



Universiteit
Leiden
The Netherlands

Republicanism vs. Liberalism: Freedom and Justice: A Critical Research on Liberal Coercion Accounts to Justice

Guasti, Giuliani

Citation

Guasti, G. (2021). *Republicanism vs. Liberalism: Freedom and Justice: A Critical Research on Liberal Coercion Accounts to Justice*.

Version: Not Applicable (or Unknown)

License: [License to inclusion and publication of a Bachelor or Master thesis in the Leiden University Student Repository](#)

Downloaded from: <https://hdl.handle.net/1887/3244354>

Note: To cite this publication please use the final published version (if applicable).



Universiteit Leiden

Republicanism vs. Liberalism: Freedom and Justice

A Critical Research on Liberal Coercion Accounts to Justice

Final Version

Giuliana Guasti

S2262843

Supervisor: Marco Verschoor

7960 Words (excluding reference list)

1. Introduction	3
2. Liberal Coercion Accounts	5
3. Republicanism vs. Liberalism	10
3.1. <i>Liberal Freedom</i>	10
3.2. <i>Republican Freedom</i>	11
3.3. <i>Republicanism vs. Coercion Accounts</i>	12
3.4. <i>Liberal Criticisms</i>	14
4. Critical Reflection on the Liberal vs. Republican Debate	17
4.1. <i>Applying the Republican conception of Freedom to Coercion Accounts of Justice</i>	21
5. Conclusion	23
<i>References</i>	25

Chapter 1: Introduction

Recently, due to increased global interdependence and inequality, scholars have engaged in the debate of what do nationals owe foreigners. The answer to this question lies in which is the morally relevant feature that triggers demands of justice. Establishing which is this moral factor is of high societal relevance since it significantly shapes politics. Different interpretations of what triggers justice leads to different conclusions of what is owed to others. For instance, demands of justice can be understood as being triggered by a specific human relationship. Thus, justice is owed only in cases in which this relationship exists.

This shapes conclusions regarding who is subject to justice. After arguing which morally relevant feature justice is grounded on, scholars judge whether this feature exists or not at the global level. For example, if that factor is particular to the state, so would be demands of justice. This leads powerful states to believe that, i.e., egalitarian principles are only owed to nationals. Thus, understanding the nature of justice influences decisions and institutions that affect the lives of both vulnerable people (e.g. refugees), as well as the basic rights of every individual on Earth.

For instance, Blake (2002), Nagel (2005), and Abizadeh's (2008) theories of justice assign the morally relevant relationship that triggers justice as coercion. Coercion violates autonomy, replacing the individual's chosen plans with those of another (Blake, 2002, p. 272), expressing an invasion in the person's boundary of negative freedom. Thus, they understand infringement on autonomy through the liberal idea of freedom from actual interference.

However, this is not the only conception of freedom concerned with the principle of autonomy, which indicates that coercion accounts may be misguided. A leading alternative conception is the republican¹, based on Pettit's freedom as antipower. Specifically, freedom is nondomination, or, not being under the yoke of another's power (Pettit, 1996, p. 576). Following, power is "the capacity of an agent to interfere with impunity and at will, in choices that the other is in position to make" (Pettit, 1996, p. 578).

¹ This paper uses the term republican to address the civic republican/ neo-republican tradition

When taking the republican conception into account, coercion approaches to justice seem limited. That is because coercion is an expression of an act of interference. Thus, coercion theories limit the scope of justice by relying entirely on *actual* interference. Instead, the republican view suggests that domination, or the *capacity* to interfere, is enough to trigger demands of justice. Determining whether coercion is sufficient yet not necessary to trigger demands of justice is important because it alters the moral status of relationships that are popularly regarded as fair, i.e., prioritizing nationals over foreigners. Thus, evaluating the appropriate understanding of freedom is essential to analyze the integrity of coercion accounts to justice.

In order to contribute to the debate between both schools of thought, this paper will analyze, evaluate and compare the arguments for liberal and republican interpretations of freedom, demonstrating its implications to theories of justice. To achieve this objective, this research is guided by the question, *should the morally relevant relational feature that triggers demands of justice be grounded on liberal or republican conceptions of freedom?*

Furthermore, in order to answer this, several sub-questions were developed. First, why is coercion so often taken to be the morally relevant feature of justice? Next, how can liberal coercion accounts be challenged by the republican conception of freedom? And finally, which conception of freedom is best to determine the morally relevant relationship that triggers demands of justice?

Accordingly, these questions will be answered through a critical reflection of the arguments from the conflicting schools of thought. In order to do that, the second chapter of this paper will provide a review of the main coercion accounts to justice and how those are grounded on the liberal conception of freedom. Next, the third chapter will delve into the debate between the liberal and republican conceptions of freedom, suggesting how the second challenges coercion accounts. Following, the fourth chapter will evaluate liberal criticisms on the republican view, and argue that the second has a better understanding of autonomy. Finally, it reaches the conclusion that coercion is not necessary to trigger demands of justice, suggesting that domination may be a plausible alternative.

Chapter 2: Liberal Coercion Accounts

Relational approaches understand that demands of justice are triggered by a morally relevant feature of a specific human relationship. Thus, justice is owed only in the cases in which this relationship exists. One of the leading relational approaches to justice are coercion accounts. The main characteristic of this approach is that coercion is what triggers demands of justice. Hence, this chapter will address the first sub-question: why is coercion so often taken to be the morally relevant feature of justice? To answer that, it will review the literature in coercion accounts to justice, starting by the similarities between Blake (2002), Nagel (2005), and Abizadeh's (2008) theories. Next, it demonstrates its differences, ending with an evaluation of the arguments.

