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Abstract:

It is a core feature of the conception of freedom as non-domination that freedom requires the absence of exposure to arbitrary power across a range of relevant possible worlds. While this modal robustness is critical to the analysis of paradigm cases of unfreedom such as slavery, critics such as Gerald Gaus have argued that it leads to absurd conclusions, with barely-felt constraints appearing as sources of unfreedom. I aim to clarify the demands of the modal robustness requirement, and offer a reinterpretation of its place in the conceptual framework of freedom as non-domination. I illustrate this point through a discussion of low-probability threats of interference which are central to Gaus's critique, which I term 'distant threats'. I argue that those committed to robust conceptions of freedom should still be concerned by these kinds of threats, which will sometimes constitute genuine sources of unfreedom. But rather than leading to absurd conclusions, we should instead view them as diagnostic of deficiencies within existing regimes of non-domination. The challenge posed by distant threats of domination to the republican conception of freedom does not prove it implausible, but illustrates some of its most important insights about the social and economic conditions of free status, and the fragility of that freedom.

Keywords: Freedom as non-domination; robustness; republicanism; domination; freedom.

Text

One of the defining characteristics of the (republican) conception of freedom as non-domination is its articulation of freedom as incorporating an internal requirement of modal robustness; in order to be

free, one must enjoy protection from arbitrary power across a range of relevant nearby possible worlds. While all accounts of freedom involve some modal dimension (Carter, 1999, Chapter 8; List & Valentini, 2016, 1047-8), the republican insistence that free individuals must be insulated from even the possibility of interference within a particular range of possible worlds is generally thought to lead to a significantly higher threshold for freedom than in competing accounts (Brennan & Hamlin, 2001; Pettit, 2008, 218). The theoretical implications of this higher threshold are, for many of those sympathetic to republicanism, central to its appeal, articulated most prominently in the insistence that even the slaves of kindly or absent slaveholders remain unfree (Pettit, 1997, 31; Skinner, 2008). This appeal is not only felt by republican theorists. The ‘robustness requirement’ has also recently been adopted by Christian List and Laura Valentini in their conception of ‘freedom as independence’ (List & Valentini, 2016).

The claim that freedom should be understood as a modally-robust condition has also been the focus of attention from various critics. If being subject to a mere *capacity* (or, as it is sometimes stated, the *possibility*) for interference makes someone unfree, there might seem to be a great many things that do so, despite having little bearing on that person’s life. In an early articulation of this claim, Gerald Gaus (2003) invokes the image of a former Soviet general who retains control of a secret nuclear missile, and has the capacity to launch it at any time. For Gaus, although it is clear that everyone else is less *secure* in this scenario than they would be if the general did not have access to the missile, it would be counter-intuitive to claim what appears to be implied by the republican account - that it makes everyone else less *free*, and perhaps even that we are dominated by the general. On such a view, conceiving of freedom as modally-demanding leads to absurd conclusions, with barely-felt constraints appearing as sources of unfreedom. Arguments in this vein have since been made by Robert Goodin and Frank Jackson, Paul Sagar, and Ian Carter and Ronan Shnayderman (Goodin & Jackson, 2007; Sagar, 2019; Carter & Shnayderman, 2019).

