1. Three Concepts of Liberty

The contemporary renewal of republican theory has found in Philip Pettit its most ambitious architect. Pettit acknowledges his debt to a current of thought which goes back through Machiavelli to ancient Rome and which has been reconstructed in a series of important writings by Quentin Skinner. But Pettit has given to the republican model of political life a systematic development it has never received before. His book, Republicanism (Pettit 1997), is a landmark work. All the same, I also believe that Pettit has not properly understood the true character of his achievement. I shall begin by laying out the basic principles of his republican theory, mostly in his own terms, though with some embroidering, which reflects my large measure of agreement. My ultimate aim, however, is to examine its problematic relation to the modern liberal tradition.

At the center of Pettit's enterprise is a conception of political liberty that he calls "non-domination". According to this conception, we are free to the extent that we do not find ourselves under the domination of others, subject to their will and exposed to the vicissitudes of their desires. Clearly, freedom thus conceived consists in the absence of conditions which are thought to diminish our possibilities of action. Freedom is not therefore identified with the exercise of a capacity, much less with some activity by which we supposedly realize our most significant possibilities or give expression to our true nature or "higher self". To invoke the taxonomy introduced by Isaiah Berlin in his classic essay of 1958, "Two Concepts of Liberty" (Berlin 1969, pp. 118-172), we may say that Pettit's idea of republican freedom counts as a "negative", not a "positive" conception. In particular, it
does not denote the amount of control which an individual or a community exercises over its own existence. Freedom from domination by others is not equivalent to being one's own master, since in itself it is a condition which people may enjoy in a variety of ways, as much by letting themselves be carried away by passion as by bringing themselves under the rule of reason.

Thus, Pettit's conception differs from that prominent strand in the republican tradition which has sought to define freedom in a positive manner, as individual or collective autonomy and self-rule. In his eyes, and I agree, such definitions are too narrow. The freedom we prize includes other things too besides participating in democratic self-government or shaping our lives according to a plan of our own devising.

At the same time, however, Pettit does not endorse the particular notion of negative freedom that Berlin espoused. On the contrary, one of Pettit's most important contributions is to have broadened the range of theoretical options. Negative freedom as Berlin understood it is the domain of action where individuals can do as they may want without interference on the part of others. Like Hobbes and Bentham before him, he viewed individual freedom as the absence of obstacles. To be sure, Berlin cautioned that a person's freedom should not be said to consist in the absence of obstacles to the fulfillment of his desires, for such a definition would allow the person to increase his freedom simply by extinguishing his unsatisfied desires. The obstacles relevant for judging the extent of a person's negative liberty are rather to be conceived as obstacles to his possibilities, as roadblocks standing in the way of the courses of action that he might choose to pursue.

Nonetheless, Berlin did not waiver in defining our negative freedom by reference to actual interference, even when such interference works to limit our possibilities. As a
result, people must count as free in this sense, even when another could encroach upon their projects (actual or possible) and yet decides in fact not to do so. Negative freedom, Berlin once remarked, is not compromised by a despotic regime, so long as the despot chooses to pursue an indulgent policy toward his subjects, reserving all political power to himself, while allowing them otherwise to act in large measure as they please.\(^4\)

Yet surely it is wrong, Pettit objects, to hold that people are then free, inasmuch as they pursue their projects at the mercy of a prince who, well-disposed for the moment, can at any time change his mind and policy. Freedom really depends on an absence of both actual and possible interference at the hands of others. Or more exactly, Pettit adds, it consists in being exempt from all such arbitrary interference.

For suppose that we inhabit a society governed in accord with just laws: we will consequently not possess an immunity from all interference in our affairs. Even then, the state must stand ready to discourage and to punish any infractions of the laws. But the point is that such conditions, where the threat of arbitrary interference has disappeared, mark a qualitative difference. The rule of law does not amount to one form of domination having been swapped for another, as though its utility consisted in offering us a greater net balance of freedom over constraint than we would otherwise have if living under despotic rule or under no rule at all (in a "state of nature"). Domination itself, so Pettit insists, has come to an end when the authority of just laws replaces the will of particular individuals.