The core similarity in Blake (2002), Nagel (2005), and Abizadeh's (2008) theories of justice, is that they all share an ultimate concern with individual autonomy. This principle follows from the Kantian philosophy and is universal (Nagel, 2005, p. 131). As Blake (2002) puts it, it claims that all humans have the moral entitlement to form a conception of the good and have the conditions to select and pursue plans of life following it (pp. 267-271).

Furthermore, Raz's points out three preconditions for autonomy: (1) mental capabilities to plan and act rationally, (2) adequate set of options, and (3) independence (Abizadeh, 2008, p. 40; Blake, 2002, pp. 267-268). The latter can be understood as freedom from subjection to the will of another (Abizadeh, 2008, p. 40), or, as Nagel (2005) explains, noninterference (p. 135).

This interpretation of independence is concerned that intervention from external actors may hinder the ability of the individual to make choices at their will (Waldron, 1989, p. 1106). This concern with the act of interference comes from the liberal understanding of freedom. As Berlin (2002) explains, they interpret liberty as a boundary space where the individual is free from subjection to the will of another (p. 170). In other words, the person is free as far as no one interferes with her choices. Thus, liberalism understands that autonomy requires freedom from intervention. These preconditions are key to understanding why coercion is often considered the morally relevant relationship that triggers demands of justice: because coercion hurts autonomy.

Coercion can be understood through different lenses, however, essentially, it always involves a focus on actual interference. On the one hand, pressure approaches rely on the success of coercion: when a communicative threat stops the coercee from acting how they would without it (Anderson, 2010, p. 4). Thus, coercion depends on the actions of the coercee. On the other hand, enforcement approaches understand that coercion is possible depending on the willingness and the ability of the coercer to use their powers over the other (Anderson, 2010, p. 7). Thus, coercion depends on the actions of the coercer. Therefore, both rely on acts of interference, which may be problematic and will be analyzed in the following chapters.

In fact, Blake, Nagel, and Abizadeh adopt the enforcement approach. Coercive power relations have the ability to shape the structure of society, ranging from Blake and Nagel's example of law enforcement officers and private citizen relationship, Abizadeh's border patrol and immigrant, to armed robber and victim. All of these are classified as coercive given the capacity and willingness of the coercer, which enables them to invade the independence of the coercee.

As Blake (2002) explains, coercion is an intentional action which replaces the individuals' chosen plans with the one's of another (p. 272). Therefore, he claims that the state is coercive because it necessarily regulates our lives through coercion, evidenced by private and criminal law (p. 281). These define how a person may hold and transfer property, as well as enjoy her political, civil, and social rights, limiting and prohibiting choices. Since legal systems enforce the replacement of individuals' chosen plans with those of the state, they are coercive (Blake, 2002, p. 272). Accordingly, Nagel (2005) follows from Blake's definition of coercion (p. 126), adding that the monopoly of force is necessary to back the legal system (p. 115).

Moreover, Abizadeh (2008) adds that the success of a threat is irrelevant for it to count as coercive. In other words, laws are coercive even if they do not change the behavior of those subject to it. I.e., people are subject to coercion even when they escape prison or when they do not engage with an illegal act because they simply would never (Abizadeh, 2008, p. 57). In other words, the legal system is coercive to all, despite the actions of citizens.

That is because threats, despite their effects, can be enough to subject someone to coercion (Abizadeh, 2010, p. 124). The necessary and sufficient conditions for a threat to be coercive (such as state laws) goes as follows: an actor communicates the coercee that he or she will engage with the use of physical force against the coercee, if the coercee undertakes a certain

action. Both believe that the consequence is worse for the coercee than giving up in undertaking the prohibited action. And finally, the empowered coercer is able to apply the punishment, thus the threat is credible (Abizadeh, 2008, pp. 58-59). Hence, the consequence of a threat is irrelevant for an act to count as coercive.

That is because coercive threats are enough to hurt autonomy. As Raz puts it, independence, the freedom from subjection to the will of another, is fundamental for autonomy (Abizadeh, 2008, p. 40). Accordingly, Abizadeh (2008) explains that coercive threats invade independence because it threatens to interfere with the person's plans and choices by using her body for purposes that are not her own (p. 59). Thus, despite the number of options left (Miller, 2010, p. 114), or the consequences of the threat, if the coercer can and is willing to interfere, this speech-act hurts a precondition for independence. Hence, coercive threats invade autonomy.

Therefore, the core of coercion accounts to justice is that coercion is always incompatible with autonomy (Blake, 2002, p. 268). That is the case because coercion is an act of invasion in the individual's freedom from interference, may that be through the use of force, or through threats (under the enforcement approach conditions). Thus, the state is coercive because it owns the monopoly of force, which backs their credible threats that are able and willing to impose its will over others.

Finally, because this relationship invades autonomy, coercion triggers demands of justice. State coercion is a direct constrain to liberty, since it controls the freedom from people to "live as they like, believe as they want, say what they please" (Berlin, 2014, p. 135). Thus, it hinders independence. Hence, it has to be eliminated or justified. Since state coercion is necessary for the very ability to be autonomous and pursue projects and plans of life (Blake, 2002, p. 280), it cannot be eliminated. Thus, coercion has to be justified.

The theories differ however in how this justification takes place. Blake (2002) engages with the Rawlsian exercise of the original position (pp. 283-287). This is a hypothetical exercise in which a rational individual, under the veil of ignorance, draws fair principles of justice. Being under the veil of ignorance means letting go of every morally arbitrary assets of a person, such as class, gender, and race, so that the individual is not biased towards his or her conception of the good. Under the original position, Rawls concludes that two principles of justice are derived: (1) individual right to liberty and (2) equality. This second entails equality of

opportunity and the greatest benefit of the least advantaged. The latter, known as the difference principle, requires validation of all of those subject to the basic structure of a society. Thus, Blake (2002) concludes that redistribution would be the only way the least advantaged would agree to the hypothetical contract of a society (p. 284).

