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To Be Unfree
Republicanism and Unfreedom in History, Literature, and Philosophy

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»To Be Unfree« is a collection of essays investigating how political unfreedom has been and can be articulated within the republican tradition of political thought. The book combines a theoretical discussion of how freedom and its opposites have been conceptualized in the republican tradition with a broader perspective on this tradition's impact on the representation of unfreedom in Western literature and cultural history. It thus complicates our understanding of what it means to be unfree and unveils a series of distinctions which also shape our modern notions of freedom.

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Content

Introduction

Republican perspectives on freedom's other in philosophy, history, and literature

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Spearheaded by John Pocock (1971, 1975) and Quentin Skinner (1978), the last four decades have seen a large and hugely successful attempt to unearth a republican strand within the long history of European political ideas. During the 1990s this historical interest became the starting point for several attempts to revive republicanism not only as a phenomenon of the past, but as a viable political theory with its own distinct conceptual structure and normative claims about the organization of contemporary society. Absolutely central to this attempt was and is the work of the political philosopher Philip Pettit, especially his book *Republicanism: a Theory of Freedom and Government* (1997, see also 2006, 2012), as well as Quentin Skinner's book *Liberty before Liberalism* (1998).

The titles alone assert that the concept of freedom lies at the heart of both Skinner's and Pettit's attempt to revive the republican tradition. For both thinkers, it is a specific idea about what freedom is – and what it is not – which makes the republican tradition attractive today; neither has shown much interest in reviving some of the tradition's other key normative ideas such as patriotism or civic virtue (as opposed to Sandel, 1996; Viroli, 1995). And despite some minor differences (see Pettit, 2002), their arguments are very similar. The republican concept of freedom, they argue, is distinct from a positive concept of freedom understood as self-realization through the active participation in the self-governance of the political community, but it is also distinct from a liberal concept of freedom understood as the absence of interference – the dichotomy which in political theory had been codified by Benjamin Constant (2010) and Isaiah Berlin (1958). Instead, they propose to think of freedom as the absence of domination.

Since discussions of freedom have presupposed that negative freedom should be understood as non-interference for so long, it has been important for both Skinner and Pettit to show how non-domination and non-interference differ from each other. At its core, their argument has been both very simple and very convincing. A wife can be dominated by her husband, a slave by his master, a political subject by an almighty king without the husband, master or king actually interfering in the wife's, slave's or political subject's life. These are all instances of unfreedom, Pettit and Skinner argue, since the mere fact that someone *can* interfere in your life with impunity is enough to make you unfree, not least because this possibility in itself will modify your behaviour. The wife (or slave, or subject) could very well choose to behave in such a way that that the husband (or master, or king) has no reason to interfere. Thus, domination is not the same as interference. Conversely, laws that are contested and decided through democratic procedures do not reduce our freedom, Pettit argues, even though they do interfere in our lives, since they are not instances of domination. Thus, absence of domination is not the same as absence of interference.

Many consequences stem from the distinction between freedom as non-interference and freedom as non-domination. For instance, while interference is most often thought of as an act or at least a specific event, domination is a state of being. Hence, freedom as non-interference refers to the freedom to act as one pleases, but both Skinner and Pettit are adamant that freedom as non-domination has less to do with a freedom to act than it has to do with a specific social status, the status of living as a citizen among one's equals. At the same time, the example shows how Pettit's and Skinner's distinction between a liberal and a republican concept of freedom – and many of the consequences they draw from it – are in reality premised on conflicting understandings of what it means *not to be free*.

In a sense, this is not surprising, since non-interference and non-domination are both negative freedoms; they describe freedom as the absence of something. Yet the meaning of unfreedom has not been a major theme in Skinner's and Pettit's work. What happens, one could ask, if one changes the conceptual focus, and discusses different forms of unfreedom instead of different concepts of freedom? This book, *To be Unfree*, is an attempt to answer – or propose many answers to – that question. As a collection of essays, it contains contributions from a series of academic fields – literary and cultural history, political science, philosophy and law – united through a keen interest in the republican tradition and attempts to revive that tradition today. Though differing in their methodologies, they are also united in their examination of what it means to be unfree.