My aim in this article is to clarify the demands that emerge from the requirements of robustness incorporated within the conception of freedom as non-domination. Although I show that the robustness requirement emerges directly from the concept of non-domination as articulated in the republican literature, I argue it should be conceived as only one part of republican thinking about freedom. I suggest, building on recent work by Harrison Frye, that the focus of the concept of robustness within freedom as non-domination is properly aimed at the conditions of free citizenship – that is, the apparatus of protections and capabilities that is necessary to enable citizens to act freely - rather than free choice across a range of relevant possible worlds. Against Frye, though, I argue that the modal dimension remains crucial to the republican conception of freedom as non-domination. Conceiving of freedom in terms of modal robustness is central to making sense of some of the core republican claims about freedom and, I argue, provides republican theorists with crucial information about existing limits of the institutional architecture of non-domination within a society. I illustrate this point through a discussion of the kinds of low-probability threats of interference articulated by Gaus and others – which I will call ‘distant threats’. I argue that those committed to robust conceptions of freedom should still be concerned by these kinds of threats, which will sometimes constitute genuine sources of unfreedom on a republican account. But rather than leading to absurd conclusions, we should instead view them as diagnostic of deficiencies within existing regimes of non-domination. The challenge posed by distant threats of domination to the republican conception of freedom does not prove it implausible, but illustrates some of its most important insights about the social and economic conditions of free status, and the fragility of that freedom.

In Section 1 I outline how the robustness requirement is generally understood. In addition to further outlining the modally-demanding dimensions of this requirement, I discuss the *possibilistic* approach that republicans must take when engaging with threats of interference within the range of relevant possible worlds. In Section 2 I introduce what I will call the ‘distant threats’ challenge. These threats, like that posed by Gaus’s general, will appear to have a sufficiently remote bearing on an individual’s daily life as to have no effect on their enjoyment of freedom, despite involving a capacity for arbitrary

interference. I argue that Gaus and other critics are, in some cases, right that threats of this kind count as genuine threats to freedom as non-domination (or to other conceptions of freedom that incorporate the robustness requirement), but that this should not be viewed as fatal to these conceptions of freedom. In Section 3 I outline why. The claim that freedom incorporates demands of modal robustness is properly understood as a claim regarding the organisation of the social and political world - specifically, that the civic status and capabilities of individuals are protected even when they are affected by unfortunate events, and that political life is structured to minimise threats of arbitrary interference as much as possible. The protection of individual choice across a range of modal variations is only one of many elements of freedom as non-domination, and should properly be viewed as feeding into the fundamentally institutional question of how vulnerable individual citizens are to particular threats within a given framework of protections and empowerments. The robustness requirement should be viewed as a litmus test for this institutional framework, rather than a way of modelling freedom directly. In Section 4, using Gaus's example case, I show how theories of freedom that incorporate a robustness requirement may use distant threats of interference as diagnostic tests of the existing apparatus of protections. In fact, the robustness requirement may, in these cases, indicate that radical economic, social, and political transformations may be required to entrench robust freedom as non-domination. I finish on a more cautious note by identifying that the demands for robustness articulated below appear to exacerbate a tension within the logic of republicanism, between entrenched protection from domination and the ability of citizens to control the direction of the state effectively.

Throughout my argument I will use the republican conception of freedom as non-domination as an exemplar of a theory of freedom incorporating a demanding robustness requirement. As I have already noted, it is not the only theory which does so, but as it is within the republican context that the robustness requirement has received most attention, I use the republican case as paradigmatic.

1. Freedom and robustness

The modal demandingness of freedom on a republican account is rooted in the basic concept of non-domination. Freedom as non-domination identifies subjection to arbitrary power, rather than interference itself, as the antonym of freedom. Arbitrary power – that is, power which is not forced to track the interests of those over whom it is wielded – can inhibit the free action and status of those vulnerable to it. When we are dependent on the good will or dispositions of others to be able to do as we please we cannot act entirely independently, but must be continually alert to their preferences and attitude (Pettit, 1997, 5). This is most obvious in paradigmatic cases of domination; however kind or morally upstanding a particular man may be, in the conditions of patriarchal marriage wives are subject to the arbitrary power of their husbands regardless, by virtue of the structure of power within marriages and across society more broadly (Pettit, 2014, xiv). Rather than being dependent on others, a free person will be protected from arbitrary power by right.