On the other hand, Abizadeh engages with democratic theory as well as liberal. Blake and Nagel's liberal theories put freedom and equality as core principles. For them, the provision of basic rights and egalitarian justice is enough to secure autonomy (Blake, 2002, p. 283; Nagel, 2005, p. 115). Nonetheless, in addition to those two principles, democratic theory calls for justification to be done to and by the very own people over whom coercion is exercised (Abizadeh, 2008, p. 41-42). Or else, they would not be actually enjoying freedom (Abizadeh, 2008, p. 42). Thus, whereas Blake and Nagel's understanding of freedom leads to national redistribution (Blake, 2002, p. 283; Nagel, 2005, p. 115), Abizadeh's (2008) claims lead to the conclusion that foreigners should have a say in national border policies (p. 44).

This demonstrates how different conceptualizations of freedom influence perspectives on justification. If purely absence of coercion is what makes a person free (liberal conception of liberty), then one reaches Blake and Nagel's conclusions that coercion is sufficient and necessary to trigger demands of distributive justice. Nagel (2005) points out that the very existence of justice depends on coercive institutions (p. 121), and Blake that it is necessary for the application of egalitarian norms (Sangiovanni, 2016, pp. 273-274).

On the other hand, by considering both liberal and democratic conceptions of freedom, Abizadeh (2008) suggests that coercion is sufficient yet not necessary to trigger demands of democratic justification (p. 45). That is because the democratic conception requires participation, thus, broadening the preconditions for freedom. This enables liberty to be hurt even when freedom from actual interference is secured (i.e. when the individual has basic rights but no political representation). However, he does not need a broader theory to argue that states do not have the right to unilaterally control borders, hence he does not delve into it.

Therefore, Abizadeh builds a stronger theory of justice by considering other conceptions of freedom different from the liberal. Indeed, it seems that justice is more than merely securing the rights and the private sphere of individuals. This speaks to the idea that slavery is unjust,

even if the master never actually intervenes with the slave's will. This highlights the importance of analyzing the concept of freedom for better understanding justice.

Nonetheless, even though Abizadeh has a different understanding of freedom than does Blake and Nagel, freedom from actual interference is crucial for understanding why all of these scholars are concerned with coercion. Coercion is an act (or speech-act) of subjection to the will of an actor that can and is willing to interfere with the person's independence. Finally, this act of invading independence hurts autonomy, thus, triggers demands of justice. Hence, a conception of freedom can shape a theory of justice by influencing one's understanding of what hurts autonomy. Seeing that liberty directly impacts theories of justice, the following chapter will delve into an alternative understanding to the liberal conception of freedom.

Chapter 3: Republicanism vs. Liberalism

As demonstrated before, coercion is an act of interference with the individual, thus the precise antagonist of liberal freedom. Having that in mind, and explaining how this infringement with liberty hurts autonomy, those accounts to justice conclude that coercion triggers demands of justice. Concerning the relevance that freedom has in assessing whether coercion is a necessary feature for justice, this chapter will delve into an alternative conception of it, seeking to answer the second sub-question: “how can liberal coercion accounts be challenged by the republican conception of freedom?”. It starts with an overview of the liberal interpretation and of negative freedom. Second, it demonstrates the main point of accordance, followed by the differences, drafting the republican conception of freedom. Third, it puts the republican conception in dialogue with the coercion theories, suggesting how they may be challenged by it. Finally, it presents liberal critiques on the republican view.

Liberal Freedom

The contemporary liberal conception of freedom was influenced by Berlin’s lecture on the two concepts of liberty. He establishes two categories for interpretations of freedom: positive and negative. Positive liberty consists of the capacity to acquire plans and execute choices (Berlin, 2002, p. 189). Furthermore, it is related to the quest for self-mastery (p. 179). In other words, one has to do something in order to enjoy liberty. However, Berlin (2002) argues that this idealist exercise of seeking one’s higher self can lead to totalitarianism (pp. 191-192). That is because it encourages people to believe they can know what is best for someone, more than the person herself. This leads to the discourse of “a right path” to society that enables citizens to find their “true selves”. This rhetoric has justified several atrocities (Berlin, 2002, pp. 206), such as the ones in Nazi Germany and China’s Cultural Revolution. Since totalitarianism is a stage in which freedom is taken away from you, Berlin argues that positive liberty is dangerous.

Therefore, Berlin (2002) concludes that freedom should be correctly understood in terms of negative liberty (p. 217). In turn, this entails a boundary space for humans to act independently; free from coercion (Berlin, 2002, p. 170). Hence, negative liberty is the idea that the person is free so far as no one actually interferes with her choices. As MacCallum puts it, freedom is always freedom from constraints or restrictions on the individual’s will to do or not, be or not

something (Skinner, 1984, p. 194). Thus, the liberal conception of freedom is a negative one. It is purely an opportunity concept; hence it is not concerned with reaching or achieving a certain virtue, goal, or end (Taylor, 1979, p. 177). Instead, it suggests that liberty entails the absence of something, which, in this case, is actual interference.

Likewise, republicans believe that freedom should be understood in negative terms. As the liberal view, republican freedom simply requires the absence of something (Lovett, 2018, p. 4). However, whereas the former understands it as freedom from *actual* interference, they believe it should entail freedom from the *capacity* to interfere (Pettit, 1996, p. 576).