CONCEPTUAL VARIETIES OF UNFREEDOM

Discussions of the conceptual varieties of unfreedom fill the first part of this book. Several of these actively challenge Pettit's and Skinner's focus on non-domination. They do so by introducing a somewhat strange question, namely: What is the opposite of freedom understood as self-governance? If self-governance is the state of collective autonomy, of participating in articulating the laws under which one lives, its opposite could be understood as heteronomy, the state of having to live under a law not formulated by yourself. Heteronomy is not unconnected to domination or interference – if you are dominated, you are unable to freely participate in the articulation of the laws of the polity; such a law would of course interfere with your choices – but it is also not identical with them. As Pettit has argued, freedom as non-domination does not lead to an ideal of self-governance, but rather to the ideal of a contestatory democracy. It leads to a constitutional ideal where the right to protest against laws that do not adequately track your interests is of central concern, rather than the right to actually participate in the formulation of these laws (Pettit, 2012). In that sense, heteronomy is not in itself a form of domination. It has specific semantic contours.

Furthermore, not all political participation has to do with the articulation of laws. Participation in the governance of one's polity can also be understood as participation in decisions which are inherent in the administration of laws or concern other types of questions: Should we go to war? Do we consider this man guilty or not? A polity not only makes law, but also exercises political power according to historically specific and particular situations. To be a free citizen thus entails not only a direct or indirect say in the making of laws, but could also entail – for instance – the right to be judged by a jury of one's peers, and the right to be a member of such a jury. Within this broader perspective, the answer to the question "What is the opposite of self-governance?" is exclusion rather than heteronomy. More precisely, heteronomy is one form of exclusion from self-governance, but not the only one. It might be that you are unfree when you are excluded from the institutions of political life as such, or perhaps excluded from the polity as such.

The relationship between domination, heteronomy and exclusion is a starting point for several essays in the first part of this book. In different ways they each argue that absence of domination might be an important political goal – and an important aspect of freedom – but that this absence is inadequate to understanding and securing political freedom. In "Statelessness, Domination, and Unfreedom: Arendt and Pettit in Dialogue" Christian Rostbøll compares the figure of the slave in Philip Pettit's work with Hannah Arendt's writings on the plight

of the stateless. Working through paradigmatic figures of the unfree in Pettit's and Arendt's thinking, Rostbøll shows how the figures' semantic differences inform the two thinkers' conception of freedom, but also argues that they should be seen as complementary rather than incommensurable. Just as domination and non-domination are to be understood as forms of social status in Pettit's thinking, for Arendt the stateless is also the status-less, someone accorded no status at all in a polity. Rostbøll argues that the opposite of this state is not so much self-governance, but simply the right to be given full status as a member of society, which is also the right to participate in the governance of the polity. There is a difference between having a right to participate and actually participating. Focusing on freedom's other thus lends a keener sense of the positive aspects of freedom, but also shows that the positive aspects of freedom can be considered from multiple perspectives.

The exclusion discussed in Robin Celikates's "Freedom as Non-Arbitrariness or as Democratic Self-Rule? A Critique of Contemporary Republicanism" is of a different kind – not from the polity as such, but from the processes of government. Celikates argues that one can be unfree within a polity whose laws are formulated to track the interests of its citizens – even though such laws supposedly are non-dominating. How can that be? If we are not allowed to participate in the formulation a law, it will feel as an alien imposition upon us. Furthermore, the implicit distinction between those who formulate the laws and those who only have legal resources to protest against them after the fact reintroduces a fundamental inequality into what is supposed to be a society of free and equal citizens. Because of this, Pettit's focus on non-domination needs to be supplemented with the more positive conceptions of freedom found in a different strand of the republican tradition, which runs from Machiavelli to Claude Lefort.