The concept of robustness is central to the republican account of what it means for this protection to be adequate. Identifying exposure to the capacity for interference as the antonym of freedom means that republicans are concerned not only with which interferences actually happen or are most probable, but also with possibilities of interference. This is usually articulated in modal terms. As Pettit (2012, 24) puts it,

‘Freedom as non-domination, whether in the social or political arena, requires not just the absence of interference, as we have seen, but its robust absence: its absence over a range of scenarios in which there are variations in what we ourselves want to do and, crucially, in what others want us to do’.

One is robustly protected from the possibility of an interference if adequately protected from the possibility of that interference across a relevant range of possible worlds (List & Valentini, 2016, 1046-7). How wide this range will be is often left unspecified. Pettit’s discussions of robustness

usually focus on the importance of not being dependent on the changing whims of another, or on other ‘precarious contingencies’ such as personal characteristics (Pettit, 1997, 24; See also Skinner, 2012, 41). Crucially, it will not stretch across all possible worlds, only those which are relevant, or ‘nearby’ (Frye, forthcoming; List & Valentini, 2016, 1051). Pettit terms this limitation of scope ‘bounded probabilism’, and traces the relevant boundary along the distinction between actual and potential threats of interference (Pettit, 2008, 206-220). With regards to actual threats of interference – that is, actually constituted arbitrary power, or agents who have the power to interfere with the choices of others – republicans must be possibilists, which is to say that republican freedom demands the eradication of even the possibility of the exercise of that power in ways that violate the freedom as non-domination of other citizens. With regards to potential emergent threats of domination, republicans will take a probabilistic approach, concerned only with those threats which have sufficient likelihood of coming about (Pettit, 2008, 218).

Robust protection from arbitrary interference will be secured, republicans argue, through an institutional structure that protects individual freedom from a broad range of potential disruptions and threats (Brennan & Hamlin, 2001, 47). This range of protections and capacities is generally identified with the status of citizenship. A citizen has a claim on the state to provide them with robust non-domination (and on appropriate treatment by other citizens) by right, and the legitimacy of the republican state relies on citizens being able to express their political commitments and contest state action independently and without fear of reprisal. Working within an institutional framework of protections and capabilities, citizens will generally be able to enjoy unconstrained choice over expansive option sets across a range of important decisions. Note, though, that this status is not exhausted by either the absence of interference in these choices nor the exercise of this option freedom.

2. The distant threats challenge

Proponents of theories of freedom that incorporate a robustness requirement identify it as crucial to identifying forms of unfreedom that are characterised by vulnerability to interference, such as the unfreedom of slaves (Pettit, 1997, 22; see also List & Valentini, 1052-8). But a number of political theorists have argued that conceiving of freedom in this way leads to absurd or highly counterintuitive consequences. Specifically, low-probability, high-stakes threats that appear to have little experiential or causal bearing on the free status or action of citizens will be identified, it is argued, as major (perhaps even global) sources of unfreedom. One variant of this criticism is the so-called ‘coalition problem’, in which freedom as non-domination is claimed to be impossible based on the constant potential for a set of other agents of band together to dominate any given agent.¹ I do not focus on this problem here, as it involves significant differences to the distant threats challenge I outline below; for instance, whereas the coalition problem involves potential capacities for interference, my discussion will concern actual capacities.

In response to the paradigm cases presented by republicans, the distant threats challenge identifies some apparently counterintuitive consequences that emerge from the focus on mere vulnerability to arbitrary power as an obstacle to freedom. Gerald Gaus (2003, 73) provides the following example:

A downright counterintuitive consequence of Pettit’s freedom barometer is that my freedom is affected by people with whom I have nothing to do, of whom I have no knowledge, and who have never altered my option set. Suppose, for example, that in Ukraine there was an ex-Soviet general who, during the 1990s, kept control of a battery of nuclear missiles for old times’ sake; keeping them in working order was his hobby. Certainly, the consequence of this is that I was a little less secure than I thought I was in the 1990s, but to Pettit I was less free. This general had the capacity to interfere on an arbitrary basis with certain choices of mine. He never did, and because I had no knowledge of him, he had no impact at all on my

1 On the ‘coalition problem’, see Dowding (2011); Simpson (2017); Sandven, (forthcoming).

life. It strikes me as counterintuitive that when the general finally gave up his missiles at the end of the decade, my level of freedom went up.