Thus, republicans believe that the liberal interpretation of negative freedom is inaccurate. For instance, relying on the absence of an act of interference leads them to conclude that a husband and wife in a healthy relationship are equally free. If the woman happens to have a kind, enlightened partner, who never interfered with, nor threatened to interfere with her will, could one say that she is as free as him? Republicans would say no since even if never actually interfered with, she is nonetheless dominated.

Republican Freedom

The republican conception is led by Pettit's (1996) understanding of freedom from domination (p. 576). Domination means being subject to the arbitrary power of another (Pettit, 1996, p. 576). Furthermore, power is the (1) capacity of an agent (a person, group, or corporation) to interfere (2) with impunity and at will (3) in certain choices that the other is in a position to make (Pettit, 1996, p. 578). These clauses are sufficient for domination to occur. Nonetheless, Pettit (1996) further adds a fourth condition: this power relationship is often of common knowledge between the parties involved (p. 582). These will be explained in the further paragraphs.

The divergence between the conceptions arises in the first clause. Whereas Berlin focuses on the *act* of interference, Pettit's use of *capacity* entails that the ability to interfere is enough to hurt freedom. Therefore, even if liberals recognize the existence of power relations, they argue that freedom is only violated when this power is actually used over the other. However, the republican claim is that no communication, nor the intention of interfering, is needed to hurt

someone's independence. In other words, because men have cultural and physical power over women, the wife enjoys less freedom than the husband, despite his goodwill.

This is due to the arbitrary character of power and common knowledge. Thus, moving to Pettit's second clause, the powerful can interfere with impunity. There are no practical constraints, penalties, nor loss in using their power (Pettit, 1996, p. 580). Furthermore, the powerful enjoys independence: they can interfere at their will, not depending on anyone or anything else. Thus, domination rests entirely on the interferer's own pleasure and choice. Accordingly, connecting this to the first clause, the existence of arbitrary power expresses domination, which, in turn, is the antagonist of freedom.

Finally, the wife is unfree even if interference is not exercised. That is due to the fourth condition: domination generally involves the powerful's awareness of their capacity to control, as well as the powerless awareness of their vulnerability. According to Pettit (1998), the common knowledge of this asymmetry causes a psychological burden for the dominated, who cannot ever "look the powerful in the eye" (p. 584). This is because the powerless knows that they live under the mercy of the power bearer, given their lack of impunity. Hence, even when a husband is kind and would never beat his wife, she nonetheless lives under his voluntary goodwill. Thus, the capacity to interfere is enough to hurt someone's independence, since the awareness of the power relationship leads them to live under a condition of servitude (Pettit, 1998, p. 598).

Republicanism vs. Coercion Accounts

Coercion accounts understand that the state's interference on the citizen's will is a coercive act that triggers demands of justification. As Blake explains, laws regulate civilians' public and private life, limiting the choices they can make. Thus, it is an act or a communicative act that restrict the individual's independence. On a more radical interpretation of liberal liberty (libertarians), Nozick (1974) explains that taxation hurts freedom as much as forced labor (p. 169). Thus, the welfare-state is controversial, since ideally, the state should intervene as little as possible. Still, liberals do value the Rule of Law, because it is a mechanism that protects individuals from having their rights to liberty hurt. As Blake and Nagel explain it is necessary for the enjoyment of liberty (Blake, 2002, p. 280; Nagel, 2005, p. 115). Hence, even though it

is a necessary evil, coercion accounts see the state coercion as an invasion of negative liberty, and thus must be justified.

However, republicans understand this relationship differently, arguing that, instead, the legal system can generate freedom. Since domination entails the existence of arbitrary power, if protective laws fight impunity, they counter arbitrariness, thus, promote freedom (Lovett, 2018, p. 6; Pettit, 1996, p. 590). Another way that the state can promote freedom is by regulating resources that enable the powerful to subjugate others (Pettit, 1996, p. 590). Not all resources can or should be eliminated, such as physical (strength), however, some can be changed, such as cultural and financial resources (Pettit, 1996, p. 589). E.g., Pettit (1996) suggests that the welfare-state is an effective way to provide freedom, not only by redistributing resources, hence regulating power, but also by empowering the dominated groups (p. 591). These empowering mechanisms include universal education, social security, medical care, accident insurance, and legal aid (p. 592). Thus, by regulating domination, republicans understand that some intervention can promote negative freedom, whereas coercion accounts see even fair interferences as a harm to freedom.

Nonetheless, republicans still argue that state interference does not hurt liberty if its power is nonarbitrary. For Pettit (2002), if the state is properly checked, then it does not dominate the population. Thus, provided democratic rule, and uncorrupt judiciary systems make the state's power nonarbitrary (p. 344). Hence, when libertarians would argue that a citizen is being coerced by paying taxes they would rather not pay, Pettit would argue that under a checked just government, those are not an infringement of freedom, since there is no domination involved in this case.

In fact, republicans are heavily concerned with the possibility of the state having arbitrary power (despotic governments) (Lovett, 2018, p. 9). This leads some of them to value self-determination and democracy as a source to counter state sponsored domination. This is similar to Abizadeh's democratic claim of how participation is needed for citizens to enjoy freedom. Republicans explain that direct or indirect participation prevents arbitrary ruling over a population (McCammon, 2015, pp. 1043-1050). Hence, Abizadeh's concern for democracy as justification goes hand-in-hand with the republican view. In turn, Blake and Nagel do not see this as a concern for freedom, which leads them not to include participation as a way to justify

coercion. That is the case because they are more concerned with actual interference than with domination to protect freedom.