Freedom as the absence of domination differs therefore in two respects from any view like Berlin's that equates negative freedom with the absence of obstacles (Pettit 1997, pp. 22ff.). On the one hand, domination can occur without any actual interference. Our freedom is abridged by the simple fact that we live at the mercy of others, since their power to
meddle in our life can be so great that, even if they choose not to exercise it, we find ourselves obliged to anticipate their possible actions, modify our plans, and curry their favor. On the other hand, every act of interference need not be an instance of domination. If just laws have the function of making us free by checking the arbitrary will of others, their influence on our conduct and the prohibitions they impose do not amount to a reduction in our freedom.

It is on this latter score that the two "negative" conceptions of freedom differ most tellingly. For Hobbes and Bentham and those who follow in their footsteps, every law as such diminishes our freedom, even if its objective is to prevent the even greater loss of freedom which would ensue from the absence of law. Berlin himself made the point explicitly: "Every law seems to me to curtail some liberty, although it may be a means to increasing another" (Berlin 1969, p. xlix). Civil freedom is deemed the silence of the law, since all law is in itself an intrusion and liberty begins where law ends.⁵ According to the republican conception, by contrast, law and liberty are not intrinsically opposed. The exact nature of their relationship depends on the character of the law. To the extent that just laws rescue us from the relations of domination in which the natural course of things would otherwise place us, they constitute freedom's condition of possibility, not its antithesis (Pettit 1997, p. 35).

In the light of these initial observations, it becomes plain that Pettit's theory of freedom as non-domination, distinct though it is from the "positive" conception of freedom as autonomy, accords nonetheless an essential role to democratic self-rule (Pettit 1997, pp. 8, 183ff.). Only universal suffrage and the widespread participation of citizens in political life can ensure that the laws will be just, instead of serving particular interests and private concentrations of power. For those who see the essence of
freedom as the absence of interference, there exists no such internal connection between liberty and democracy. Berlin, for example, declared that "freedom in [my] sense is not, at any rate logically, connected with democracy or self-government" (Berlin 1969, pp. 129-130).

Pettit's theory takes over therefore the venerable republican theme of active citizenship. But it does so without any tendentious equation of freedom itself with the exercise of self-government. Pettit distances himself emphatically from the republican strand that he calls "neo-Athenian", in other words, from the current of thought represented by Hannah Arendt, Michael Sandel, and other partisans of "the liberty of the ancients". They elevate political activity, the public discussion and implementation of a society's common purposes, to the rank of a supreme end in the constitution of the human good. Pettit, by contrast, urges that we take our bearings from a "neo-Roman" tradition that sees self-government as the essential means for the creation of a free society where each person, removed from the arbitrary will of others, can pursue his good as he understands it.  

Certainly, this version of republican theory accepts the need for civic virtue. But unlike the neo-Athenians, Pettit has no reason to exaggerate its importance as though it represented the very heart and soul of the moral life. He can rest content with delimiting the particular sorts of dispositions it must embody, if the distinctive feature of a republican regime, the substitution of the authority of law for personal dependence, is to be sustained. Civic virtue, in Pettit's account, has three elements (Pettit 1997, pp. 246ff.). First, the rule of law can be a reality only in a society where citizens respect the law for its own sake, instead of seeking to circumvent it or adhering to it solely out of a fear of sanctions. It is also necessary, if the law is not to turn into an instrument of particular interests,
that citizens make a point of taking part in public life and thus making their own needs and concerns heard. Finally, they must practice a constant vigilance, staying on the lookout for excessive concentrations of power, which never ceases to be a danger.

These traits of character are far from spontaneous. They require fostering, and may be considerably weakened today by countless pressures encouraging a consumerist approach to social life, where each person seeks to make the best bargain for himself instead of working with others to tame the powers, particularly economic, which set the terms for their calculations. But the key theoretical point is that civic virtue as Pettit defines it is a specifically political virtue, necessary for the securing of a society without domination. Its role is to make possible the pursuit of different visions of the good life and not to define the human good itself.