For Gaus, republicans (and others committed to similar articulations of the robustness requirement) are committed to saying that he and everyone else is rendered unfree by the unchecked capacity of one man to interfere with them, despite the remoteness of the possibility that he will and the lack of awareness on the part of individuals about the supposed threat. This would, he suggests, be absurd, and, as Paul Sagar (2019) has suggested in his exploration of the economic corollaries of this argument, might seem to imply an aversion to modernity as such. The upshot of these claims might be that a focus on mere possibilities – especially *remote* possibilities – is a wrongheaded way to approach the concept of freedom, which should be properly concerned with actual and probable interferences.

Republicans have generally sought to resist this conclusion by introducing limitations on the kinds of threats of interference which will count as relevant to one's freedom. Building on Pettit's bounded probabilism, such approaches identify distant threats of this kind as worthy of probabilistic rather than possibilistic consideration. Here I focus on the claim that relations of domination can only develop in existing social relations. Both Frank Lovett and, latterly, Christopher McCammon, have argued that threats of interference only constitute threats to freedom in social situations in which agents take into account the actions of others in their own deliberations on how to act (Lovett, 2010, 35; McCammon, 2015). If an agent A holds arbitrary power over agent B, B will have to temper their actions based on their consideration of A's possible response or disposition. Conversely, if B can act without any consideration of A, Lovett argues that the two agents cannot be in a relation of domination (Lovett, 2010, 36). If correct, this argument would nullify Gaus's claim that the general poses a threat to the freedom of the countless others he has the power to interfere with; the general might have the power to launch a missile, but the lack of a social relationship with potentially vulnerable agents prevents him from imposing his will on them.

Although many cases of domination will indeed exhibit an attentiveness on the part of the dominated agent to the dominator, this should be viewed as a standard (though by no means universal) symptom rather than an architectural component of domination. Relations of domination can be varied, and not all will involve the extreme dependence of paradigm cases. As Pettit (1997, 60) indicates, domination can be a product of manipulation of options that an agent is unaware of. In this case, agents are dependent on Gaus's general even if they are not aware of it and even in the absence of an existing social relationship. Certainly, if those agents became aware of the reality of their dependence Gaus's general they would have a reason to engage in strategic action and the general would have the capacity to interfere arbitrarily. What Gaus's example demonstrates is that the capacity to interfere arbitrarily with certain choices of other individuals can be wielded even by those to whom we feel no connection and of whom we have no awareness. Stipulating that domination can only occur in social relationships despite this would unwarrantedly shape the conceptual terms of the concept around the particular features of paradigm cases, and ignore the more unintuitive outcome of conceiving of freedom in these terms.

I think that Gaus is right that the conception of freedom as non-domination must identify some distant threats as genuine sources of unfreedom, including the case articulated above. Notwithstanding the low probability that he will in fact launch an attack, the sheer unconstrained power that Gaus's general possesses by virtue of his unregulated ownership of such weapons leads him to have actual, exercisable arbitrary power over all those vulnerable to any possible launch. It is only his deep commitment to missile maintenance, and presumed total lack of inclination to launch any kind of military attack, that constraints the exercise of that power. He is not forced to track the interests of those vulnerable to a missile launch in his use of the weapon, nor is there an institutional structure monitoring its condition. As such, the general does indeed threaten the freedom of the larger number of those over whom he holds arbitrary power. Below, I will suggest that conceding this may not be a fatal blow to the republican conception of freedom. First, though, it is important to introduce some

constraints on the limits of the robustness requirement that prevent some kinds of distant threats from counting as cases of unfreedom on republican terms.