Despite that similarity with Abizadeh, there is a significant divergence between enforcement approaches and the republican view. Enforcement approaches consider the need for the coercer to take advantage of their power differential in order to threaten the coercee. This is closer to Pettit's idea of capacity, since it considers power relationships. However, to infringe on the coercee's freedom they rely on the willingness of the coercer. Thus, enforcement approaches focus on the intention of the coercer, which is revealed by the use or threats to use force, demonstrating its focus on actual interference. On the other hand, domination entails the existence of arbitrary power, despite the use of or communication to use this power. For Blake, Nagel, and Abizadeh, the state is coercive because it has the ability and willingness to coerce its citizens, which in turn, hurts freedom and autonomy. However, republicans argue that it is irrelevant whether the powerful actually interferes, communicates a threat, or has the intention to interfere for domination to occur.

To sum up, republicans argue that coercion as antifreedom is problematic. Instead, domination suggests that coercion accounts are limited by freedom from actual interference. For instance, they are blind to cases of domination with no intention to interfere. In other words, they ignore most relationships that hurt freedom, by focusing only on instances of coercion. If the capacity to interfere despite willingness is enough to harm freedom, then maybe coercion is not necessary to trigger demands of justice. In fact, this could lead to conclusions that every relationship of domination may trigger some demands of justification. However, this is not an obvious claim, since the republican conception of freedom is also contested.

Liberal Criticisms

There are a few liberal critiques to be outlined. First, Shnayderman (2012) believes that there is a fallacy with the republican concern with capacity over actual interference. On the one hand, they argue that both a slave with an enlightened master and a slave with a malicious master enjoy unfreedom, due to the fact that both are dominated. On the other hand, both Pettit and Skinner agree that situations involving both domination and interference are worse than those of only domination (Shnayderman, 2012, p. 56). However, their conception of freedom states that domination is the primary concern of negative freedom (Shnayderman, 2012, p. 51).

Shnayderman (2012) argues that one cannot believe that being constantly interfered with (slave from the second example) is irrelevant to freedom (p. 51). In other words, domination and interference do not equally hurt freedom. Thus, when Pettit and Skinner say that domination with interference is indeed worse, they are admitting that actual interference is still central to negative freedom.

This example also sheds light to a second criticism. Liberals deny that the willingness of the powerful is irrelevant to domination. Thus, that the capacity to interfere, despite the possibility of it actually occurring, is problematic. In other words, whereas Pettit states that the personality of the master does not matter, liberals believe it does. To illustrate this, Shnayderman (2012) gives an example of a stronger and smarter man that has the resources to make people in his community obey his wishes, with impunity (p. 50). However, he is a good person, who actively engages with charity, and did not, nor would ever, hurt or disrespect someone else. Now, take another example: another man that has the same arbitrary power, but is an evil, malicious person. The intuition that, in the second example, the negative freedom of civilians is more threatened than in the first, implies that actual interference is relevant (Shnayderman, 2012, p. 51). Thus, Shnayderman argues that domination is only a problem because it raises the probability that interference will occur (p. 46). Hence, protecting actual interference is still at the core of negative liberty.

Next, Simpson (2017) criticizes republican's efforts to counter capacity to interfere. Simpson (2017) argues that collective will may always have the capacity to dominate others if people decide to coordinate (p. 33). In other words, everyone is always exposed to the possibility that a group of people may unite and create power to oppress them. Thus, republicans would conclude that because we are all under the possibility of being dominated, we are always unfree. Therefore, since it is impossible to externally control collective will, republican freedom is impossible for everyone (Simpson, 2017, p. 35).

Similarly, Larmore (2003) criticizes the mechanisms that republicans advocate to counter arbitrary power. Republicans tend to fight domination by regulating impunity, favoring a strong Rule of Law. However, Larmore (2003) argues that law cannot make capacity to interfere impossible (p. 113). The fact that people engage with criminal actions despite its prohibition under the law demonstrates that it cannot stop people from being capable of interfering. Thus,

like Simpson (2017), Larmore (2003) concludes that capacity to interfere cannot be completely eliminated (p. 113).

Finally, Larmore criticizes the claim that the republican conception brings something new to the liberty debate. To prove that, Larmore (2003) analyses Pettit's definition of government's nonarbitrary power (p. 115). It entails a system of just laws, which involve the public participation, eliminating all interpersonal dependency relationships (p. 117). For that to be possible, Pettit claims that laws should be based in principles that do not favor asymmetric bargaining power but respects each individual (p. 115). Thus, Larmore (2003) notices that this is not different from Rawlsian liberalism, which demonstrates that the core of Pettit's argument is the Kantian equal respect for rights (p. 117). This would mean that, after all, freedom from domination is not substantively different from liberal freedom, and that Pettit would be wrong in believing he created a more refined version of liberty.

Having these criticisms in mind, it seems like evaluating both conceptions of freedom is essential to assess the consequences they have to coercion theories of justice. Afterall, the republican conception of freedom could pose a relevant challenge to those. These theories understand that infringement of independence is limited to actual interference. On the other hand, the idea of freedom from capacity to interfere suggests that coercion is not the only way in which autonomy can be hurt. Indeed, if the republican understanding of freedom is considered at the core of justice, a relational feature that triggers could be domination. Additionally, if domination is enough to trigger justice, coercion might be sufficient, yet not necessary to do so. To sum up, confirming that capacity to interfere is enough to hurt autonomy can bring about implications not only to coercion approaches to justice, but to the normative understanding of the international community as well. Thus, the next chapter will evaluate these arguments, attempting to settle this debate.