2. Republican vs. Liberal

Pettit's republican conception of freedom has many attractive features, some of which I have already indicated. It would unwise, however, to conclude that non-domination constitutes the true meaning of political freedom. A number of distinct values, none of them negligible, have taken the name of "freedom", and our concern ought to be, not to determine which of them captures freedom's essence, but to recognize the differences between these ideals, chart their connections, and figure out whether one of them is of greater importance than the others. Berlin himself saw things this way. He had no intention of arguing that negative liberty (as he understood it) forms the whole of freedom. His aim was to point out the difference between non-interference and self-rule as well as to show that a single-minded devotion to the latter conception of freedom, pursued at the expense of the negative freedoms enshrined in individual rights, can have
totalitarian consequences. In Berlin's eyes, the positive freedom involved in democratic self-government was also an important value, though one having chiefly an instrumental basis as the best means for protecting the rights of the individual.

I do not sense that the same spirit of value-pluralism informs Pettit's own examination of freedom. To be sure, freedom from domination represents an important value, and Pettit has shown how its contours differ significantly from those of non-interference and self-rule. He also has presented good reasons for attributing to this republican ideal a more fundamental role in our political thinking than the other two ideas of freedom. Pettit may well be right that democratic self-government draws its chief rationale from the need to abolish relations of domination, and that ceasing to live at the mercy of powerful individuals and interests is of far greater moment than simply living unobstructed by others.

But freedom from interference is not nothing. Some laws, however just they may be (one need only think, for example, of tax codes), may require me to give up some of my freedom to do as I please which I may reasonably regret having to surrender, even if on balance I judge it to be for the best. Pettit seems often to suggest -- to my mind, wrongly -- that such freedom is not really a value at all.

There is another matter of greater theoretical consequence on which I do not agree with Pettit. It is the opposition he sets up between the republican conception of freedom and the modern liberal tradition. In his view, liberal thinkers have uniformly adhered to the idea that freedom means non-interference. "Liberalism", he writes, "has been associated over the two hundred years of its development, and in most of its influential varieties, with the negative conception of freedom as the absence of interference, and with the assumption that there is nothing inherently oppressive about some people having dominating power over others,
provided they do not exercise that power and are not likely to exercise it" (Pettit 1997, pp. 8-9). As a result, when liberals have wanted to criticize relations of domination, such as poverty or job insecurity, in which no interference may actually takes place, they have had, says Pettit, to fall back on other values such as satisfaction of basic needs or equality. Pettit believes that he has, by contrast, found in non-domination a principle which can serve all by itself as the basis of a cogent ideal of social justice. The republican conception of freedom represents, he claims, "the supreme political value" (Pettit 1997, pp. 80-81). Pettit's republicanism presents itself therefore as a rival to the liberal view of political life.

I find this line of argument mistaken for two important reasons. First of all, it is not right to suppose that the liberal tradition displays a monolithic allegiance to the notion of freedom as non-interference. The evidence which Pettit adduces to defend this interpretive thesis is unconvincing. But in addition, the exposition which he goes on to give of his republican theory does not really make of non-domination the supreme political value, and the character of this failure is quite significant. He finds himself, in fact, obliged to appeal to recognizably liberal principles in order to define the precise content of his republican conception of freedom. In the end, Pettit belongs to the very liberal tradition that he imagines he has transcended.

I shall begin with the first point, reserving a discussion of the second to the next section. Now indisputably Isaiah Berlin's thought fits the picture which Pettit draws of the liberal point of view. According to Berlin, there are two grand conceptions of freedom, the absence of interference and autonomy, and democratic self-government is a good only so far as it remains subordinate to a respect for individual rights. For this reason, liberalism tended to signify for him a political vision whose fundamental
commitment is to the negative conception of freedom as non-interference. Nonetheless, the fact that this conception found its first detailed exposition in Hobbes' writings ought to give one pause. The Hobbesian theory of the state scarcely looks like a liberal philosophy.