- *Intentionality*. Only those interferences which can be said to be brought about through intentional action should be viewed as a threat to freedom as non-domination (Pettit, 1997, 52). It is a commonplace that natural accidents or limitations, such as the inability to jump ten feet high, or the occurrence of an earthquake, should not be considered restrictions on freedom; they do not, using the terminology of Laura Valentini and Christian List's 'functional-role desideratum', 'stand in need of justification' (List & Valentini, 2016, 1049). The intentionality requirement does not restrict the range of constraints based on the *attitude* of the agent but on the *source* of the act.

- *Status-Relevance*. Theories of status-freedom, unlike theories of free choice, will identify as threats only those interferences or constraints which have the potential to disrupt or undermine the civic status of agents. There are some constraints that can be imposed on an individual's action which may be entirely irrelevant to this status, or which contribute to its protection. It is important to note that in practical terms, subjection to arbitrary power with regards to trivial choices will often also engender such subjection with regards to more obviously significant choices. Relations of domination are enacted in small as well as big ways, and constraints that may otherwise be inconsequential may take on a different character when enmeshed in a particular structural context. Republicans can capture these components of domination while insisting that only threats of interference that impact on an agent's civic status will count as threats of unfreedom.

- *Modal constraints*. I have already noted that freedom as non-domination does not require the robust protection from all possible threats, and only extends over a range of relevant possible worlds. Sketching the boundary of this constraint is less important to my purpose here than noting its presence; there are some possible worlds, be they ones in which human motivation or psychology is substantially different, natural laws change, or social/political culture undergoes rapid and unforeseen

revolution, that sit outside of the boundary of the robustness requirement. The robustness requirement is not a tool to capture all possible changes that might have some impact on an individual's freedom of choice, but a rough device meant to capture improbable but possible threats that sit within existing social arrangements.

None of these considerations show that distant threats as such do not constitute a threat to freedom understood as non-domination (though each of them narrows down the pool of distant threats that do). Gaus's general certainly does. But they do provide a basis for thinking that this threat is less grave than is sometimes thought. In particular, they might lead us to redirect our thinking about what robustly protected freedom as non-domination might look like away from focussing on free individual choice to the conditions of free personhood or citizenship. Harrison Frye (forthcoming, 7-8) has recently made an argument to this effect, claiming that:

‘[w]hat distinguishes worlds where I am subject to arbitrary power from those where I am not is not best captured by a modality of interference. Instead, what matters is the presence of some feature within our world that allows us to make our own choices in some manner that is independent from the wills of others. The question is not what counts as a constraint on our freedom, but rather what makes us free.’

What makes us free is what Frye calls the ‘social bases of freedom’, which are those social features and institutions that render the interference of others irrelevant to our decision making. The full apparatus of protections, institutional checks, empowerments etc that make up the framework of non-domination within a particular state can effectively nullify the influence that a vast range of potential interferences may have over an individual's freedom. In the next section, I suggest that a focus on these institutional framework does not demand an abandonment of thinking about freedom in modal terms, and that in fact the latter is a crucial supplement to the former.

3. Robust non-domination: status and choice

What is the point of the robustness requirement within the republican conception of freedom as non-domination? As I have already noted, the core republican insight that freedom can be diminished by threats of interference as well as actual interference can naturally be conceived in modal terms (Pettit, 1997, 23-5). Taking a variable – in this case, the will of the relevant master – and investigating how it may alter the conditions in which others act can usefully indicate relations of domination. But modal methods of this kind can only tell us so much about the condition of freedom. For one thing, we need some external input to tell us what the bounds of our modal reasoning should be. The demands of republican freedom are not modally infinite. We can determine which possible worlds will be relevant for an individual's freedom in a particular condition by referring back to the more basic image of the free citizen – someone who is an independent member of the political community and is secure from arbitrary power. Understanding the exposure of individuals to interference across relevant possible worlds is an important part of identifying a situation of domination or freedom, but it ultimately feeds into a broader image that incorporates additional features. None of the intersubjective and subjective dimensions of the status of non-domination, its egalitarian components, or the resilience of the particular assemblage of institutional protections aimed at ensuring non-domination can be fully appreciated in solely modal terms.