Chapter 4: Critical Reflection on the Liberal vs. Republican Debate

Having the debate between liberals and republicans in mind, this chapter will try to answer the third sub-question: “which conception of freedom is best to determine the morally relevant relationship that triggers demands of justice?”. To do so, it will engage in a critical reflection of the points presented in the last chapter against freedom from domination. At the same time, it will present arguments of why domination hurts autonomy, and conclude that the republican conception of freedom does a better job at securing autonomy. Finally, it applies this conclusion to coercion accounts for justice.

Up to this point, it is noticeable that all analyzed liberal scholars have some concern with autonomy. Coercion accounts for justice generate their principles based on whether that relationship hurts autonomy. Blake and Nagel see coercion as an evil that hurts but can enable autonomy. Abizadeh demonstrates that threats can be coercive despite their effects on the coerced because they, in themselves, hurt independence. Berlin defines negative freedom as a space where humans can be independent. And, as discussed before with Raz’s definition, a concern with independence is thus a concern with autonomy. Therefore, assessing whether Pettit’s domination is enough to hurt autonomy is key to demonstrate the challenge it poses to those theories.

Accordingly, whereas Larmore (2003) believes that Pettit’s underlying principle of respect for rights is a factor that undermines his theory, I argue it does not. Instead, it is the very reason why liberals should be sympathetic to freedom from domination. That is the case because Larmore actually spots Pettit’s concern for autonomy. In Pettit’s (1996) own words “the most characteristic feature of liberal doctrine is the search for a universalist and neutralist brief (...) involving equal concern with all (...)”. That aspiration is quite consistent with the idea of freedom as antipower” (p. 602). In other words, Larmore’s point does not undermine freedom from domination, because Pettit’s objective is indeed to develop a more refined definition of freedom, in line with the liberal principle of respect for autonomy.

The first question concerning whether domination hurts autonomy is if willingness of the powerful to interfere is indeed irrelevant to hurt freedom. Shnayderman (2012) believes that republicans are wrong in assuming this, providing the example of how the freedom of civilians

is more threatened by a malicious powerful person than a kind one. This illustration also applies to master-slave, husband-wife, employer-employee, and parent-kid examples of domination. Wouldn't situations of an evil-minded powerful be worse for the dominated's freedom?

Definitely. However, even in kind-powerful cases, the powerless know that they live under the mercy of the powerful. This is not necessary for domination to hurt independence, but it is relevant for understanding how it can curtail freedom despite use of that power. Knowing that one is under the mercy of another can shape the powerless actions towards the powerful. E.g., an employee with a kind employer still constantly measures the words he or she uses when addressing their boss, knowing that their job lies in the hands of that person. Thus, the powerless adapt their behavior under domination, since, given their disadvantage, this structure forces them to always be careful. Note that no communicative threat is needed for the powerless to change the behavior they would otherwise have if they were not dominated. Thus, no actual interference is needed for the will of the powerless to be interfered with. Therefore, this very structure can change the dominated plans and choices, hurting autonomy.

However, even if the dominated party does not adapt, or even confront the powerful instead, they are always under disadvantage in case of conflict. The arbitrary condition stresses that the powerful has no negative costs in interfering. Thus, not believing that domination is a problem for freedom means trusting the autonomy of a person fully in the goodwill of another human not to use their power. This claim is not only utopic, but one cannot derive universal principles of freedom relying on human's capacity to stick to their goodwill. Even if the master is indeed a good person, the slave is nonetheless constantly subject to his or her willingness to be good. This is limited in several ways: it does not consider that good people make bad decisions or are not always rational, e.g., during moments of anger or when under the influence. Besides, people can change personalities and become a bad person.

But mainly, common knowledge and change in behavior are not necessary for domination to hurt autonomy. As discussed before, independence is the third fundamental condition for autonomy. As Raz puts it, independence is freedom from subjection to the will of another (Abizadeh, 2008, p. 40). Likewise, Pettit explains that being subject to arbitrary power, despite interference or the powerful's intentions, puts the powerless under the mercy of the former. Thus, the dominated actor is conditioned to wait for the powerful actor to decide, at their will, whether to interfere or not. This means that the integrity of the dominated party is constantly

at the hands of another actor's will. This is, in itself, a violation of independence, because the dominated's plans and choices are never fully up to them. Hence, the only way in which that actor can be autonomous, is if the powerful's arbitrariness is controlled, which removes the capacity for them to choose the fate of another. In other words, the relationship of domination portrays a situation in which the powerless is always dependent on the powerful's wishes. Therefore, domination in itself, despite actual interference, hurts autonomy.

However, Shnayderman still stresses that situations involving domination and interference are worse than domination with no interference. That is true, however, Shnayderman is wrong in assuming that this undermines the republican conception. To support this claim, I will argue both in terms of freedom as a principle and freedom as in degrees.

Following the first logic, we assess whether something hurts or not negative freedom. The fact that domination happens before interference reveals how there is no fallacy in the republican view. Even if domination with interference is worse than domination without it, the temporal sequence is relevant. In other words, because domination happens prior to interference, that relationship should be the antagonist of freedom. Hence, following freedom as a principle, the very existence of arbitrary power hurts autonomy. Thus, the agent is unfree under domination despite interference because it is also bad in itself.

Following the second, we measure how much negative freedom is being hurt by a situation. Thus, freedom comes in degrees. Arguing that actual interference is worse than only domination does not hinder the fact that domination is also bad. In other words, it does not matter that actual interference hurts more freedom than does domination without it. Or else, one could argue that because killing is a worse interference than locking someone, the second should not be considered an infringement of freedom. This logic is flawed, and so is Shnayderman's argument. Thus, even though pure domination harms less freedom than does domination with interference, it nonetheless hurts it.