Naturally, one might reply that Hobbes, while no liberal himself, furnished some tools -- among them an idea of freedom -- which later thinkers were able to exploit to construct a model of the open society that can properly be called "liberal". And indeed, freedom understood as the absence of obstacles and thus as the opposite of constraint was later taken up by Bentham, and it went on to inspire an important current of liberal thought. In the 19th century, its most eminent representative was John Stuart Mill, who argued that "the only freedom which deserves the name is that of pursuing our own good in our own way" and who conceived of law, which like "all restraint, qua restraint, is an evil", as a necessary limit on individual freedom so that "we do not attempt to deprive others of theirs". Obviously, it has had its followers in the 20th century as well.

But the question is whether liberalism as a whole coincides with this line of thought. One signal difficulty is that John Locke, one of the founding fathers of the liberal tradition, clearly did not equate freedom with absence of constraint. Distinguishing sharply between "liberty" and "license", he insisted on the role played by law in the very constitution of freedom -- which is a corollary of the republican concern with non-domination. Consider what Locke wrote in §57 of the Second Treatise of Government:

> Law in its true notion is not so much the limitation as the direction of a free and intelligent agent to his proper interest... The end of law is not to abolish or
restrain, but to preserve and enlarge freedom...

Where

there is no law, there is no freedom.

Pettit deals with this problem by placing Locke among the republicans (Pettit 1997, p. 40).\textsuperscript{10} But that is a desperate remedy. Surely something is amiss in a definition of liberalism which accommodates Hobbes, but excludes Locke. The way out of this impasse is obvious, and it consists in admitting that the liberal tradition is not all of a piece. On the one hand, an identification of freedom with the absence of interference has often been at work, perhaps most explicitly in utilitarian thought. But on the other, a great many thinkers whom it would be hard to classify as anything other than \textit{"liberal"} have rejected an essential opposition between freedom and law. We are entitled to suppose that in their eyes freedom meant, along the lines of Pettit's republican outlook, the absence of domination.

Let us take as another example Benjamin Constant and his famous evocation of \textquote{the liberty of the moderns}. Pettit follows Berlin in regarding Constant as an illustrious advocate of the fundamental value of non-interference (Pettit 1997, pp. 18, 27, 50). But how did Constant himself portray modern liberty? Here is what he said:

\begin{quote}
C'est le droit de \textit{n'être soumis qu'aux lois}, de ne \textit{pouvoir} ni être arrêté, ni détenu, ni mis à mort, ni maltraité d'aucune manière, par l'effet de la volonté arbitraire d'un ou de plusieurs individus.
\end{quote}

[It is the right to be subject only to the laws, such that one cannot be arrested, detained, executed, or mistreated in any way by virtue of the arbitrary
Freedom thus defined certainly differs from the collective exercise of sovereignty, that is, from the liberty of the Ancients in Constant's terminology. But does it therefore amount to the freedom of non-interference? I have underlined the phrases indicating that for Constant "modern liberty" consists in being subject to the law, not to the arbitrary will of another, and that its opposite is not merely actual interference in the harmful ways mentioned, but also the possibility of such mistreatment. The passage seems so clear an expression of the republican idea of freedom as the absence of domination that one might think it had been taken from the pages of Pettit's own book.

Naturally, one cannot be sure of Constant's intention, since he did not differentiate between the two negative conceptions of freedom -- absence of interference, absence of domination -- and therefore never formally rejected the one in favor of the other. But precisely in this respect Pettit's true achievement comes into view. He is the first to have analyzed in a systematic way the difference between these two conceptions. His work has put us in a position to appreciate some of the crucial obscurities and disagreements surrounding the notion of freedom in the liberal tradition. Having grasped the distinctive concerns that underlie the republican ideal of not living at the mercy of another's will, we can now devote ourselves to a more careful articulation of liberal principles. Pettit would have done better to present his own theory of government in that spirit.