This should not, as Frye suggests, amount to a rejection of modal approaches to conceiving of freedom entirely. Such approaches are useful in thinking about contingencies of various kinds which are clearly relevant to the conception of freedom as non-domination. What the shift of emphasis I am arguing for in fact amounts to is an appreciation for the interplay between modal contingencies and the broader status of non-domination. The identification of relevant possible worlds within which an individual is subject to arbitrary power is not only an identification of a condition of unfreedom, but it contains within it crucial information regarding the institutional safeguards and protections that may effectively dissolve that possibility. What the robustness requirement tells us is not merely whether A

is vulnerable to interference by B over a range of possible worlds, but whether the package of institutional protections and empowerments intended to promote non-domination is sufficiently effective. Put more simply, it should be viewed as a litmus test for the institutional apparatus of non-domination rather than a direct tool for modelling freedom.

This way of thinking about the role of the robustness requirement in the conception of freedom as non-domination does not aim to eradicate the problem posed by distant threats of the kind outlined by Gaus. These threats will still be identified as possibilities which undermine freedom despite their low possibility. But relating these modal possibilities more explicitly to the institutional conditions of non-domination indicates that even conceding this need not lead to the identification of unfreedom as ubiquitous. Institutional arrangements can be reformed to guard against distant threats, many of which may be open to similar remedies. Placing the primary focus of the robustness requirement on the conditions of free citizenship rather than free choice not only better captures the point of republican aversion to exposure to changes in contingent factors of social life, but also suggests a way of dealing with the distant threats challenge. Instead of operating as a kind of *reductio* as in Gaus's argument, distant threats should be viewed as performing a diagnostic function for accounts of freedom that incorporate a robustness requirement, indicating points of weakness in the existing framework of institutional protections. The vulnerabilities they identify can be viewed as a function of a deficiency of the architecture of protections and powers that citizens must be endowed with in order to enjoy the status of freedom as non-domination. Some vulnerabilities of this kind may produce obvious and egregious threats to freedom; a political system that only seeks to register the interests of a subset of citizens or a failure to establish or apply the rule of law both clearly lead to the subjection of some to the arbitrary power of others. Other social and political forms of organisation may appear stable and be briefly successful in instituting non-domination, only for vulnerabilities to emerge over time.

Focussing on the conditions within which individuals can be securely protected from arbitrary power also enables us to see that the demands of the robustness requirement are less outlandish than they might initially appear, and instead cohere with existing republican thought regarding the institutional architecture of non-domination. To demonstrate this, I return to Gaus's example of the ex-Soviet general with access to nuclear weapons, whose only interest is in keeping them in working order.

4. The diagnostic function of distant threats

Recall that the example that Gaus outlines involves a genuine threat of arbitrary interference on republican terms. The general's use of his missiles is not constrained by anything other than his own disposition, though this disposition is itself robust. For Gaus, the improbability that the general might decide to launch his missiles makes it absurd to describe him as a source of unfreedom or domination; the example is intended to demonstrate the implausible consequences of adopting a modal robustness requirement in thinking about freedom. But if we take a diagnostic approach to cases of this kind, I suggest that we are able to identify genuine and significant vulnerabilities within the protective frameworks of non-domination without succumbing to absurdity.