Now, moving on to criticisms regarding the impossibility of regulating capacity to interfere, Simpson (2017) claims that republican freedom is impossible since we are always under the yoke of collective will power. In other words, there is always the possibility of being dominated if a group of people decides to coordinate, hence, everyone is always unfree.

However, this point does not offer a weakness in Pettit's theory, since it misinterprets the arbitrary clause. Pettit does not argue that being unfree is being under the capacity to be dominated, instead that it is being under arbitrary power: the capacity of an actor to interfere with impunity and at will (Pettit, 1996, p. 580). The at-will condition entails that power can be used at the person's own pleasure, with independence (Pettit, 1996, p. 580). Since in the scenario that Simpson portrays no one alone owns the capacity to interfere at will, the actors do not have independent power. Thus, there is no domination yet, hence, it does not fall into Pettit's definition.

Nonetheless, Larmore (2003) still claims that regulating arbitrary power is impossible. He notices that contrary to what republicans advocate, laws do not stop people from being capable to interfere. Yet first, the republican view is not only about forbidding actual interference (which aims at fighting impunity), but it also advocates the redistribution of resources to balance power. As explained before, these strong protective institutions can generate freedom by regulating the sources of social power. E.g., universal education is a smart and possible way to empower the weak and curtail domination.

Second, countering arbitrariness through just laws is also a way to give back to the dominated the power to be autonomous. That is because self-determination entails that laws that regulate impunity and redistribute resources should be done under a democratic system. Thus, it does not erase the powerful's ability to interfere, but it is a structure that empowers the people's will, giving them that same ability in form of political participation. Hence, the republican's suggestion to counter domination is a normative process of balancing power.

Third, if "being impossible to impede capacity to interfere" was a sound claim, then it would be a criticism for both liberal and republican conceptions of freedom. Similarly, a strong Rule of Law does not guarantee that liberal rights are secured. As Larmore himself observes, laws do not stop people from interfering with others. However, this does not weaken liberal nor republican conceptions of freedom, because empirical facts do not harm the normative arguments that they entail. In other words, it is not because a normative statement is *impossible* that it is not what *should* be.

Finally, libertarians are wrong in assuming that there can be equality of liberty without equality of power. Without protective institutions, only the freedom from interference of the powerful

is secured. For example, without strong laws protecting women (which may indeed lessen men's choice domain), only liberty for men is protected. Hence, state intervention should not be seen as an injustice that requires justification. Instead, it is a mechanism that promotes equal liberty.

Overall, the republican idea of freedom offers a more complete understanding of negative freedom. More importantly, it offers a conception that better protects the principle of autonomy. That is because the capacity to interfere, despite actual interference, is enough to hurt autonomy. Thus, coercion is not necessary to trigger demands of justice. In sum, the concept of domination may be better suited to generate principles of justice than coercion.

Applying the Republican conception of Freedom to Coercion Accounts of Justice

Essentially, Blake and Nagel's arguments are that coercion triggers demands of justice, because coercion hurts autonomy. Yet, this claim does not imply that coercion is the only way in which autonomy can be hurt. To claim that "infringement on autonomy generates justice" is very different from "coercion is the only relationship that hurts autonomy". On the other hand, Abizadeh states that being subject to coercion is sufficient to invade autonomy, thus it generates principles of democratic justice. This does not exclude other types of relationships that may also be sufficient to hurt autonomy. Therefore, offering another form of infringement of autonomy that is not coercion weakens Blake and Nagel's theories significantly.

Hence, the fact that domination hurts autonomy prior to coercion proves that those accounts fall short. Indeed, domination may be better suited to trigger justice. Blake, Nagel, and Abizadeh argue that what defines coercion is the ability and willingness of the coercer to do so. However, republicans demonstrate that willingness is not necessary for freedom to be hurt. Instead, the very structure of domination, despite the intentions or actions of the powerful, are enough to hurt autonomy.

Therefore, coercion accounts highlight a relationship sufficient to hurt autonomy, yet not necessary. The fact that domination without coercion is sufficient to hurt autonomy demonstrates that coercion in itself is not necessary to trigger demands of justice. Thus, Blake and Nagel's claim is weak, whereas Abizadeh's claim that coercion is merely sufficient to trigger demands of democratic justification seems more plausible.

Furthermore, it seems that participation is a more relevant form of justification, than only redistribution and protecting people from actual interference. As discussed before, balancing power to counter domination should be done through a system of just laws that takes away the capacity to interfere of few and gives back to the will of the population. Thus, Abizadeh's addition of democratic theory to his argument makes it stronger than Blake and Nagel's.

Moreover, republicanism offers an improvement of liberals' own interpretation. Rawls claims that under the original position, besides equal liberty, society should take care of the least advantaged. However, protecting the worse off in society should not be understood only by those suffering from lack of financial resources, as does Blake and Nagel. For instance, intellectual resources demonstrate that money is not the only source of power, thus, only redistribution does not make up for injustices. Hence, the difference principle should be understood as protecting the worse off in power relations as a whole.

In conclusion, Abizadeh creates a stronger theory of justice than does Blake and Nagel as he adopts a conception of freedom closer to the republican understanding. This promotes a more complete view of negative freedom than does the liberal since it entails that actual interference is not necessary to hurt autonomy. Thus, coercion accounts are usually limited by relying on actual interference to generate principles of justice, which does not consider other ways in which autonomy is hurt, such as domination.