Instead, he chose to set up a grand opposition between liberal and republican thought. Understanding is not thereby advanced. Consider as a final example Pettit's attempt to draw John Rawls too within the maw of his critique of liberalism. Rawls' idea of the "priority of liberty", the
principle that "liberty can be restricted only for the sake of liberty" (Rawls 1971, pp. 244, 302), serves as Pettit's chief evidence for placing him among those who hold that we are free to the extent that we escape interference from others (Pettit 1997, p. 50). On Pettit's telling, that principle expresses the characteristic view of Hobbes and Bentham, for whom law, even when just, constitutes a restriction of freedom to be accepted only because its absence would entail an even greater loss of freedom. This interpretation misses, however, the real meaning of Rawls' principle. Its import is to require that liberty (or more exactly, the scheme of equal basic liberties) never be compromised in order to promote some other value such as a fairer organization of the economic conditions in society. Rawls invoked the "priority of liberty" precisely with the aim of underscoring the subordinate importance to be assigned to his second main principle of justice, the difference principle, whose domain includes the distribution of income and wealth. Consequently, this position does not differ very much from that of Pettit himself, when he declares that freedom is the supreme political value and that existing relations of domination should be tolerated only if they happen to constitute the best means for promoting non-domination overall (Pettit 1997, p. 102).

Pettit's argument for aligning Rawls with the Hobbesian theory of freedom is unpersuasive. That does not mean, of course, that we should abandon the idea of figuring out whether Rawls conceived of liberty as the absence of interference or as the absence of domination. Nonetheless, I believe that not only does there emerge no clear-cut answer to this question, but also that we should not be surprised to come up with none. Only as a result of Pettit's own work are we in a position to formulate precisely the distinction between these two conceptions and to grasp their different implications. One might well expect that Rawls sometimes leaned toward the one, and sometimes toward the other.
In fact, just this fluctuation is what we find when looking at Rawls' writings in the light of our preceding remarks. His general definition of liberty undeniably speaks the language of non-interference:

This or that person (or persons) is free (or not free) from this or that constraint (or set of constraints) to do (or not to do) so and so.... Persons are at liberty to do something when they are free from certain constraints either to do it or not to do it and when their doing it or not doing it is protected from interference by other persons (Rawls 1971, p. 202).

Yet many of the things that Rawls went on to say about political liberty show an affinity with the republican conviction that freedom consists in the absence of domination. The freedom which he made the object of his first principle of justice counts as a value only to the extent that it embodies an equal freedom for all, a scheme of basic liberties which each person enjoys compatibly with a similar scheme for everyone else. Why regard equality as essential to freedom? Were non-interference the only concern, then citizens ought not to worry about some people having a more extensive set of basic liberties than theirs, provided that they themselves are able to pursue unobstructed their individual purposes. If equal liberty forms the paramount principle, the point must be that people should be free, not only from undue interference by others, but also from the unfair influence or dominion of others, when such fundamental matters as religious conscience, association, and political voice are at stake.\textsuperscript{12}

Another reason for thinking that Rawls did not really equate freedom with the absence of obstacles is his evident
reluctance to regard law as in itself an abridgement of liberty. "Whether men are free," he wrote, "is determined by the rights and duties established by the major institutions of society. Liberty is a certain pattern of social forms" (Rawls 1971, p. 63). Note that in this statement the fundamental laws of society are described as determining whether citizens are free at all. Law is very far from appearing as a constraint on freedom designed to prevent a still greater loss of liberty. No devotee of the Hobbesian conception of freedom could have penned those words.

But again, my aim is not to suggest that in his heart of hearts Rawls adhered to the republican conception. A well-defined distinction between the two views of freedom was not available, when he wrote A Theory of Justice or Political Liberalism. Nothing impelled him to take a stand one way or the other. Here lies the great merit of Pettit's work. Casting light on these points of obscurity, it forces us to be more explicit about what we mean when we say that freedom is "freedom from".

What we should not do, however, is to seek in the republican ideal of freedom the makings of a non-liberal theory of political association. Pettit himself imagines that he stands outside the liberal framework. In reality he does not, and this will become clear as we examine more closely the way he proposes to understand freedom as the absence of domination.