Consider what it is that makes Gaus's general appear to be a threat, in republican terms. How has an individual agent gained the power to interfere arbitrarily in the lives of others? In this case, we can point to a number of factors relating to the general's continued possession of the weapons, such as lax regulation of weapons and nuclear materials and the ineffective enforcement of national and international laws. But such an account will also involve reference to the kinds of mechanisms that exist to protect individuals within a polity, and across different polities, from such attacks. These might include military equipment or systems aimed at preventing missile attacks as well as those aimed at identifying attacks early, and means for alerting citizens to the threat if and when it is required. The fact that citizens in countries with a more developed infrastructure of this kind may be effectively prevented from being subject to the threat posed by Gaus's general while citizens of other

countries may not be indicates the kinds of measures that republicans can invoke in response to the unfreedom identified by distant threats.

How might the threat posed by Gaus's general be nullified? Although a range of different responses may be adequate, we can identify some elements that seem fundamental: effective and extensive international co-operation and transnational political institutions; the establishment and enforcement of the rule of law across all jurisdictions; global mechanisms for tracking and monitoring the condition and location of decommissioned weapons and other dangerous materials, and so on. These are positions that are enmeshed within existing republican thought about institutional design for non-domination.² Although the effective nullification of the wide range of low-probability, high-impact risks that could potentially impact on the citizens of a polity is undoubtedly extremely challenging, it can be achieved by combining mechanisms that undermine the production of these threats with those that support individuals who may end up affected by them.

A sceptical reader might suggest that in focussing on only one kind of distant threat in my argument so far, I have underplayed the implausibility of the republican position and of my own argument. We live in a world of mutual interdependence, and that interdependence means that each of us is subject not only to the changing whims of one rogue scientist, but of a diverse panoply of possible sources of interference. Consider, for instance, what acceptance of the robustness requirement might mean in economic terms. Paul Sagar has recently developed an extension of Gaus's argument that highlights the kinds of arbitrary power at play in modern globalized markets. For Sagar (2019, 43),

‘...if we take seriously the claim that freedom requires removal of the mere possibility of arbitrary interference, once we admit that economic relationships generate such interference, then modern market economies constitute massive sources of unfreedom. Short of a radical

2 On the rule of law, see List, 2006; Lovett, forthcoming. On international co-operation see Bohman, 2001; Bellamy, 2019; Forst, 2017.

programme for transforming them – for example, some sort of socialised control of the means of production – they must, on the republican view, render most of us unfree. In other words, Pettit can have a relaxed view of the conditions of market modernity, or a theory of freedom as the absence of arbitrary interference, but not both’

In making his case, Sagar sketches out an example with structural similarities to the case of Gaus’s general, but which takes place in the marketplace – the possibility that OPEC (or some other influential market actor) dramatically raise their prices (Sagar, 2019, 423-4). OPEC is not subject to constraints requiring it to track the interests of those affected by its actions, and while it may seem plausible enough to say that such a price increase might negatively impact on the freedom of significant numbers of people, Sagar argues that it would be implausible to suggest that the mere possibility of such an interference makes everyone in the world unfree.

While Sagar takes this argument to indicate the implausibility of freedom as non-domination, I suggest that republicans should bite the bullet. Freedom as non-domination is a highly demanding conception of freedom that has profound and radical consequences for how the social and economic world should be organised. Contemporary forms of globalization have undoubtedly increased the vulnerability of citizens to arbitrary power. The republican concern is not levied against interdependence per se, but against the political and economic dynamics that have characterized the forms of globalization that have prevailed in recent decades.³ A global order which enables and reproduces relations of domination is one in which freedom as non-domination will be fragile at best even for those in privileged positions, who will also be vulnerable to unexpected distant threats and to the kinds of economic shocks or shifts that Sagar discusses.

3 For work in this direction, see Alex Gourevitch, 2015; Klein, 2017; Bryan, forthcoming; Preiss, forthcoming; Herzog, forthcoming.