Even more radical is Amnon Lev's proposal in "The Unlikely Claimant. Sovereignty and Republicanism in Hobbes." Looking at republicanism – and especially at attempts to revive it today – within a history of the secularization of sovereign political power, Lev argues that the focus on non-domination fails to account for the novelty in Hobbes's argument regarding how a modern polity constitutes itself through a primordial act of exclusion from self-governance and submission to the sovereign – as well as the kinds of freedom a Hobbesian sovereign must eventually extend to its subjects. With this in mind, how big of a difference is there between a liberal and a republican form of government, especially if republicanism leads to the ideal of a contestatory democracy, but forfeits the ideal of self-governance? Not much, Lev answers polemically.

The two last contributions in the first part of this book discuss reflections upon unfreedom within the history of republican thought. In "Materially Unfree.

Corruption as a Societal Diagnosis and the Political Forms of Unfreedom in Machiavelli, Davenant, and Bolingbroke," Tue Andersen Nexø argues that the concept of corruption, so dear to the republican tradition from Machiavelli onwards, should be understood as a specific kind of unfreedom: one endemic in the tissue of society – what Machiavelli calls the material of the polity – rather than one that is encoded within a constitutional blueprint. But, whereas corruption in Machiavelli is tightly interwoven with his analysis of how a free republic decays and changes into an unfree tyranny, for the 18th century neo-Machiavellians it becomes a preferred term to diagnose social life under the aegis of a new, fiscal-military state. No longer part of a vocabulary to analyze the fate of the republic in secular time, it instead designates a permanent tension between the form and the material of society.

Focusing on the political debates surrounding the establishment of the first French republic, Ruth Scurr highlights how the specific meaning of republican freedom was, in reality, under constant debate. Rather than the conceptual structure of freedom – should it be understood as self-governance or non-domination? – it is the ways freedom and unfreedom were intertwined that these debates centered on, Scurr argues, and on the ways that freedom in one area of life might entail lack of freedom in another. A rhetoric of political freedom might lead to economic restrictions or legitimize laws restricting social mores. Thus, the idea of the free republic, so easy to defend when contrasted to the unfree Ancien Règime, quickly became a much more complicated phenomenon.

CULTURAL REPRESENTATIONS OF UNFREEDOM

The second part of *To Be Unfree* focuses on how lack of freedom has been represented in European, mainly French, literature and culture in the 17th, 18th and 19th centuries. Some of the essays cite explicit dialogues or lines of influence between the republican tradition within the history of political ideas and works of literature, while others use a republican concept of unfreedom – here understood to encompass both domination and exclusion from self-governance – as an analytical tool to refine our understanding of writers and works which are not typically understood to be part of a republican tradition.

These ways of conceiving a lack of freedom prove to be fruitful in the analysis of literary and cultural history, and certainly more fruitful than a conception of unfreedom as interference. We don't think this is a coincidence. As Quentin Skinner (2008, p. 127cc) has convincingly shown, Hobbes' polemical redefinition of what it means not to be free – where the lack of freedom simply means

physical interference – enabled him to counter the republican distinction between the free citizen and the unfree subject. It allowed him to declare the citizens of a republic as unfree as the subjects of a tyrant, since the law of the republic interferes as much as the will of a tyrant in peoples' lives. But there is another consequence of Hobbes' redefinition: effectively, he reifies the concept of freedom. This is abundantly clear from *Leviathan* itself:

> "Liberty, or Freedom, signifieth (properly) the absence of opposition; (by opposition, I mean external impediments of motion;) and may be applied no less to irrational, and inanimate creatures, than to rational. For whatsoever is so tied, or environed, as it cannot move, but within a certain space, which space is determined by the opposition of some external body, we say it hath not liberty to go further. And so of all living creatures, whilst they are imprisoned, or restrained, with walls, or chains; and of the water whilst it is kept in by banks, or vessels, that otherwise would spread itself into a larger space, we use to say, they are not at liberty, to move in such manner, as without those external impediments they would." (Hobbes, 1996, chp. 21, p. 139)