Chapter 5: Conclusion

This paper had the objective of answering the question: *should the morally relevant relational feature that triggers demands of justice be grounded on liberal or republican conceptions of freedom?* In order to do that, it first analyzed why coercion is so often taken to be the morally relevant feature of justice. It reached the conclusion that those scholars have a concern with autonomy and that this is hurt through acts of interference. This understanding is due to the liberal interpretation of freedom. Next, it investigated how liberal coercion accounts can be challenged by the republican conception of freedom. The answer was that if the capacity to interfere, without actual interference, was enough to hurt autonomy, then coercion would be sufficient yet not necessary to trigger demands of justice. Hence, in order to assess which conception of freedom is best in determining the morally relevant relationship that triggers demands of justice, it engaged with a critical reflection on the liberal vs. republican debate. Finally, it concluded that the republican view does a better job in securing autonomy since domination, in itself, hurts freedom. Thus, coercion is not necessary to generate principles of justice, and liberal coercion accounts are limited by having this narrower view of how autonomy can be hurt.

However, it is important to address the limitations of this research. This paper focuses on criticizing only coercion accounts to justice, as opposed to reviewing all leading theories of justice. Nonetheless, relational approaches are important because institutions matter whether or not the scholar believes that justice is grounded in a morally relevant feature possessed by all persons. They can shape the relationships and individual lives of these agents, which in turn may trigger special demands of justice beyond non-relational moral minimums. Therefore, the discussion inside relational approaches to justice is relevant to every philosophy scholar.

Furthermore, this paper demonstrated that domination can be a morally relevant relationship that triggers demands of justice. For the sake of feasibility, it did not delve into the second empirical claim of relational approaches, analyzing domination at the international level. What is left for the scope of justice then? How domination plays a role in the global basic structure? There is a variety of asymmetries in power at the international level, evidenced, e.g., by colonialism or by the five permanent members of the United Nation's Security Council. This indicates that domination may exist globally. However, further research has to be done properly

analyzing the character of international domination. This would entail investigating the different types of power relationships both between states, as well as between transnational social groups. Furthermore, it is out of the scope of this research to identify what are the proper forms of justification for global justice as antipower, and how they would take place. Nonetheless, this is a debate of great societal relevance, since it influences the structure and consequences of politics and human relations, local and global.

References

- Abizadeh, A. (2008). Democratic theory and border coercion. *Political Theory*, 36(1), 37-65.
- Abizadeh, A. (2010). Democratic legitimacy and state coercion: A reply to David Miller. *Political theory*, 38(1), 121-130.
- Anderson, S. A. (2010). The enforcement approach to coercion. *Journal of Ethics & Social Philosophy*, 5(1), 1-31.
- Berlin, I. (2000). Two Concepts of Liberty. In H. Hardy, & R. Hausheer (Eds.), *The Proper Study of Mankind: An Anthology of Essays* (2nd ed.). New York, NY: Farrar, Straus and Giroux.
- Berlin, I. (2014). Liberty. In & H. Hardy (Ed.), *The power of ideas* (2nd ed.) (pp. 134-138). Princeton: Princeton University Press. doi: <https://doi-org.ezproxy.leidenuniv.nl/2443/10.1515/9781400848843>
- Blake, M. (2001). Distributive justice, state coercion and autonomy. *Philosophy and Public Affairs*, 30(3), 257-296.
- Caney, S. (2011), Humanity, associations and global justice: In defence of Humanity-centred cosmopolitan egalitarianism. *The Monist*, 94(4), pp. 506-534.
- Larmore, C. (2003). Liberal and republican conceptions of freedom. *Critical Review of International Social and Political Philosophy*, 6(1), 96-119. doi:10.1080/13698230510001702693
- Lovett, F. (2018). Republicanism. In E. Zalta (ed.), *The Stanford Encyclopedia of Philosophy* (Summer 2018 Edition). Retrieved from <https://plato.stanford.edu/archives/sum2018/entries/republicanism/>
- McCammon, C. (2015). Domination: A Rethinking. *Ethics*, 125(4), 1028-1052.

- Miller, D. (2010). Why immigration controls are not coercive: A reply to Arash Abizadeh. *Political theory*, 38(1), 111-120.
- Nagel, T. (2005). The problem of global justice. *Philosophy and Public Affairs*, 33(2), 113-147.
- Nozick, R. (2001). *Anarchy, State and Utopia*. New York: Blackwell Publishing.
- Pettit, P. (1996). Freedom as antipower. *Ethics*, 106(3), 576-604.
- Pettit, P. (2002). Keeping Republican Freedom Simple: On a Difference with Quentin Skinner. *Political Theory*, 30(3), 339-356.
- Sangiovanni, A. (2016). Is Coercion a Ground of Distributive Justice?. *Law and Philosophy*, 35(3), 271-290.
- Shnayderman, R. (2012). Liberal vs. republican notions of freedom. *Political Studies*, 60(1), 44-58.
- Simpson, T. (2017). The impossibility of republican freedom. *Philosophy and Public Affairs*, 45(1), 27-53.
- Singer, P. (1972). Famine, affluence, and morality. *Philosophy and Public Affairs*, 1(3), 229–243.
- Skinner, Q. (1984). The idea of negative liberty: Philosophical and historical perspectives. In R. Rorty, J. Schneewind, & Q. Skinner (Eds.), *Philosophy in History: Essays in the Historiography of Philosophy* (pp. 193-221). Cambridge: Cambridge University Press. doi:10.1017/CBO9780511625534.012
- Taylor, C. (1979). What's wrong with negative liberty. In A. Ryan (ed.), *The Idea of Freedom: Essays in Honour of Isaiah Berlin* (pp. 175-193). Oxford: Oxford University Press
- Waldron, J. (1989). Autonomy and perfectionism in Raz's morality of freedom. *Southern California Law Review*, 62(Issues 3 & 4), 1097-1152.