an unfair characterization. Pettit understands freedom to be a threshold concept. He is a sufficientarian insofar as he believes that a person is free if they are in control of the essential spheres as defined by constitutional rights. It is a controversial subject what the essential spheres are and what their definition should be based on. But surely, there is always going to be an outer limit to the list of specific freedoms. Moen’s interpretation of republican freedom seems to suggest otherwise, advancing the claim that, in principle, more control is always better: as we have seen, he believes that people who participate in politics are, after all, freer than anybody else.

I believe that a crucial aspect of Moen’s ultimate rejection of the idea that a concern for active democratic control should be figured prominently in all-things-considered judgements is the manner in which he concretizes virtual and active democratic control, respectively. According to Moen, virtual control means that most people can “go about their lives, so long as they remain in standby mode”, ready to be virtuous if “the red light” goes on. By contrast, active control means that people “cannot just be ready to contest any abuse of political power they become aware of; they must actively be on the lookout for it” (Moen, 2024, p. 118; p. 123). As Moen puts it, the idea of active control takes the famous statement “the price of liberty is eternal vigilance” quite literally (Moen, 2024, p. 119).

By all means, this sort of characterization of active control is not unique to Moen’s argument; it is fairly common among the critics of the most participatory versions of republicanism. I say it is a key point of the argument because, in my view, it is *only because* he presents active democratic control as engagement in politics 24/7 that Moen can reasonably argue that it is incompatible with the life of modern pluralistic societies. This presentation of active control contains perhaps a bit more than the unavoidable degree of arbitrariness. Active control must mean something more demanding than virtual control; that much is clear. But it is far from clear that it must literally mean eternal vigilance.

For instance, the majority of people vote and protest at some point in their lives; most people devote a couple of minutes to reading the news and discussing politics with their friends and family; a huge number of people comment on political news online. These are all forms of political participation that are compatible with a great variety of lifestyles, hence they need not violate the respect for pluralism. It is unclear to me why these forms of participation, provided that they are fairly regular in a person’s life, do not amount to active democratic control. Defining what active democratic control means in practice is difficult, so we should be careful about rejecting the idea out of hand on the grounds that it is unrealistic and overdemanding.

At any rate, Moen concludes that rejecting the idea that a concern for active democratic control should determine all-things-considered judgements has the advantage of dispensing with perfectionism, thereby making “liberal republicanism” compatible with modern life. Virtual democratic control means that the good of freedom is attainable to many people, not just those who are virtuous. This dispenses with individual-level perfectionism: regular political participation, provided it *does not* take much time, is compatible with a great many different lifestyles. However, interpreting democratic control as virtual control does not dispense with social perfectionism, nor perhaps with state perfectionism. Even if it is conceded that not everybody must be virtuous to be free, enough people must follow the republican conception of the good life for the republic to be stable. This is because maintaining a free government is a matter of collective action. And because the

stakes are so high (i.e., because widespread virtue is a necessary prerequisite of a functioning republic), it seems likely that republican principles will lend support to policies that are devised with the intent of cultivating civic virtue. These policies, as it has convincingly been argued by Lovett and Whitfield, are incompatible with the principle of neutrality, which is the basis of non-perfectionist policy.

TÓTH SZILÁRD JÁNOS

[toth.szilard.janos@gmail.com]

(Tóth, Institute of Political Science, Centre for Social Sciences, ELTE)

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