As one can see, for Hobbes the paradigmatic figure of the unfree is neither the slave nor the stateless, but rather the prisoner – hindered in his movement not by other people, but by physical objects such as chains and walls. Even more radically, the state of being a prisoner is understood through the properties of flowing water. As a paradigmatic figure, the prisoner is thought of as a physical entity, blocked in his or her movement by other physical things. It is not that interference is not a state of being in Hobbes – the water is continually hindered by "the opposition of some external body" – rather, in the state of being unfree, the subject becomes understood as if he or she were a non-sentient object.

Hobbes does more than invent a concept of freedom that makes the citizen and the subject equally unfree. Through his imagery he changes what in the republican tradition was thought of as a relation between human beings – the social status of being excluded or included, of being dominated or being equal – into a relation between things which can then block or not block each other's movements. This reification makes discussions of freedom and its other strangely distinct from any analysis of the psychological complexities and subtle balances of power inherent in social life. It conceives of the lack of freedom as something that can be discussed independently of any understanding of intersubjectivity. It also makes any discussion of what it means to feel unfree, to experience unfreedom, seem irrelevant to an analysis of what it means not to be free. And all of this is accomplished in opposition to the thinkers in the republican tradition for

whom freedom and its other was a question of social and political status – which were, of course, also subjectively felt and experienced.

Literature has probably always been engaged with the production of images of individual experience and of the minute ways our self-conception is connected to our position within the structures of intersubjectivity – be it of an intimate or public kind, be it informal or highly ritualized – but in early modern and modern literature this topic was explored with astounding variety, subtlety, and regularity. Furthermore, both early modern and modern literature quite often also functioned as an imaginary space – a playground, so to say – for the examination of philosophical concepts and their consequences, reveling in descriptions of hypothetical sociopolitical situations or forms of social organization whose seriousness would always be up for debate. It is not surprising, then, that a surprising number of literary works from the 17th, 18th and 19th century can be understood as examinations of what it means to be unfree and how being unfree produces its own specific kinds of subjectivity. It is also not surprising that the republican vocabulary of unfreedom as domination and/or exclusion is a much more fruitful beginning point for an analysis of this literature than Hobbes' and the later, liberal tradition's reified understanding of freedom as non-interference.

Conversely, the subtlety and complexity of literary works often shed light back upon a republican tradition and especially upon the current attempts to revive it. They complicate an account of freedom and its other which too often simply notes that lack of freedom has subjective and existential, as well as political, implications, but rarely examine these implications or how the existential and the political interact. This interplay – between literature and political philosophy, between theories of unfreedom and representations of being unfree – is at the core of Oliver Arnold's "Occupy Rome: Citizenship and Freedom in Early Modern Political Culture, Recent Political Theory, and *Coriolanus*." First showing that theories of citizenship – understood as participation in the commonwealth – and theories of freedom were almost inextricable from each other in Elizabethan and Jacobean England – thus complicating any neat distinction between freedom as self-rule and freedom as non-domination – Arnold then discusses two very different attempts to make sense of the relationship between citizenship, freedom, and political representation in England around 1600. Whereas members of parliament would insist that the whole people of England were actually present in parliament through their representatives, Shakespeare's Roman plays argue that political representation actually barred the citizens from active self-governance, Arnold contends. Shakespeare's works do not elaborate upon any political position circulating in Elizabethan England. Rather, his dramas

reshuffle components of existing arguments, resulting in a radical and – for his time – strikingly original proposition about freedom and its other.