Once again, orthodox republican intuitions regarding the promotion of non-domination seem to be borne out in this case. One need not view markets as quasi-natural mechanisms of purely impersonal interaction to perceive the dominating potential of monopolies, especially those over natural resources or backed by powerful actors (Klein, 2017). The market position that OPEC (or Google, or various other multinational corporations) holds is one in which it is not effectively constrained by market competition or global regulation. As such, it should not be a surprise that these organisations are in a position to interfere with the freedom of those all around the world at the present moment. While market competition is one way in which republicans may hope to ensure that power tracks the interests of those subject to it, such dynamics are fragile and must be accompanied by restrictions (for instance, limiting material or market inequalities) that enable the development of market-based forms of domination. An identification of the domination involved in the global economy would also chart the progressive degradation of the capacities of democratic states over recent decades to provide goods to citizens directly and to act independently of global market trends – crucial components of an institutional apparatus of non-domination.

Sagar and Gaus are both, though, right to note the global scope of the republican approach to freedom. The traditional republican focus on the internal organisation of a republic is insufficient for dealing with complex external threats or conditions of interdependence. Rather, the conditions of freedom as non-domination for the citizens of any state in modern conditions are partly global. A basic condition of non-domination is the global extension of effective regulatory power, exercised pluralistically by a range of actors at national, transnational, and global level, to establish a more substantive set of international rules governing the actions of states, groups, and individual agents. Such rules would prevent actors from arbitrarily interfering with the choices of others with *impunity* (by, for instance, establishing protocols governing how states engage with the internal political decisions of others, and a mechanism for punishing those which violate these rules) and provide insulate citizens across the world from the effects of such interference when it remains possible. This order would necessarily be genuinely global, encompassing all international actors. Recognition of this should inform republican

thinking on the organisation of international institutions and the global organisation of political power.⁴

The robust protection of freedom as non-domination is undeniably demanding. It identifies threats which may more naturally appear to be irrelevant to the lives of most people as sources of widespread unfreedom. I have argued that such a position is less absurd than it might appear, and that an understanding of the numerous sources of unfreedom at play in modern social and economic conditions, some of which may not even have an immediate or subjective bearing on an individual's behaviour, can be used to diagnose the vulnerabilities in an institutional framework promoting non-domination. The modal dimension of robustness remains important on this account, but as an indicator of the health of an institutional arrangement rather than as a final declaration of the condition of freedom.

5. Conflicting demands of non-domination

The highly demanding character of robust freedom as non-domination may not itself count against it as a feasible conception of freedom, but it does highlight an important internal tension within the republican model of freedom. This tension is between the institutional entrenchment of protections against domination, and the ability of citizens to control the direction of the state. For republicans, state legitimacy is based on the equal control that citizens have over the direction of the state, which then tracks the common interests of the citizenry (Pettit, 2012, 153). Without this kind of popular control, republicans view citizens as subject to the arbitrary power of a dominating state. The tension between the power of citizens to determine the shape and direction of the state and the constitutional establishment of the conditions of non-domination has been noted in the literature before, with neo-republican approaches criticised for outlining institutional structures that are too prescriptive and

4 For a general discussion of how robust conceptions of freedom may lead us to think about institutional design, see Brennan & Hamlin 2001.

which express a wariness of the capacity for democratic processes consistently to promote non-domination (McCormick, 2003; Urbinati, 2010). As I have already argued, the kinds of measures that might be able to secure robust freedom as non-domination are not only radical but prescriptive, imposing obligations regarding the provision of certain goods and the institutional architecture of protections. A global regime of protections of the kind sketched above may promote robust non-domination more effectively than existing organisation of political life, but there are also reasons to think it would considerably constrain the capacity of citizens to direct political authority to which they are subject. The narrower the range of political and economic options which can be chosen by citizens through democratic means, the stronger the case for saying that the relation of legitimacy between citizen and state is corroded. Securing robust non-domination from distant (and not so distant) threats may then seem to come at a high price. How this tension may be resolved, or whether it indicates a deeper incoherence or conflict in conceiving of freedom in terms of non-domination, is an important question for republican theorists to consider, and one that distills significant methodological and conceptual conflicts within the literature.

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