3. Domination and Respect

So far little has been said about the nature of domination itself. Pettit holds, as I have indicated, that we are free from domination to the extent that we do not find ourselves subject to the arbitrary will of others. What, however, does this proposition mean exactly?

Pettit's analysis involves three components (Pettit 1971, p. 52). An individual A is dominated by another
(individual or group of individuals) B to the extent that
(i) B has the capacity to interfere,
(ii) on an arbitrary basis, and
(iii) in certain choices that A is in a position to make.

Clearly, it is condition (ii) that raises the most delicate questions. The state has the capacity to interfere in the affairs of its citizens, but provided that the basis of its interference is not arbitrary, it does not count -- so the republican believes -- as exercising a power of domination. How then ought the key term "arbitrary" to be defined?

Pettit's answer is that the basis for possible interference is not arbitrary if it leads to interference aimed at "tracking" or pursuing the interests, or at least the relevant interests, of the individual who is its object (Pettit 1997, p. 55). For instance (this is Pettit's example), it is in my interest that each citizen pays his taxes, so that even if I do not want to pay my own, the coercion that the government may then employ to force my payment does not constitute an arbitrary interference. Yet how should the interests of the individual be ascertained? Is it a matter of the interests which the individual herself avows? And if so, what is the nature of the circumstances in which her own declarations count as authoritative? Or is it a matter instead of her "real" interests, of which she may or may not have any grasp?

Pettit contends that determining the interests which state power can pursue on a non-arbitrary basis is a question which only the political deliberation of the citizens themselves can ultimately decide (Pettit 1997, pp. 56, 63). This position is no doubt attractive. But it gives rise in turn to a further question, namely, that of the principles which ought to govern this collective deliberation. In the absence of both institutional and normative structures that are already in place, debate will lead to no result, or the
outcome will have no claim to being fair and just.

The point is not lost on Pettit himself, who proceeds to lay down two conditions which political deliberation, as it determines the interests deserving legal protection, ought to satisfy (Pettit 1997, pp. 131f.). First of all, citizens should rely solely on conceptual distinctions and forms of inference which no one in the community has a serious reason to reject. And second, the fundamental notions on which they do rely must nonetheless be substantial enough to permit an adequate articulation of their various grievances and goals. Pettit argues that the value of non-domination fulfills these conditions far better than does the understanding of freedom as the absence of interference, which expresses the concerns of entrepreneurs and professionals seeking to curtail government intervention, but which does not resonate so well with workers, for example, whose lives are marked by economic insecurity and who stand to gain by state regulations. Pettit may well be right. But several crucial aspects of his argument demand comment.

As Pettit admits, the two conditions he places upon political deliberation have a normative content. Yet what is the underlying value they express? The requirement that citizens and legislators make their legally-binding decisions without appeal to convictions which their fellow citizens have good reason to reject embodies in fact a basic sort of respect for the individual. If, as Pettit claims (Pettit 1997, pp. 187ff.), just laws are based, not upon the bargaining power of various interests, but upon arguments that in principle can meet with the assent of each citizen's reason, then persons are being viewed as something more than simply means to an ulterior end. The good involved in their obedience to the law has to amount to more than whatever may be the benefits which their compliance affords everyone else. They are being seen as ends in themselves, in the sense that the exercise of their reason counts as having an intrinsic value, which the terms of
political life ought to acknowledge.

This fundamental principle of respect for persons turns out therefore to constitute the deepest stratum in Pettit's republican theory. It guides the determination of the interests which non-arbitrary, that is, just laws ought to promote. And if such interests form part of the definition of what is to count as the absence of domination, then Pettit is hardly right to assert that the republican notion of freedom can serve as the supreme political value. We are not in a position to figure out whether domination is at hand or not, either in society at large or in the operations of the state, unless we rely upon the notion of respect for persons.