The genre which has most consistently explored the intersubjective structure generated by the primary social institution of unfreedom, household servitude, is without doubt classical comedy and its modern descendants. Skinner (1998) and Viroli (2012) have already discussed the clever slaves of Plautine comedy as agents who are free according to the liberal concept of freedom as non-interference, but remain unfree according to a republican definition of freedom as non-domination. In "Unfreedom, Servitude, and the Social Bond" Susan Maslan presents Marivaux's comedy *The Slave Island* (1725) as a fable that first reveals servitude as an institution without moral and political legitimacy, and subsequently seeks to demonstrate the impossibility of transcending the intersubjective relations of domination servitude, granted that servitude is synonymous with society itself. Marivaux's comedy can hardly be called republican but, as Maslan demonstrates, it anticipates Rousseau's anti-foundationalist theory of social inequality where the social sphere, not nature, becomes the source of heteronomy.

The dichotomy between natural freedom and political unfreedom uncovered by political theorists of the French Enlightenment is also the topic of Ingvild Hagen Kjørholt's essay "Naturally Free, Politically Unfree: The Quakers in Voltaire's *Lettres philosophiques*". Kjørhagen challenges the widespread association of Voltaire's political philosophy with early modern liberalism by unfolding Voltaire's highly ambiguous portrait of the British Quaker society. On one hand, the Lettres portray the Quaker society as a utopian realization of natural liberty and praise the Quaker's evasion of political interference. On the other hand, Voltaire reveals the futility of the Quakers' quietist attempt to realize their natural liberty at the expense of political participation. Voltaire's *Lettres* also suggests that the mere absence of political dominance does not relieve the Quakers from their political unfreedom, however self-imposed their political exclusion may be. As it will be clear from the contributions of the first part of this book, this is a view that would divide contemporary republican theorists.

With Anne Fastrup's essay "Dependency, Corruption and Aesthetics in Denis Diderot's *Le neveu de Rameau*". we return to the question of servitude. If Marivaux's *The Slave Island* displayed servitude as an inescapable but arbitrary social condition, Diderot's satire reveals an aesthetics of servitude, according to Fastrup. Diderot, a pioneer of aesthetic theory and criticism in the 18th century, develops his social criticism of servility into an aesthetic critique of a variety of performing arts from pantomime to opera. In sharp contrast to later romantic celebrations of artistic freedom, Diderot sees an intimate, but troubling, connection between heteronomy and artistic creativity.

Fastrup's discussion of Diderot's satirical novel and its relation to his aesthetic criticism is consonant with a small, but significant, number of attempts to recover the long forgotten republican impulses behind 18th century aesthetic theory. This recovery also comes to the fore in Christopher Prendergast's discussion of Baudelaire's writings on criticism and aesthetics, which in many ways continue discussions begun by Diderot. Baudelaire, the apogee of post-romantic and post-revolutionary disillusion, came to see poetic imagination not as a source of aesthetic education and liberation, as Friedrich Schiller and Immanuel Kant would have it, but as a despotic power: a source of aesthetic heteronomy. Disillusioned by the revolution of 1848 and the compromised Second Republic, Baudelaire saw how aesthetic concepts associated with republican freedom had been tainted by the liberal individualism of romanticism. As Prendergast points out, this rejection of the aesthetics of liberation is fundamental not only for Baudelaire's critical writings but for a whole current of reactionary thought in modernist writing and art throughout and beyond the 19th century.

Finally, Christian Dahl compares Philip Pettit's theory of freedom to a body of literature which is concerned with unfreedom in its most radical form: slave autobiography from the Antebellum period in the United States. In his essay "Unfreedom and the Crises of Witnessing" Dahl argues that the slave narratives not only served to document and oppose slavery but also to assert the same aspects of freedom that are central to the republican theory of non-domination. Special attention is paid to the importance of discursive control which was not only central to the slave narrators but also to Philip Pettit's theory of freedom and his criticism of competing philosophical theories which focus only on rational and volitional control.

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