But there is more. For what does this norm of respect represent if not the cardinal principle of liberalism, at least as one important strand of the liberal tradition has conceived it? Respect requires, as we have seen, that the fundamental terms of political life be such as to meet with the reasonable agreement of all who are bound by them. Now Rawls' "liberal principle of political legitimacy", for example, says precisely that. It maintains that the exercise of political power is justified only if it accords with a constitution whose essentials citizens can endorse in the light of principles and ideals which they can regard as reasonable (Rawls 1996, p. 137). From this principle derives the sort of neutrality which Rawls, in company with many other liberal thinkers, has held the state must practice with regard to those comprehensive conceptions of the good life which remain an object of reasonable disagreement. Yet Pettit, too, implicitly accords this conception of respect a fundamental importance, relying on it as he does to define what he wants to understand by non-domination. His republican model is therefore not really in conflict with the essentials of liberalism, even though it does stand opposed, that is clear, to the Benthamite current which conceives of freedom as the absence of interference.
No doubt there exist other ways to define non-domination than the one adopted by Pettit himself. Some ways of conceiving the idea of not being subject to the arbitrary will of another might very well deny that an individual's reason has any real bearing on the issue. We are truly free — so some may suppose — and no longer live at another's leave, when we place ourselves under the authority of God or the Nation, whatever our own reason may say. One might therefore be "republican" without being liberal. But that is manifestly not the sort of republicanism which Pettit espouses.

Again and again in his book, Pettit declares that contestability counts for more than consent in his ideal republic (Pettit 1997, pp. ix, 63, 184f.). Only if citizens stand ready to challenge the government's decisions, can they make sure that it will not slip into the arbitrary exercise of its powers, advancing its own particular interests and catering to the concerns of the powerful, as it can easily do. There is good sense in this observation, and certainly actual consent, shaped as it generally is by a motley of pressures, ought to be an object of suspicion. But Pettit goes too far when he asserts that "once a contestatory democracy is in place, then of course everything is up for grabs" (Pettit 1997, p. 201). Not everything can be subject to revision, if contestation is to mean anything like what Pettit himself has in mind. Not the principle of respect for persons which defines the very idea of arbitrary power, and which makes Pettit's ideal republic a liberal polity.¹⁵

References


Notes

1... See, most recently, Skinner (1998).

2. See Hobbes, *Leviathan*, chapter XIV, paragraph 2 ("By LIBERTY is understood, according to the proper signification of the word, the absence of external impediments") and chapter XXI, paragraph 2 ("A FREE-MAN is he that in those things, which by his strength and wit he is able to do, is not hindered to do what he has a will to do"). In a letter quoted in Pettit (1997, p. 44), Bentham wrote of his discovery that "the idea of liberty imported nothing in it that was positive: that it was merely a negative one: and that accordingly I defined it 'the absence of restraint'".

3... See Berlin, "Two Concepts" (Berlin 1969), p. 139 and also the "Introduction" in the same volume, pp. xxxviii-xxxix.

4... Berlin, "Two Concepts" (Berlin 1969, p. 129): "It is perfectly conceivable that a liberal-minded despot would allow his subjects a large measure of personal freedom".

5. Such of course was Hobbes' view. See Pettit 1997, pp. 37f.


7. See also Pettit 1998, pp. 81, 87-89.

8. J. S. Mill, *On Liberty*, chapter I, paragraph 13, and

10. See also Pettit 1998, pp. 84-85.

11. Constant, "De la liberté des Anciens comparée à celle des Modernes", in Constant 1980, pp. 494-495 (emphasis added). I have amended the translation to be found in Constant 1988, p. 310, because it fails unfortunately to preserve the key terms which I have underscored.

12. Pettit himself notes that the value of equal liberty makes most sense when freedom is understood as absence of domination. See Pettit 1997, p. 111.


14. See also Larmore 1996, chapter VI, as well as Larmore 1999, in which I bring out more clearly, I believe, than Rawls himself the notion of respect at the basis of liberal theory.

15. For further reflections along these general lines, see Larmore 2000a. The present essay develops ideas first introduced in Larmore 2000b.